



**RESOURCE  
MANAGEMENT AGENCY  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

KUYLER CROKER  
District One

PETE VANDER POEL  
District Two

AMY SHUKLIAN  
District Three

J. STEVEN WORTHLEY  
District Four

MIKE ENNIS  
District Five

**AGENDA DATE:** March 13, 2018 – REVISED

Public Hearing Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

CONTACT PERSON: Celeste Perez    PHONE: (559) 624-7010

**SUBJECT:** Transfer of the Monson Community Well and Water System to the Sultana Community Services District via Quitclaim Deed

**REQUEST(S):**

That the Board of Supervisors:

1. Approve a quitclaim deed for the transfer of ownership of the Monson Community Well and Water System to the Sultana Community Services District (4/5<sup>th</sup> vote required); and
2. Authorize the Chairman to sign the quitclaim deed; and
3. Authorize the Director of the Resource Management Agency or his/her designee to take the necessary actions under the agreement to complete the transfer.

**SUMMARY:**

Tulare County was the lead agency for a project to design and construct a new community based municipal well, a water distribution system, a filling station, and appurtenances in the community of Monson to alleviate issues with water supply and quality affecting the residents. The project was undertaken with the intent that the project would be operated by the Sultana Community Services District (SCSD), with residents entering into an Extraterritorial Service Agreement with the SCSD to this effect.

The County previously entered into an agreement with SCSD (Agreement No. 28359) which required approval by the Department of Water Resources and the State Water Resources Control Board, grant funders for the project, before the agreement was finalized. Now that the agreement has been finalized, the property transfer may take place subject to the provisions of Government Code §§ 6061 &

**SUBJECT:** Transfer of the Monson Community Well and Water System to the  
Sultana Community Services District via Quitclaim Deed  
**DATE:** March 13, 2018

25365. These statutes require the County to publish notice at least one week prior to the transfer in a newspaper of general circulation published in the County. To this end, an advertisement was placed in the Visalia Times Delta last week, a copy of which is attached. Further, staff is requesting your Board approve an updated quitclaim deed to reflect the change in the year and in the Chairman since the previous quitclaim deed was approved.

Under the agreement, SCSD will be responsible for operating and maintaining the system, setting and collecting rates, and other tasks associated with managing a public water system. County will not be liable for any costs related to maintain, operating, or managing the system. The agreement also provides that the real property and appurtenances will be conveyed to SCSD via quitclaim deed. Further, the conveyance of the real property is subject to reverter and requires that the real property be used for a public water system. The agreement also included a draft quitclaim deed and required that the final quitclaim deed be in substantially similar form.

The land to be transferred includes the well site, which is approximately 0.89 acres and was purchased using grant funds, and a waterline construction and maintenance easement, which was also acquired using grant funds. Other real property and equipment to be transferred hereunder include the waterlines, well, tank, fill station, pumps and other equipment, and appurtenances thereto all of which were acquired using grant funds.

Your Board previously approved a Notice of Exemption for this project (Resolution 2017-0859), finding that the transfer of property was exempt from CEQA under the General Rule Exemption (14 Cal. Code Regs. Section 15061(b)(3)).

The project was constructed by Brough Construction, Inc. of Arroyo Grande, California and designed by Provost and Pritchard Consulting Group. The project was funded by three grants, \$500,000 from an Emergency Community Water Assistance (ECWAG) Grant from the United States Department of Agriculture (USDA), \$400,000 from the Department of Water Resources (DWR), and \$1,215,000 from the State Water Resources Control Board (SWRCB). DWR and SWRCB will also be required to approve the transfer of this system. USDA staff have confirmed that USDA does not need to approve the transfer.

**FISCAL IMPACT/FINANCING:**

There is No Net County Cost to the General Fund. The County will not be liable for the operations, maintenance, or management of the system after the transfer.

All real property and equipment to be transferred under this agreement were acquired using grant funds. Staff has worked with the grant funding agencies to seek approval of this transfer of property as necessary.

**SUBJECT:** Transfer of the Monson Community Well and Water System to the  
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**DATE:** March 13, 2018

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's five-year strategic plan includes a Quality of Life initiative to provide an adequate and safe water supply. This transfer will allow the community of Monson to receive clean and safe water from the Sultana Community Services District.

**ADMINISTRATIVE SIGN-OFF:**



\_\_\_\_\_  
Reed Schenke, P.E.  
Director

RS:rm

Cc: Auditor-Controller  
County Counsel  
County Administrative Office (2)

Attachments: A – Quitclaim Deed for Transfer  
B – Copy of Announcement  
C - Notice of Exemption

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF TRANSFER OF THE )  
MONSON COMMUNITY WELL AND WATER ) Resolution No. \_\_\_\_\_  
SYSTEM TO THE SULTANA COMMUNITY )  
SERVICES DISTRICT VIA QUITCLAIM )  
DEED )

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE  
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD MARCH 13, 2018, BY  
THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: MICHAEL C. SPATA  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

1. Approved a quitclaim deed for the transfer of ownership of the Monson Community Well and Water System to the Sultana Community Services District (4/5<sup>th</sup> vote required); and
2. Authorized the Chairman to sign the quitclaim deed; and
3. Authorized the Director of the Resource Management Agency or his/her designee to take the necessary actions under the agreement to complete the transfer.

## A – Quitclaim Deed for Transfer

Recording Requested by:

When recorded, mail to:  
Sultana Community Services District  
P. O. Box 158  
Sultana, CA 93666

(This space for Recorders use only.)

No recording fee required; this document is exempt from fee pursuant to Sections 6103 and 27383 of the California Government Code. This deed is exempt from tax pursuant to Section 11922 of the California Revenue and Taxation Code.

APN 033-040-037

Monson Well Site

GS PM 17-25

Portion of APN 033-040-036

### QUIT-CLAIM DEED

**FOR A VALUABLE CONSIDERATION**, receipt of which is hereby acknowledged, the County of Tulare, Grantor, does hereby remise, release and forever quitclaim to the Sultana Community Services District, the real property located in the County of Tulare, State of California, more particularly described as follows:

**Fee title to Real Property Described in Exhibit A and Depicted in Exhibit A-1, Waterline Construction and Maintenance Easement Described in Exhibit B and Depicted in Exhibit B-1 and ownership and maintenance rights and responsibilities to waterlines and water system appurtenances within county right of way as depicted in Exhibit C.**

For so long as the real property is used for a public water system. In the event said real property be used for any other purpose than a public water system, then the estate created by this conveyance shall automatically revert to the County of Tulare without the necessity for any action to affect said reversion. It is the intention of this conveyance to grant a fee simple determinable to the Sultana Community Services District and to retain for the County of Tulare a possibility of reverter.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018 GRANTOR

COUNTY OF TULARE

BY: \_\_\_\_\_  
J. Steven Worthley  
Chairman, Board of Supervisors

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
COUNTY OF TULARE ) SS.

On \_\_\_\_\_, before me \_\_\_\_\_, a Notary Public,  
personally appeared \_\_\_\_\_  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument  
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal

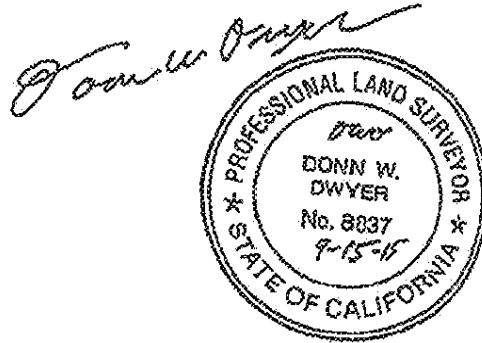
Signature \_\_\_\_\_

# EXHIBIT A

MONSON WELL SITE

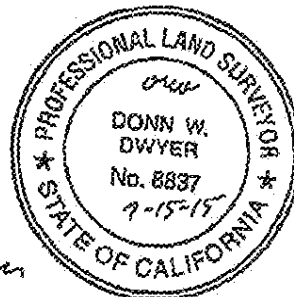
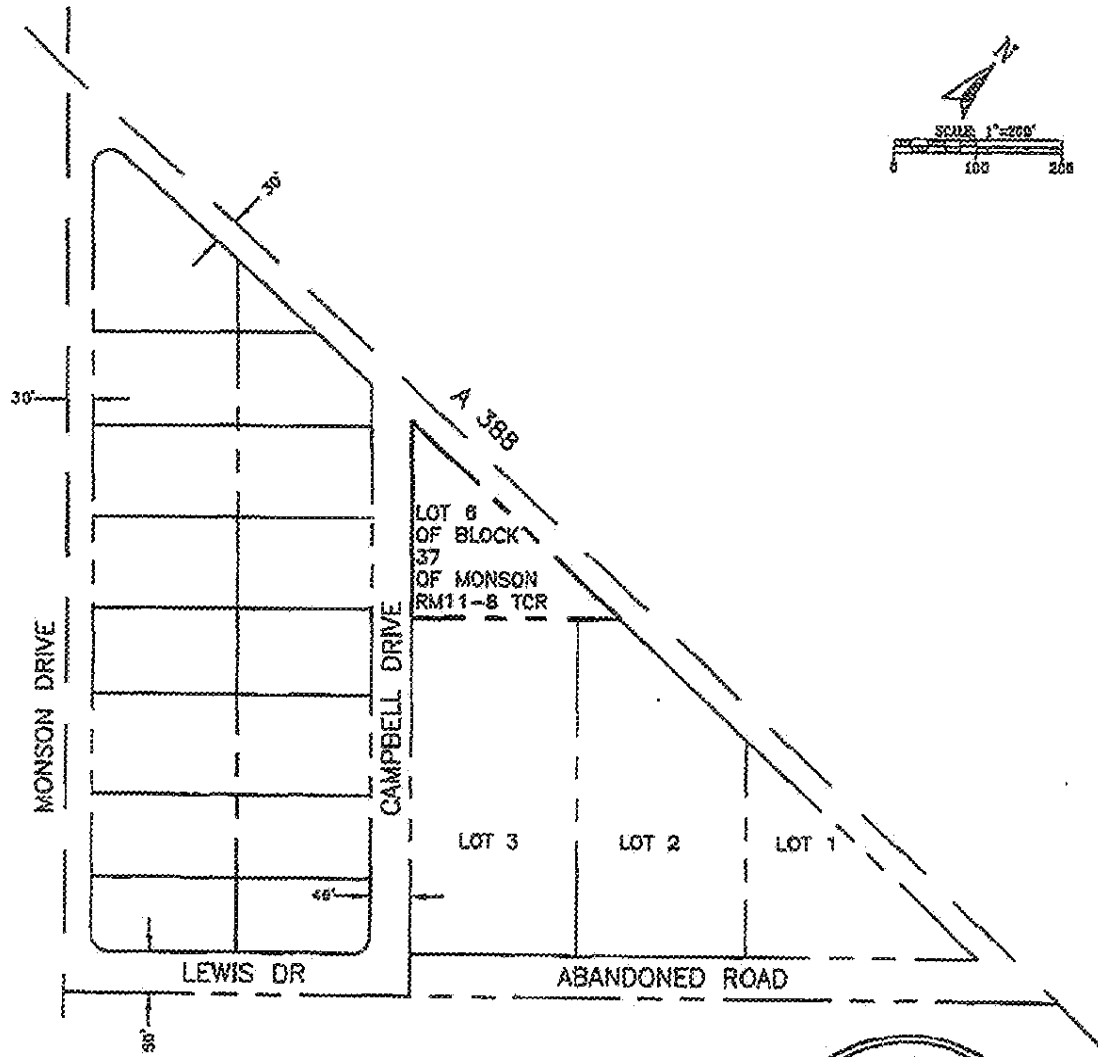
PORTION OF APN 033-040-033

Lot 6 in Block 37 of the Town of Monson as per map recorded May 1, 1911 in Volume 11 of Maps at Page 8 in the Office of the Recorder of the County of Tulare, also being located in the North half of the Southwest quarter of Section 35, Township 16 South, Range 24 East MDBM, in the County of Tulare, State of California.





# Exhibit A-1



*Donn W. Dwyer*

PARCEL MAP  
MONSON WATER PROJECT

TULARE COUNTY

TULARE COUNTY  
RESOURCE MANAGEMENT  
AGENCY  
5961 SOUTH MOONEY BLVD.  
VISALIA, CA 93277



## EXHIBIT B

### MONSON WATER LINE CONSTRUCTION AND MAINTENANCE EASEMENT

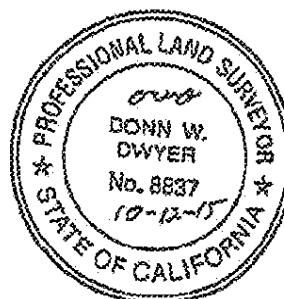
APN 033-040-033

The southwesterly 20 feet of Lot 5 and Lot 8 of Block 36 of the Town of Monson as per map recorded May 1, 1911 in Volume 11 of Maps at Page 8 in the Office of the Recorder of the County of Tulare.

Together with the southwesterly 20 feet of the abandoned street lying between Lot 1, Lot 2, and Lot 3 of Block 37 and Lot 8, Lot 9, Lot 10, and Lot 11 of Block 36 of said Town of Monson map per document recorded in Volume 847 at Page 393 of Official Records in the Office of the Recorder of the County of Tulare.

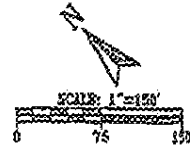
Being a total of 480 feet in length.

Also being located in the North half of the Southwest quarter of Section 35, Township 16 South, Range 24 East MDBM, in the County of Tulare, State of California.

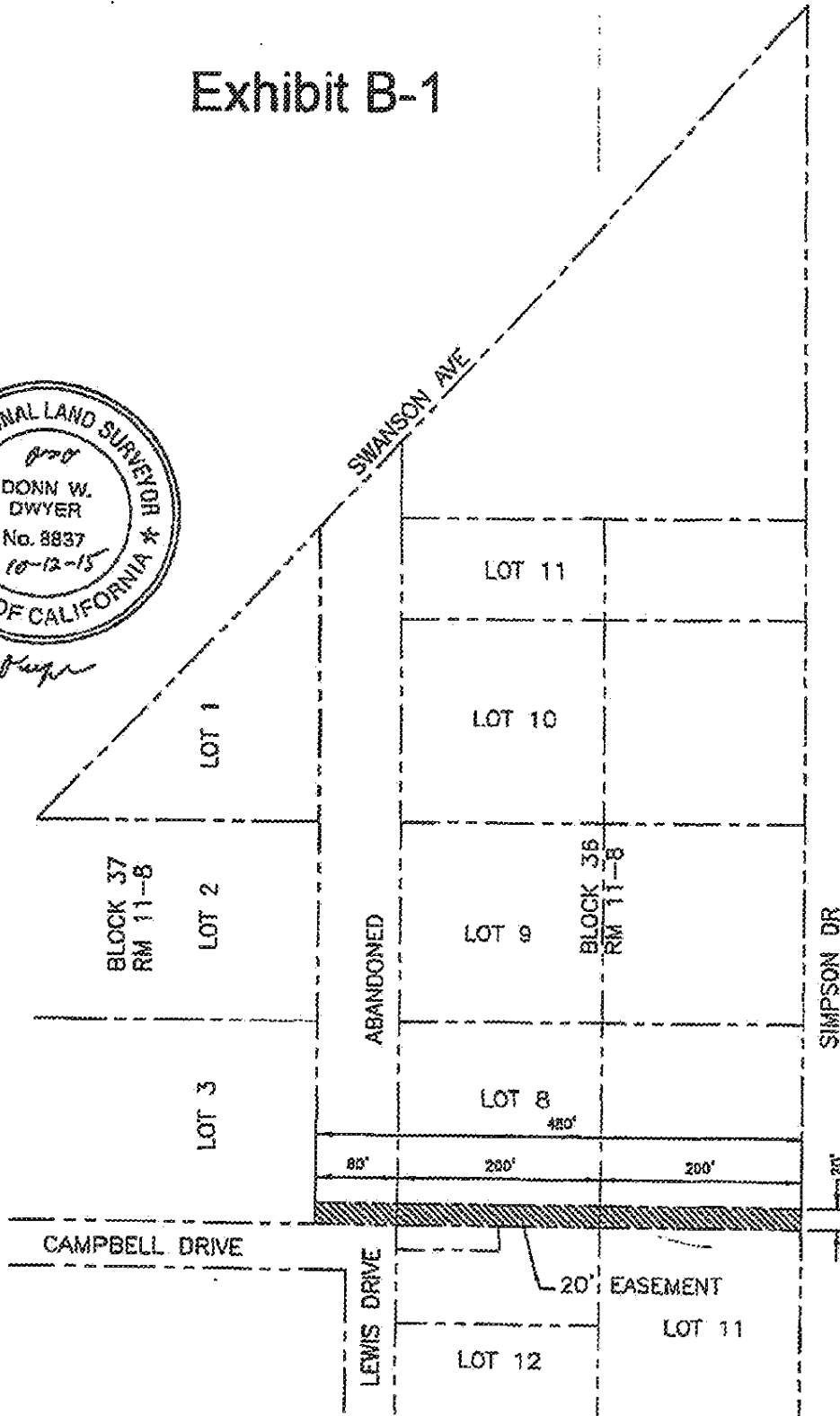


*Donn W. Dwyer*

# Exhibit B-1



*Don W. Dwyer*



APN 033-040-033  
**MONSON WATER LINE CONSTRUCTION  
 AND MAINTENANCE EASEMENT**  
 TULARE COUNTY

**TULARE COUNTY  
 RESOURCE MANAGEMENT  
 AGENCY**  
 5961 SOUTH MOONEY BLVD.  
 VISALIA, CA 93277





## B – Copy of Announcement

NOTICE OF INTENTION  
TO CONVEY THE COUNTY-OWNED INTEREST  
IN REAL PROPERTY AND EQUIPMENT TO THE SULTANA COMMUNITY SERVICE  
DISTRICT

ON MARCH 13, 2018 AT 9:00 AM AT A REGULARLY SCHEDULED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE AT THE BOARD CHAMBERS LOCATED AT 2800 W BURREL AVE, VISALIA, CA 93291, THE BOARD WILL CONSIDER THE CONVEYANCE OF COUNTY-OWNED REAL PROPERTY AND EQUIPMENT TO THE SULTANA COMMUNITY SERVICE DISTRICT, A SPECIAL DISTRICT FORMED UNDER THE LAWS OF THE STATE OF CALIFORNIA. THE REAL PROPERTY AND EQUIPMENT BEING LOCATED WITHIN THE COMMUNITY OF MONSON CONSISTS OF A COMMUNITY WATER SYSTEM, WELL, AND APPURTENANCES AND INCLUDING THE PARCEL WHOSE ASSESSOR'S PARCEL NUMBER IS 033-040-037 AND AT THE ADDRESS OF 10565 AVE 388 AND A WATERLINE CONSTRUCTION AND MAINTENANCE EASEMENT AFFECTING A PORTION OF THE PARCEL WHOSE ASSESSOR'S PARCEL NUMBER IS 033-040-036. THE PROPERTY WILL BE CONVEYED BY QUITCLAIM DEED SUBJECT TO REVERTER.

THIS NOTICE IS BEING PUBLISHED PURSUANT TO GOVERNMENT CODE SECTIONS 6061 AND 25365C.

Michael C. Spata  
County Administrative Officer/  
Clerk Board of Supervisors  
County of Tulare

## C - Notice of Exemption

# Notice of Exemption

Fee Exempt per Government Code Section 6103

To: ☐ Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

☒ Tulare County Clerk  
Room 105, Courthouse  
221 South Mooney Boulevard  
Visalia, California 93291

*Dated filed with Tulare County Clerk*

**Lead Agency:** County of Tulare Resource Management Agency  
5961 South Mooney Blvd.  
Visalia, CA 93277 Ph: (559) 624-7000

**Applicant:** County of Tulare Resource Management Agency  
Public Works Branch  
5961 South Mooney Blvd.  
Visalia, CA 93277 Ph: (559) 624-7000

**Project Title:** Transfer of Monson Water System

**Project Location - Specific:** The subject property includes a well site with appurtenances consisting of a portion of APN 033-040-033 as described and depicted in Exhibits A and A-1. The project also includes an easement consisting of a portion of APN 033-040-033 as described and depicted in Exhibits B and B-1. Also included a part of the project is a distribution system consisting of two loops with appurtenances (one on Avenue 388, Campbell Avenue, Avenue 344, and Monson Drive; and the other on Campbell Drive, Simpson Road, Monson Drive and Avenue 344) as depicted in Exhibit C. The attached project maps (Exhibits A, A-1, B, B-1 and C) are made a part hereof.

**Project Location - General:** A well site, easement, and water system located within the community of Monson as described and depicted in Exhibits A, A-1, B, B-1 and C.

**Project Location City:** N/A, within the unincorporated community of Monson **Project Location County:** Tulare

**Description of Nature, Purpose, and Beneficiaries of Project:** The subject property consisting of a well site, easement, and water distribution system (with appurtenances) would be transferred to the Sultana Community Service District to operate it as a public water system. The water system and appurtenances include, but are not limited to, a municipal well; approximately 5,000 feet of water main within existing road rights-of-way; isolation gate valves at intersections; water services with water meters and shut off valves to each lot; a filling station; water treatment equipment; and pumps.

## Excluded / Exempt Status:

- ☐ Ministerial (Sec. 21080(b)(1); 15268)
- ☒ General Rule: CEQA guidelines 15061 (b)(3)
- ☐ Categorical Exemption:
- ☐ Statutory Exemptions:

**Reasons why project is excluded / exempt:** The transfer of the subject property is exempt from CEQA pursuant to the "general rule" or "common sense" exemption on the ground that it can be seen with certainty that there is no possibility that the activity (transfer of property to another agency for similar or the same use) may have a significant effect on the environment (14 Cal. Code Regs., §15061, subd. (b)(3)). Therefore, it can be reasonably concluded that the proposed project is exempt from California Environmental Quality Act per Section 15061, subd. (b)(3).

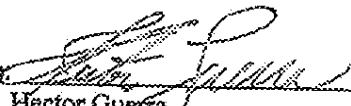
**Name of Public Agency Approving Project:** County of Tulare Resource Management Agency

[continued on next page]



Project Planner / Representative: Ross Miller, P.E., Chief Engineer


Telephone: 559-624-7070

Signature: 

Hector Guerra

Date: 9/27/17

Title: Chief Environmental Planner

Signature: 

Reed Schenke

Date: 9/27/17

Title: Director and Environmental Assessment Officer

- ☒ Signed by Lead Agency  
☐ Signed by Applicant

# EXHIBIT A

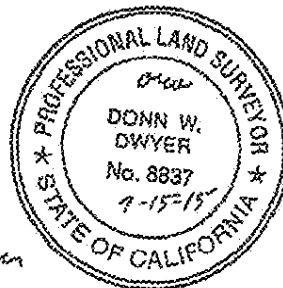
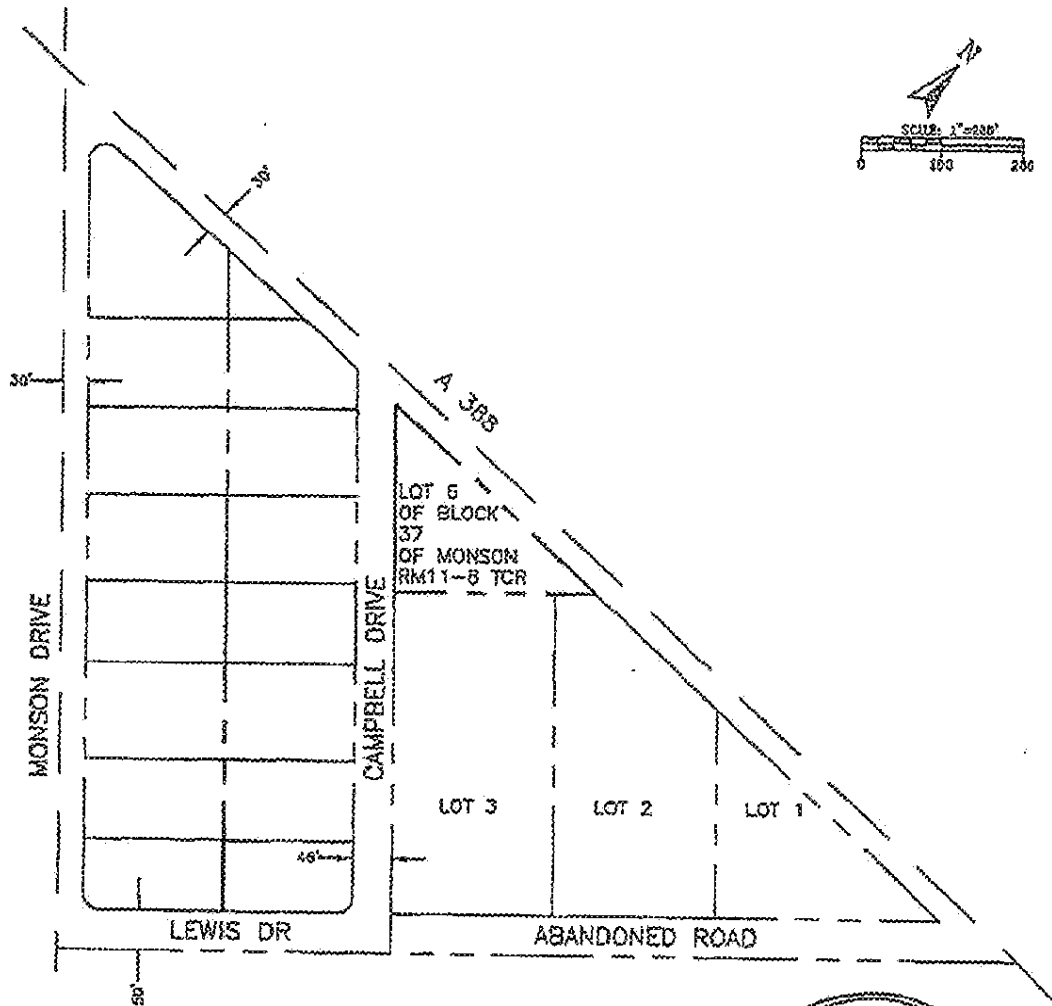
MONSON WELL SITE

PORTION OF APN 033-040-033

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# Exhibit A-1



*Donn W. Dwyer*

PARCEL MAP  
MONSON WATER PROJECT

TULARE COUNTY

TULARE COUNTY  
RESOURCE MANAGEMENT  
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## EXHIBIT B

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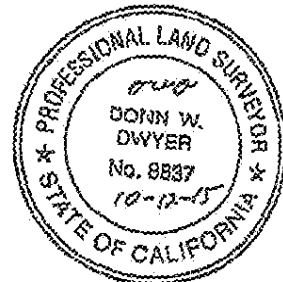
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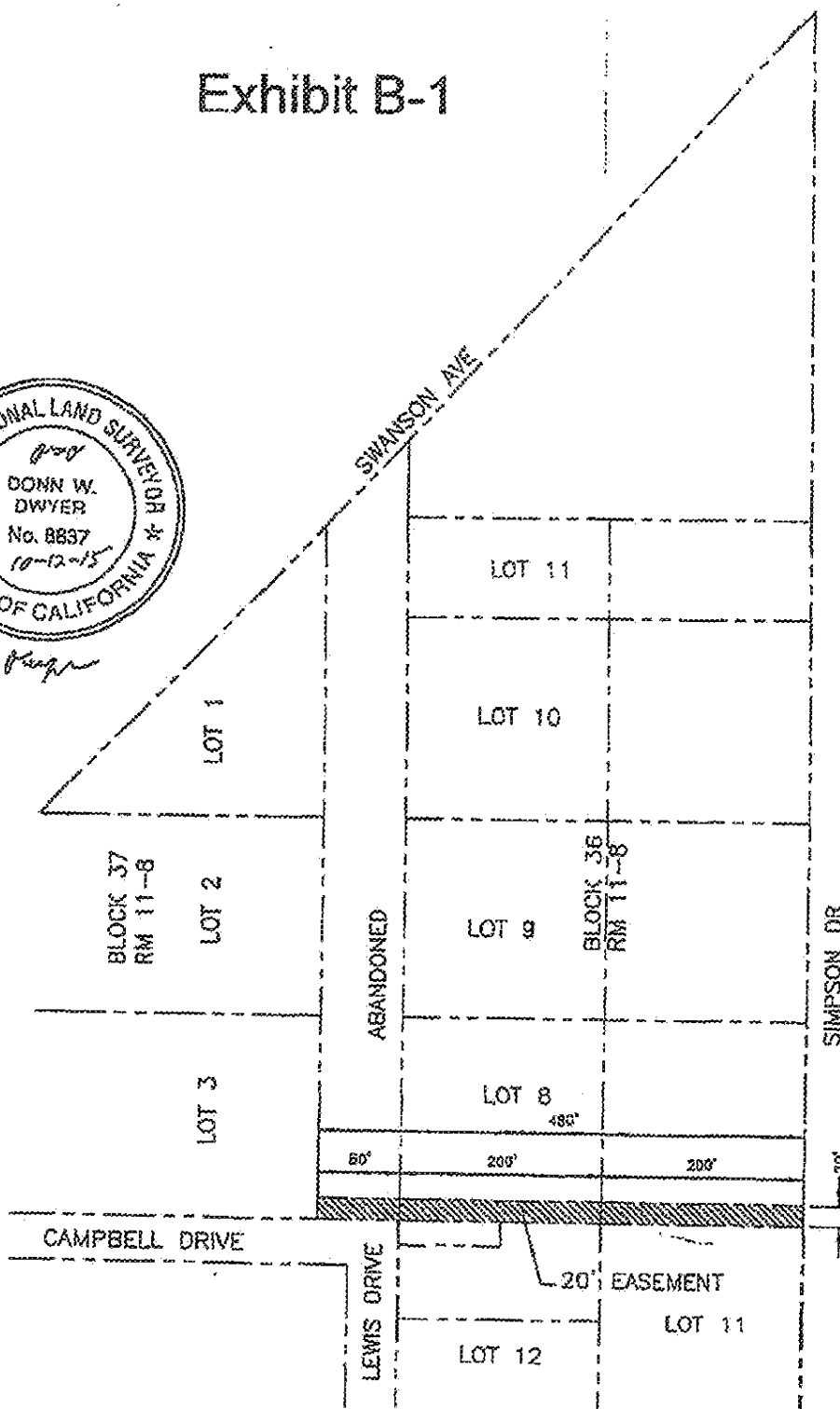
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*Donn W. Dwyer*



James W. Brown



TULARE COUNTY  
RESOURCE MANAGEMENT  
AGENCY  
5961 SOUTH MOONEY BLVD.  
VISALIA, CA 93277



NAB at 20. Below.  
 Call before you go.

RECEIVED THE  
OFFICE OF THE  
ATTORNEY GENERAL  
JAN 10 1967

[illegible]

STATE OF TEXAS,

Exhibit C

