

REVISED
ATTACHMENT 3

ITEM NO. 6.3

RESOLUTION NO. _____

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE SANTA CLARITA VALLEY WATER AGENCY
AUTHORIZING SANTA CLARITA VALLEY WATER AGENCY TO
EXECUTE A NON-EXCLUSIVE ACCESS LICENSE AGREEMENT WITH LOS
ANGELES SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS AND
FINDING THAT THE CONTRACT IS EXEMPT FROM CEQA PURSUANT TO CEQA
GUIDELINES SECTION 5061(b)(3)**

WHEREAS, Santa Clarita Valley Water Agency (“Agency”) owns property located off of Whites Canyon Road (Assessor’s Parcel Numbers 2812-009-903, 2812-009-904, and 2812-009-902), known as the Agency’s Whites Canyon Tank Site, formerly known as Sky Blue Tank Site as depicted in Exhibit 1; and

WHEREAS, Agency’s abutting property owner at the Sky Blue Tank Site, the George L. Rhone and Joan E. Rhone Family Trust dated June 15, 1984 (collectively, “Rhone Family Trust”) and Los Angeles SMSA Limited Partnership, a California limited partnership, d/b/a Verizon Wireless (“Verizon”) entered into an Option and Land Lease Agreement to allow the Verizon to construct and operate a wireless communication facility on the Rhone Family Trust’s property located in the City of Santa Clarita, County of Los Angeles—assigned Assessor’s Parcel Numbers 2812-009-120 and 2801-013-038 (“Rhone Family Trust Property”); and

WHEREAS, Agency maintains an access road connecting the Whites Canyon Tank Site, formerly known as Sky Blue Tank Site to Whites Canyon Road (“Access Road”); and

WHEREAS, Verizon has requested to use the Access Road for pedestrian and vehicular ingress and egress access purposes, and the Agency is willing to grant such an access license to Verizon; and

WHEREAS, Agency staff and Verizon have subsequently negotiated a Non-Exclusive Revocable Access License Agreement (“License Agreement”) with the necessary rights of ingress and egress over the Access Road for pedestrian and vehicular access for the purpose of installing, operating, removing, and maintaining the Verizon’s wireless facility located on the abutting Rhone Family Trust Property; and

WHEREAS, the Engineering and Operations Committee has reviewed the proposed License Agreement, held a public [hearing-meeting](#) and recommended the License Agreement’s approval; and

WHEREAS, the Engineering and Operations Committee has found that the License Agreement is exempt from environmental review under the California Environmental Quality (CEQA) pursuant to CEQA Guidelines section 15061(b)(3), the “common sense exemption,” which provides that CEQA applies only to projects that have the potential for causing a significant effect on the environment, and the License Agreement does not have the potential for causing a significant effect on the environment; and

WHEREAS, Agency, a public agency of the State of California duly organized, validly existing under and pursuant to the Constitution and the laws of the State of California, created January 1, 2018 by an act of the State Legislature (SB 634), has the requisite

legal right, power, and authority to execute and deliver the Revocable Non-Exclusive Access License Agreement and carry out and consummate all transactions contemplated therein.

NOW, THEREFORE, BE IT RESOLVED, the Santa Clarita Valley Water Agency's Board of Directors does hereby find and determine as follows:

1. The recitals set forth above are true and correct and are made findings of the Santa Clarita Valley Water Agency's Board of Directors, and by this reference made an operative part of this Resolution.
2. The License Agreement in substantially the form on file with the Clerk of the Board and attached hereto as Exhibit 2 is hereby authorized and approved.
3. The Agency's General Manager (the "Authorized Representative") or designee is hereby authorized and directed to execute and deliver the License Agreement with such changes, insertions and omissions as may be recommended by general counsel to Agency and approved by the Authorized Representative executing the same, said execution being conclusive evidence of such approval.
4. The Authorized Representative or designee and any other proper officer of the Agency is hereby authorized to represent the Agency in carrying out the Agency's responsibilities under the License Agreement, including but not limited to execution and delivery of any and all documents and instruments and completion or causing completion of any and all acts and things necessary or proper for carrying out the transactions contemplated by the License Agreement and this Resolution or other required documentation.
5. Unless otherwise defined herein, all terms used herein and not otherwise defined shall have the meanings given such terms in the License Agreement unless the context otherwise clearly requires.
6. This Resolution shall take effect immediately upon its passage and adoption.

LOCATION AND CUSTODIAN OF RECORDS. The documents associated that constitute the record of proceedings on which these findings are based can be requested from the Custodian of Record located at Santa Clarita Valley Water Agency, 27234 Bouquet Canyon Road, Santa Clarita, CA 91350. The Custodian of Record is the Board Secretary April Jacobs.

CERTIFICATION

I do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Agency Board of Directors held on

_____.

President

See Board Packet for Exhibits