

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

SONOMA COUNTY WATER AGENCY

June 9, 2009

The Board of Directors of the Sonoma County Water Agency met this date in adjourned session at 8:30 a.m., with the following members present:

Directors Brown, Kerns, Zane, Carrillo, Kelley

Chair Kelley presiding.

Present: Robert Deis, County Administrator
Bruce Goldstein, Assistant County Counsel

III. DEVELOPMENT SERVICES

CONSENT CALENDAR

1. Gold Ridge Resource Conservation District's Russian River Watershed Program Funding 2009-10

Authorize Chair to execute the Agreement for Funding of Gold Ridge Resource Conservation District Russian River Watershed Program 2009-10 between the Sonoma County Water Agency (Agency) and Gold Ridge Resource Conservation District (\$30,000 for year 1 and \$20,000 for year 2, for a 2-year agreement for a total of \$50,000)

Authorize Agency's General Manager/Chief Engineer to amend the agreement provided amendments do not cumulatively increase the total cost to the Agency by more than \$25,000 (taking into account all prior amendments) and do not substantially change the scope of work

09-0527

Resolution authorizing budgetary adjustments to the 2008-09 Final Budget for the Agency's Russian River Projects Fund in the amount of \$30,000

CONSENT CALENDAR (Cont.)

SONOMA COUNTY WATER AGENCY (Cont.)

2. Russian River Instream Flow and Restoration Project
Authorize General Manager/Chief Engineer to execute the Agreement for Estuary Invertebrate Research and Monitoring Services for Russian River Instream Flow and Restoration Project between the Sonoma County Water Agency and University of Washington (\$252,713) in substantially the form as the draft presented to this Board, following review and approval by County Counsel as to form

Authorize the Agency's General Manager/Chief Engineer to amend the agreement provided amendments do not cumulatively increase the total cost to the Agency by more than \$25,000 (taking into account all prior amendments) and do not substantially change the scope of work

3. Out-of-State Travel
Authorize Tim Anderson, Governmental Affairs Coordinator, to attend the ICLEI World Congress 2009 in Edmonton, Alberta, Canada, June 14 to 18, 2009

09-0536

18. Adoption of FY 2009-10 Appropriation Limits
Concurrent resolution establishing appropriation limits for County and Board of Supervisors-Governed Special Districts, County Service Areas, other Board of Supervisors-governed agencies, Agricultural Preservation and Open Space District, and Sonoma County Water Agency, and giving instruction to the County Administrator and County Counsel, and giving notice of appropriate period of limitation for judicial review

09-0539

21. Minutes
Concurrent resolution approving the minutes for the meeting of April 28, 2009

UNANIMOUS

- 6:45 Board adjourned in memory of Pete Viviani and Mike Teldeschi. The meeting was adjourned to June 16, 2009 at 8:30 a.m.

Respectfully submitted,

Patricia Stoddard
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

SONOMA COUNTY AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

June 9, 2009

The Board of Directors of the Sonoma County Agricultural Preservation and Open Space District met this date in adjourned session at 8:30 a.m., with the following members present: Directors Brown, Kerns, Zane, Carrillo, Kelley

President Kelley presiding.

Present: Robert Deis, County Administrator
Bruce Goldstein, Assistant County Counsel

III. DEVELOPMENT SERVICES

CONSENT CALENDAR

- 09-0536
18. Adoption of FY 2009-10 Appropriation Limits
Concurrent resolution establishing appropriation limits for County and Board of Supervisors-Governed Special Districts, County Service Areas, other Board of Supervisors-governed agencies, Agricultural Preservation and Open Space District, and Sonoma County Water Agency, and giving instruction to the County Administrator and County Counsel, and giving notice of appropriate period of limitation for judicial review
- 09-0539
21. Minutes
Concurrent resolution approving the minutes for the meeting of April 28, 2009

UNANIMOUS

- 6:45 Board adjourned in memory of Pete Viviani and Mike Teldeschi. The meeting was adjourned to June 16, 2009 at 8:30 a.m.

Respectfully submitted,

Patricia Stoddard
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

June 9, 2009

The Board of Directors of the Northern Sonoma County Air Pollution Control District met this date in adjourned session at 8:30 a.m., with the following members present: Directors Brown, Kerns, Zane, Carrillo, Kelley

Chair Kelley presiding.

Present: Robert Deis, County Administrator
Bruce Goldstein, Assistant County Counsel

III. DEVELOPMENT SERVICES

CONSENT CALENDAR

- 09-0539
21. Minutes
Concurrent resolution approving the minutes for the meeting of April 28, 2009

UNANIMOUS

- 6:45 Board adjourned in memory of Pete Viviani and Mike Teldeschi. The meeting was adjourned to June 16, 2009 at 8:30 a.m.

Respectfully submitted,

Patricia Stoddard
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS

COMMUNITY DEVELOPMENT COMMISSION

June 9, 2009

The Board of Commissioners of the Community Development Commission met this date in adjourned session at 8:30 a.m., with the following members present:
Commissioners Brown, Kerns, Zane, Carrillo, Kelley

Chair Kelley presiding.

Present: Robert Deis, County Administrator
Bruce Goldstein, Assistant County Counsel

III. DEVELOPMENT SERVICES

CONSENT CALENDAR

- 09-0539
21. Minutes
Concurrent resolution approving the minutes for the meeting of April 28, 2009

UNANIMOUS

REGULAR CALENDAR

- 8:40 Present: Cas Ellena, Redevelopment Manager, Community Development Commission
Kathleen Kane, Executive Director, Community Development Commission

- 09-0540
22. Russian River Redevelopment Project Strategic Plan
Resolution of the Sonoma County Community Development Commission (Commission), in its capacity as the governing body of the Sonoma County Community Redevelopment Agency, approving and adopting the Russian River Redevelopment Project Strategic Plan for the Russian River Redevelopment Project Area

Public Comment:
Ken Weichel, Russian River Redevelopment Oversight Committee
Dan Fein, Russian River Redevelopment Oversight Committee

UNANIMOUS

REGULAR CALENDAR (Cont.)

COMMUNITY DEVELOPMENT COMMISSION (Cont.)

9:07 Present: Mark Krug, Community Development Manager, Community Development Commission

09-0541

23. Neighborhood Stabilization Program Joint Powers Agreement and Application Submittal
Concurrent resolution of the Board of Supervisors and the Sonoma County Community Development Commission, approving the Joint Powers Agreement with the City of Santa Rosa for participation in the California Department of Housing and Community Development (HCD) Neighborhood Stabilization Program (NSP), authorizing the Board Chairman to execute said Agreement, and authorizing the Commission Executive Director to sign and submit one or more grant applications to the HCD NSP for up to \$3,300,000, to accept the funds and execute grant agreements with HCD following review and approval by County Counsel as to form, to provide financial assistance to non-profit agencies to acquire foreclosed upon and abandoned properties using NSP grant funds, and to take any other actions necessary to carry out the purposes expressed in the resolution

Public Comment:
Karen Timmons

UNANIMOUS

6:45 Board adjourned in memory of Pete Viviani and Mike Teldeschi. The meeting was adjourned to June 16, 2009 at 8:30 a.m.

Respectfully submitted,

Patricia Stoddard
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

OCCIDENTAL COUNTY SANITATION DISTRICT

June 9, 2009

The Board of Directors of the Occidental County Sanitation District met this date in adjourned session at 8:30 a.m., with the following members present:
Directors Brown, Kerns, Zane, Carrillo, Kelley

Chair Kelley presiding.

Present: Robert Deis, County Administrator
Bruce Goldstein, Assistant County Counsel

III. DEVELOPMENT SERVICES

CONSENT CALENDAR

- 09-0539
21. Minutes
Concurrent resolution approving the minutes for the meeting of April 28, 2009

UNANIMOUS

6:45 Board adjourned in memory of Pete Viviani and Mike Teldeschi. The meeting was adjourned to June 16, 2009 at 8:30 a.m.

Respectfully submitted,

Patricia Stoddard
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

COUNTY OF SONOMA PUBLIC FINANCING CORPORATION

June 9, 2009

The Board of Directors of the County of Sonoma Public Financing Corporation met this date in adjourned session at 8:30 a.m., with the following members present:
Directors Brown, Kerns, Zane, Carrillo, Kelley

President Kelley presiding.

Present: Robert Deis, County Administrator
Bruce Goldstein, Assistant County Counsel

II. FISCAL SERVICES

CONSENT CALENDAR

- 09-0539
21. Minutes
Concurrent resolution approving the minutes for the meeting of April 28, 2009

UNANIMOUS

6:45 Board adjourned in memory of Pete Viviani and Mike Teldeschi. The meeting was adjourned to June 16, 2009 at 8:30 a.m.

Respectfully submitted,

Patricia Stoddard
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

RUSSIAN RIVER COUNTY SANITATION DISTRICT

June 9, 2009

The Board of Directors of the Russian River County Sanitation District met this date in adjourned session at 8:30 a.m., with the following members present:
Directors Brown, Kerns, Zane, Carrillo, Kelley

Chair Kelley presiding.

Present: Robert Deis, County Administrator
Bruce Goldstein, Assistant County Counsel

III. DEVELOPMENT SERVICES

CONSENT CALENDAR

- 09-0539
21. Minutes
Concurrent resolution approving the minutes for the meeting of April 28, 2009

UNANIMOUS

6:45 Board adjourned in memory of Pete Viviani and Mike Teldeschi. The meeting was adjourned to June 16, 2009 at 8:30 a.m.

Respectfully submitted,

Patricia Stoddard
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

SOUTH PARK COUNTY SANITATION DISTRICT

June 9, 2009

The Board of Directors of the South Park County Sanitation District met this date in adjourned session at 8:30 a.m., with the following members present:

Directors Brown, Kerns, Zane, Carrillo, Kelley

Chair Kelley presiding.

Present: Robert Deis, County Administrator
Bruce Goldstein, Assistant County Counsel

III. DEVELOPMENT SERVICES

CONSENT CALENDAR

09-0539

21. Minutes

Concurrent resolution approving the minutes for the meeting of April 28, 2009

UNANIMOUS

6:45 Board adjourned in memory of Pete Viviani and Mike Teldeschi. The meeting was adjourned to June 16, 2009 at 8:30 a.m.

Respectfully submitted,

Patricia Stoddard
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

SONOMA VALLEY COUNTY SANITATION DISTRICT

June 9, 2009

The Board of Directors of the Sonoma Valley County Sanitation District met this date in adjourned session at 8:30 a.m., with the following members present:

Directors Brown, Brown, Kelley

Chair Kelley presiding.

Present: Robert Deis, County Administrator
Bruce Goldstein, Assistant County Counsel

III. DEVELOPMENT SERVICES

CONSENT CALENDAR

- 09-0539a
21. Minutes
Resolution approving the minutes for the meeting of April 28, 2009 for Sonoma Valley County Sanitation District

UNANIMOUS

6:45 Board adjourned in memory of Pete Viviani and Mike Teldeschi. The meeting was adjourned to June 16, 2009 at 8:30 a.m.

Respectfully submitted,

Patricia Stoddard
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF SUPERVISORS

COUNTY OF SONOMA

June 9, 2009

The Board of Supervisors of the County of Sonoma met this date in adjourned session at 8:30 a.m., with the following members present:
Supervisors Brown, Kerns, Zane, Carrillo, Kelley

Chair Kelley presiding.

Present: Robert Deis, County Administrator
Bruce Goldstein, Assistant County Counsel

Call to order and pledge of allegiance

Board member announcements and reports on meetings and other activities

Supervisor Brown requested the Board adjourn in memory of Pete Viviani, and Chair Kelley requested the Board adjourn in memory of Mike Teldeschi.

CONSENT CALENDAR

V. HEALTH AND HUMAN SERVICES

HEALTH SERVICES

4. Client Account Management System Maintenance Agreement
Authorize the Director of Health Services to execute a contract amendment for software maintenance, extending the term through June 30, 2010, and increasing the contract amount by \$42,659 for FY 2009-10, and any future amendments that do not significantly change the scope of work (new contract total \$163,322)

09-0528
5. Leaking Underground Storage Tank Program Standard Agreement
Resolution authorizing the Director of Health Services to execute the Standard Agreement with the State of California for the Leaking Underground Storage Tank Program (Agreement Number 09-030-250) for FY 2009-10, subject to County Counsel review, and all related agreements, documents and amendments that do not significantly change the scope of work (\$681,385)

HEALTH SERVICES (Cont.)

- 09-0529
6. Commission on AIDS Appointments
Resolution appointing two members to the Sonoma County Commission on AIDS/HIV Health Services Planning Council

HUMAN SERVICES

7. Sonoma County Child Care Planning Council
Approve the Child Care Funding Priorities by Zip Code, as identified by the Sonoma County Child Care Planning Council
- Authorize the Director of the Human Services Department, or her designee, to sign the Department of Education's Local Priorities Report forms on behalf of the Board of Supervisors

- 09-0530
- Resolution appointing one new member to the Sonoma County Child Care Planning Council. This appointment will fill required membership

- 09-0531
8. Appointment to the Youth Education & Employment Services Council
Resolution appointing Catherine Wilson to the Youth Education & Employment Services Council

HUMAN SERVICES/IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

- 09-0532
9. California Department of Social Services Rate Request
Resolution of the In-Home Supportive Services Public Authority Board of Directors approving the California Department of Social Services (CDSS) Rate Request

II. CONSUMER PROTECTION SERVICES

AGRICULTURAL COMMISSIONER

- 09-0533
10. Veterinary Services Contract
Resolution authorizing the Chair to sign a one (1) year contract beginning July 1, 2009, with John Strathman, DVM, to perform veterinary services at the Sonoma County Animal Shelter for FY 2009-10 in an amount not to exceed \$109,207

III. DEVELOPMENT SERVICES

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

- 09-0542
11. Heritage Tree Certificate; Lorelee Vigne
Resolution recognizing a Sonoma County Heritage Tree and authorizing the Chair to sign the Heritage Tree Certificate. Recognition of the tree has been approved by the owner of property located at 20889 Geyserville Ave., Geyserville; APN 140-100-071; Supervisorial District 4
 12. Contract Amendment: Altec Systems, Inc. dba SoftFile
Authorize the Chair to execute an amendment to an existing document management and services contract with Altec Systems, Inc. dba SoftFile for one year to June 14, 2010, and expend up to an additional \$48,000
 13. Dutra Haystack Landing Asphalt Plant and Recycling Facility; EIR Contract Amendment No. 3
Authorize the Chair to sign a contract amendment that would increase the amended Christopher A. Joseph and Associates (CAJA) Agreement for Professional Services by \$18,816.92 to \$479,424.48, including contingencies

TRANSPORTATION AND PUBLIC WORKS

- Ordinance No. 5840
14. King Road (#58020)
Ordinance establishing a prima facie 35-mile-per-hour speed limit on King Road from Bodega Avenue to Pepper Road (Second Supervisorial District)
(Ready for adoption)

TRANSPORTATION AND PUBLIC WORKS/AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR

- 09-0534
15. Canon Manor
Resolution dissolving the Canon Manor West Assessment District Improvement Fund; establishing the Canon Manor Maintenance and Operations Fund; transferring the Fund Balance of the Canon Manor Improvement Fund into the Canon Manor Maintenance and Operations Fund
- 09-0534a
- Resolution authorizing budgetary adjustments establishing \$10,000 in FY 2008-09 appropriations in the Canon Manor Maintenance & Operations Fund (Second Supervisorial District)

IV. CRIMINAL JUSTICE SYSTEM SERVICES

PROBATION

- 09-0535
16. Juvenile Accountability Block Grant Program ART Training
Resolution authorizing the Chief Probation Officer to submit the 2009 Juvenile Accountability Block Grant (JABG) California Gang Reduction and Intervention Program application; and authorizing the Chief Probation Officer to sign the Standard Agreement with the State to receive JABG funding
17. Contract with the State of California-Department of Parks and Recreation
Authorize the Chief Probation Officer, or his designee, to execute a contract, and any amendments or extensions that do not significantly change the contract content, between the Sonoma County Probation Department Camp/Supervised Adult Crew program and the State of California Department of Parks and Recreation in the amount of \$153,560 for the modular construction and installation of a new building to be used as a visitor's center and ranger's office at Annadel State Park

I. GENERAL ADMINISTRATIVE SERVICES

COUNTY ADMINISTRATOR

- 09-0536
18. Adoption of FY 2009-10 Appropriation Limits
Concurrent resolution establishing appropriation limits for County and Board of Supervisors-Governed Special Districts, County Service Areas, other Board of Supervisors-governed agencies, Agricultural Preservation and Open Space District, and Sonoma County Water Agency, and giving instruction to the County Administrator and County Counsel, and giving notice of appropriate period of limitation for judicial review

BOARD OF SUPERVISORS

- 09-0537
19. Appointment
Resolution appointing Marcos Suarez to the Economic Development Board, representing the Fifth District
- 09-0538
20. Reappointment
Resolution reappointing William Severi to the Assessment Appeals Board

MISCELLANEOUS

- 09-0539
21. Minutes
 Concurrent resolution approving the minutes for the meeting of April 28, 2009

UNANIMOUS

I. GENERAL ADMINISTRATIVE SERVICES

BOARD OF SUPERVISORS

9:25

24. Fee Waiver

Waive Fees in the amount of \$4,444 for the Council on Aging for annual food permit fees for their main kitchen and seven satellite food distribution facilities

UNANIMOUS

9:26

25. Fee Waiver

Waive Fees in the amount of \$1,880 (50% of \$3,759.13 total fees) for Occidental Center of the Arts for completion of construction project

UNANIMOUS

9:27

26. Fee Waiver

Waive Fees in the amount of \$175 (67% of \$261 total fees) for Organic Athlete's 5th annual bicycle ride

UNANIMOUS

9:07 Present: Mark Krug, Community Development Commission

09-0541

23. Neighborhood Stabilization Program Joint Powers Agreement and Application Submittal
Concurrent resolution of the Board of Supervisors and the Sonoma County Community Development Commission, approving the Joint Powers Agreement with the City of Santa Rosa for participation in the California Department of Housing and Community Development (HCD) Neighborhood Stabilization Program (NSP), authorizing the Board Chair to execute said Agreement, and authorizing the Commission Executive Director to sign and submit one or more grant applications to the HCD NSP for up to \$3,300,000, to accept the funds and execute grant agreements with HCD following review and approval by County Counsel as to form, to provide financial assistance to non-profit agencies to acquire foreclosed upon and abandoned properties using NSP grant funds, and to take any other actions necessary to carry out the purposes expressed in the resolution

Public Comment:

Karen Timmons

UNANIMOUS

9:28 Board recessed to Closed Session
1:19 Board recessed to 2:00
2:02 Board reconvened

Present: Robert Deis, County Administrator
Bruce Goldstein, Assistant County Counsel

Report on Closed Session:

1. Conference with Legal Counsel-Initiation of litigation pursuant to subdivision (c) of Section 54956.9 (Govt. Code Section 54956.9(c)). Withdrawn.
2. Direction given to Legal Counsel-Initiation of litigation pursuant to subdivision (c) of Section 54956.9 (Govt. Code Section 54956.9(c)).
3. Direction given to Legal Counsel-Anticipated litigation or Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (Govt. Code Section 54956.9(b)).
4. Direction given to Legal Counsel-Existing Litigation-Name of Case: ADCO: Outdoor Advertising Company et al v. County of Sonoma; Case No.: SCV-244306 (Govt. Code Section 54956.9(a)).
5. Direction given to Legal Counsel (The Board of Directors of the Sonoma County Water Agency)-Existing Litigation - Name of Case: Landowners for Water Rights v. Sonoma County Water Agency; Sonoma County Superior Court No.: SCV 242896 (Govt. Code Section 54956.9(a)).
6. Direction given to Legal Counsel-Existing Litigation - Name of Case: Zachariah Judson Rutledge v. County of Sonoma, et al.; U.S. District Court Case No.: CV 07-04274CW (WDB) (Govt. Code Section 54956.9(a)).
7. Direction given to Real Property Negotiator - Property: Central Landfill, 500 Meham Road, Petaluma, CA; Negotiating parties: For Seller: Phil Demery; For Buyer: To be determined; Under negotiation: Central Landfill and Transfer Stations (Govt. Code Section 54956.8).
8. Direction given to Labor Negotiator (The Board of Supervisors, the Board of Directors of the Sonoma County Water Agency and the Board of Commissioners of the Community Development Commission) - Agency negotiator: Ann Goodrich; Employee organization: All; Unrepresented employee: All, including retired employees (Govt. Code Section 54957.6(b)).

- 2:05 Permit and Resource Management Department
Review and possible action on the following:
1. Acts and Determinations of Planning Commission/Board of Zoning Adjustments
 2. Acts and Determinations of Project Review and Advisory Committee
 3. Administrative Determinations of the Director of Permit and Resource Management

APPROVED

- 2:05 Public Comment opened
Ann Hancock
Bill Graf, Sonoma County Taxpayers' Association
Peter Tscherneff
Elizabeth Neylon
John Jenkel
Doug Millar
Colleen Fernald
Jonathan Whisbee

2:30 Public Comment closed

- 2:31 File No.: PLP04-0046
Description: Request for: 1) a General Plan Amendment to change the land use designation on APN's 019-320-022 and 023 from Limited Commercial to Limited Industrial; 2) a General Plan Text Amendment; 3) an Area Plan Amendment to the Petaluma Dairy Belt Area Plan to change the land use designation on the above parcels from Limited Commercial to Limited Industrial; 4) a Zone Change on these same parcels from LC (Limited Commercial), HD (Historic District), SR (Scenic Resources), SD (Scenic Design), F2 (Floodplain) to M3 (Limited Rural Industrial), SR (Scenic Resources), SD (Scenic Design), F2 (Floodplain); 5) a Use Permit for an asphalt batch plant, aggregate distribution facility and recycling operation with a maximum output of 665,000 tons per year; and 6) a Design Review Permit for a new industrial operation along a scenic corridor and in a scenic design area on three parcels totaling 38 acres.

Env. Doc.: Environmental Impact Report
Location: 3355 Petaluma Boulevard South, Petaluma
Sup. Dist.: Dist. #2

Present: Steve Padovan, Permit and Resource Management Department
Jennifer Barrett, Permit and Resource Management Department
Jeff Brax, Deputy County Counsel

File No.: PLP04-0046 (Cont.)

- 3:09 Public Hearing opened
Aimi Dutra
Al Cornwell, representing The Dutra Group
Catherine Sutton, Astec Inc.
Michael Keinath, ENVIRON
Aimi Dutra
- 3:33 Board took a break
- 3:45 Board reconvened
Pam Torliatt, Mayor of Petaluma
Dawn Rutherford
Eric Bruce
Alan Pendley
Arthur Cader
David Zizmor, Lozeau Drury LLP
Damon Calegari
Holly Harman
Monty Chipman
Lang Yee
Doris Lall
David Keller
Edmund Clark
Sara Parocka
Lorena Fisher
Heidi Rhymes
Mark Soiland
Steve Geney
Paul Donaldson
Russell Snyder
Ellen Jonk
Nelson Capella
Beverly Alexander
John Barella, North Bay Construction
Susan Kirks
Bill Kortum
Tonya Manix
Ilka de Gast
Richard Ghilotti
Marjorie Helm
Keith Woods

File No.: PLP04-0046 (Cont.)

5:17 Board took a break
5:30 Board reconvened

Public Hearing (Cont.)

Sheri Chlebowski (read letter from Ken Brown, Mayor of Sonoma)
Don Smith
Katherine Canto
David Hainer, Operating Engineers
Tony Lemus
George Naill
Stan Gold
Jason Davies
Katherine Fanning
Ned Orrett
Betty Jo Garcilla-Wright
Gerald Moore

6:10 Public Hearing closed

Supervisors Brown, Zane and Carrillo made comments and indicated that they would not support the project.

Supervisor Kerns indicated that he supported the project and recommended the following modifications to the Use Permit:

- 1) staff recommended conditions found on page 6 of the staff report
 - require that loading controls in the truck loading tunnel be electrically interlocked with the tunnel emission containment doors to prevent the loading of hot asphalt mix if the doors are not closed
 - covering of all loaded trucks leaving the truck loading tunnel and aggregate trucks leaving the site
 - require that the plant shut down production and loading if equipment designed to capture and abate emissions from these operations become inoperable or ineffective
 - use Tier 4 certified engines for all five on-site mobile sources at start-up (if available); or, use Tier 3 engines for all five on-site mobile sources, retrofitted with diesel particulate filters that achieve at least 85% reduction in diesel PM emissions; or, the use of Tier 3 engines for all five sources (w/o diesel PM retrofits) for no more than 10 years, and then switch to Tier 4 engines
- 2) add a condition requiring the crusher to be enclosed
- 3) modify condition #108 to disallow blocking of the navigable channel
- 4) add penalty language to condition #144 for noncompliance with any of the conditions

File No.: PLP04-0046 (Cont.)

Supervisor Kelley made comments and indicated that he supported the project. He directed staff to prepare draft use permit conditions incorporating the above modifications and a draft resolution for denial, which will come back to the Board with the General Plan items on July 21, 2009 at 2:30 p.m.

Straw vote:

AYES: Kerns, Kelley

NOES: Brown, Zane, Carrillo

09-0543

27. Resolution continuing the decision on a request for 1) a General Plan Amendment; 2) a General Plan Text Amendment; 3) an Area Plan Amendment to the Petaluma Dairy Belt Area Plan; 4) a Zone Change; 5) a Use Permit for an asphalt batch plant, aggregate distribution facility and recycling operation; and 6) a Design Review Permit for a new industrial operation along a scenic corridor and in a scenic design area s on three parcels totaling 38 acres, as modified, for property located at 3355 Petaluma Boulevard South, Petaluma (File No.: PLP04-0046) to July 21, 2009 at 2:30 p.m.

UNANIMOUS

- 6:45 Board adjourned in memory of Pete Viviani and Mike Teldeschi. The meeting was adjourned to June 16, 2009 at 8:30 a.m.

Respectfully submitted,

Patricia Stoddard
Deputy County Clerk