

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

SONOMA COUNTY AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

February 8, 2011

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, Rabbitt, Zane, McGuire, Carrillo

President Carrillo presiding.

Present: Veronica A. Ferguson, County Administrator  
Bruce D. Goldstein, County Counsel

CONSENT CALENDAR

DEVELOPMENT SERVICES

1. Cloudy Bend Conservation Easement: Amended Farmstead
  - a. Authorize the President to execute the First Amendment to the Cloudy Bend Conservation Easement expanding the Farmstead and requiring all structures to be placed within the Farmstead.

UNANIMOUS

REGULAR CALENDAR

9:15 Present: Misti Arias, Conservation Program Manager  
DeAnna Kamber, Assistant Planner

11-0051

14. Matching Grant for Roseland Creek Community Park & Trail (1360 Burbank & 1027 McMinn Avenue)
  - a. Adopt a Resolution of the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District approving a \$1,406,00 Grant to the City of Santa Rosa for the acquisition of 10.97-acre Burbank Avenue Property (1360 Burbank & 1027 McMinn Avenue); determining that the Project is consistent with the 2020 Sonoma County General Plan; authorizing the execution of a conservation easement over the Property; authorizing the execution of a matching grant agreement with the City of Santa Rosa; authorizing the execution of a certificate of acceptance; directing the preparation of Escrow Instructions; and directing the filing of a Notice of Exemption in compliance with the California Environmental Quality Act.

Public Comment:

Fred Kruger  
Duane DeWitt  
Mark Richardson  
Jeff Owens

UNANIMOUS

REGULAR CALENDAR (Cont.)

AGRICULTURAL PRESERVATION AND OPEN SPACE (Cont.)

9:44 Present: Misti Arias, Conservation Program Manager  
Sara Press, Associate Open Space Planner

11-0052

15. Klesko Conservation Easement

- a. Adopt a Resolution of the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District authorizing the President to execute an Agreement with Ryan Klesko and Richard Scott Casarotti for the Acquisition of a Conservation Easement over approximately 2,715.75 acres for an amount not to exceed \$1,590,000; and authorizing all other actions necessary to establish a permanent conservation easement over the Klesko property.

UNANIMOUS

3:40 Board adjourned in memory of Douglas Abbott. The meeting was adjourned to February 15, 2011 at 8:30 a.m.

Respectfully submitted,

Mary Thayer  
Secretary

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

SONOMA COUNTY WATER AGENCY

February 8, 2011

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, Rabbitt, Zane, McGuire, Carrillo

Chair Carrillo presiding.

Present: Veronica A. Ferguson, County Administrator  
Bruce D. Goldstein, County Counsel

CONSENT CALENDAR

DEVELOPMENT SERVICES

2. Sonoma Valley Groundwater Monitoring Wells - Adopting Plans and Specifications and Construction Contract Award
  - a. Make a finding that the experience requirements are appropriate for the Project.
  - b. Adopt and approve the plans and specifications entitled "Sonoma Valley Groundwater Monitoring Wells" as submitted by the General Manager of the Water Agency.
  - c. Authorize the General Manager of the Water Agency to sign Document 00650 (Agreement and Release of Any and All Claims), with County Counsel review if any unresolved claims are listed by the contractor.
  - d. Authorize the General Manager of the Water Agency to waive the escrow account requirements of Document 00670 (Escrow Bid Documents) of the Project Manual.
  - e. Accept the lowest responsible and responsive bid for the Sonoma Valley Groundwater Monitoring Wells and let the contract for construction to Maggiora Bros. Drilling, Inc., for \$150,240.
  - f. Approve Document 00610 (Construction Performance Bond) and Document 00620 (Construction Payment Bond).
3. North Bay Water Reuse Authority Appointments
  - a. Appointing a representative and an alternate from the Sonoma County Water Agency's Board of Directors to serve on the North Bay Water Reuse Authority's Board of Directors.
  - b. Appointing a representative and an alternate from the Sonoma Valley County Sanitation District's Board of Directors to serve on the North Bay Water Reuse Authority's Board of Directors.

UNANIMOUS

CONSENT CALENDAR (Cont.)

SONOMA COUNTY WATER AGENCY (Cont.)

3:40 Board adjourned in memory of Douglas Abbott. The meeting was adjourned to February 15, 2011 at 8:30 a.m.

Respectfully submitted,

Mary Thayer  
Secretary

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

SONOMA VALLEY COUNTY SANITATION DISTRICT

February 8, 2011

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, Carrillo

Absent: Gallian

Chair Carrillo presiding.

Present: Veronica A. Ferguson, County Administrator  
Bruce D. Goldstein, County Counsel

CONSENT CALENDAR

DEVELOPMENT SERVICES

3. North Bay Water Reuse Authority Appointments
  - b. Appointing a representative and an alternate from the Sonoma County Water Agency's Board of Directors to serve on the North Bay Water Reuse Authority's Board of Directors.
  - b. Appointing a representative and an alternate from the Sonoma Valley County Sanitation District's Board of Directors to serve on the North Bay Water Reuse Authority's Board of Directors.
4. Grant of Easement to the Y. Tito Sasaki and Janet L. Sasaki Trust
  - a. Authorize the Chair to execute an Easement Agreement with the Y. Tito Sasaki and Janet L. Sasaki Trust. (First District)

AYES: Brown, Carrillo

ABSENT: Gallian

3:40 Board adjourned in memory of Douglas Abbott. The meeting was adjourned to February 15, 2011 at 8:30 a.m.

Respectfully submitted,

Mary Thayer  
Secretary

MINUTES OF THE MEETING OF THE BOARD OF SUPERVISORS

COUNTY OF SONOMA

February 8, 2011

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, Rabbitt, Zane, McGuire, Carrillo

Chair Carrillo presiding.

Present: Veronica A. Ferguson, County Administrator  
Bruce D. Goldstein, County Counsel

Call to order and pledge of allegiance

Board member announcements and reports on meetings and other activities:

Supervisor Rabbitt reported attending the LAFCO meeting.

Supervisor Zane attended the Bay Area Air Quality District Meeting and gave an overview of Sonoma County trash issues at the plastic bag seminar.

Supervisor McGuire congratulated Supervisor Carrillo for being elected as LAFCO Chair Pro Tem. He thanked the Water Agency and all involved in the discussion of water fee increases.

Supervisor Carrillo stated he was at the Marin Energy Authority celebrating the Laguna de Santa Rosa as wetlands.

Supervisor Brown reported on realignment and the CSAC institutional amendment and participation in a conference call with approximately 200 others. She also reported being elected as Chair of the SMART Board.

Chair Carrillo thanked Supervisors Brown and Zane for serving on the SMART Board.

Supervisor Zane agreed with Supervisor Brown's comments on the SMART Board and she is proud to be representing Sonoma County on that Board. She further stated she would be absent from the Board meeting next week as she will be in Washington, DC.

Supervisor Rabbitt asked the Board to adjourn in memory of Douglas Abbott.

Supervisor Carrillo testified in Sacramento before the Senate Budget Subcommittee on Redevelopment. He also chaired the first Subcommittee for the Housing through CSAC. There was discussion around gaming issues and impacts statewide.

HEALTH AND HUMAN SERVICES

CHILD SUPPORT SERVICES

5. Recognition of Child Support Excellence Award.
  - a. Request the Board of Supervisors recognize Sonoma Department of Child Support Services for receiving the "Director's Excellence Award" from the California Department of Child Support Services.

FISCAL SERVICES

AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR

6. Renew Attorney Retention Agreement for Legal Services with Steckbauer Weinhart Jaffe, LLP
  - a. Authorize County Counsel and the Auditor-Controller-Treasurer-Tax Collector to renew agreement for one year to end February 23, 2012, not to exceed amount of \$75,000 in bankruptcy matters.

DEVELOPMENT SERVICES

TRANSPORTATION AND PUBLIC WORKS

11-0049

7. Gold Resolution
  - a. Commending Captain Greg Tracey and the officers of the California Highway Patrol for dedicated and outstanding service to the public of Sonoma County.
8. Sonoma County Transit - Purchase of Wheelchair Accessible Minibuses
  - a. Approve the purchase of three (3) gasoline powered, low-floor, wheelchair accessible minibuses from A-Z Bus Sales, Inc., not to exceed \$460,283.

CRIMINAL JUSTICE SYSTEM SERVICES

SHERIFF'S OFFICE

9. 3M Cogent Agreement for Services
  - a. Approve and authorize the Sheriff to execute and perform all authorized actions with respect to the Agreement for Services between the County of Sonoma and 3M Cogent to upgrade the automated fingerprint system. The Agreement expires June 30, 2013 and shall not exceed \$577,154.

GENERAL ADMINISTRATIVE SERVICES

BOARD OF SUPERVISORS

11-0050 a-c

10. Gold Resolution

- a. Commending Mary Liberatore, Cory and Mike O'Donnell, and the Benziger Family, the 2010 recipients of the Kenwood Education Foundation's Big Heart award (First District)

11. Reappointment

- a. Reappoint Lyndal-Marie Armstrong to a new 3-year term on the Mental Health Board. Term will commence immediately and expire on 12/31/2013 (First District)

12. Reappointment

- a. Reappoint Douglas A. Stephens to a new 3-year term on the Mental Health Board. Term will commence immediately and expire on 12/31/2013 (First District)

MISCELLANEOUS

13. Minutes

- a. Approve minutes of the meetings of September 14, 2010; September 21, 2010; September 28, 2010; October 12, 2010; October 19, 2010; October 26, 2010; November 2, 2010; November 9, 2010; December 7, 2010; and December 14, 2010 for the following: Agricultural Preservation and Open Space District, Community Development Commission, In-Home Supportive Services Public Authority, Industrial Development Authority, Northern Sonoma County Air Pollution Control District, Occidental County Sanitation District, Public Financing Authority, Public Financing Corporation, Rio Nido Geologic Hazard Abatement District, Russian river County Sanitation District, Sonoma County Water Agency, South Park County Sanitation District and Water and Wastewater Financing Authority
- b. Approve minutes of the meetings of September 14, 2010; September 21, 2010; September 28, 2010; October 12, 2010; October 19, 2010; October 26, 2010; November 2, 2010; November 9, 2010; December 7, 2010 and December 14, 2010 for the Sonoma Valley County Sanitation District.

ABSTAIN (Item No. 13): Rabbitt, McGuire

UNANIMOUS



GENERAL ADMINISTRATIVE SERVICES

INFORMATION SYSTEMS DEPARTMENT

9:55 Present: Joe Galvan, Division Director  
Lou Maricle, Assistant Communication Manager  
Ken Hightower, Interim Director

16. Policy for Cellular Telephones  
a. Adopt a Policy for Cellular Telephones (Administrative Policy 9-4)

No Vote Taken; will be continued at a later date

10:35 Supervisor Zane left the meeting  
10:37 Supervisor Zane returned

10:50 Present: Jim Leddy, Community and Government Affairs Manager  
Veronica A. Ferguson, County Administrator

17. Draft Board of Supervisors 2011-12 Work Plan
- a. Receive report on Board priorities which emerged from the January 18, 2011 Board Study Session.
  - b. Receive update on the status of priority projects which are already underway.
  - c. Consider which of the priorities the Board will focus on for Fiscal Year 2011-12, and direct the County Administrator to include those as the Board's top priorities in the Fiscal Year 2011-12 adopted Budget objectives.
  - d. Direct staff to ensure all of the Board's top priorities are integrated into the Strategic Plan.

UNANIMOUS

11:49 Board recessed to Closed Session  
1:17 Board recessed to 2:00 p.m.  
2:01 Board reconvened  
Supervisor Brown was not present.

Present: Bruce D. Goldstein, County Counsel  
Veronica A. Ferguson, County Administrator

2:01 Report on Closed Session:  
2:02 Supervisor Brown joined the meeting

1. Conference with Legal Counsel – Existing Litigation. Name of Case: Forest Unlimited et al. v. County of Sonoma et al., Sonoma County Superior Court, SCV 244332 (Govt. Code Section 54956.9(a)). Direction given to Counsel.
2. Conference with Legal Counsel – Existing Litigation. Name of Case: Concerned Citizens for Responsible Land Use v. County of Sonoma et al., Sonoma County Superior Court, SCV 247674 (Govt. Code Section 54956.9(a)). Direction given to Counsel.
3. Conference with Legal Counsel – Existing Litigation. Name of Case: City of Petaluma et al. v. County of Sonoma et al., Sonoma County Superior Court, SCV 248948 (Govt. Code Section 54956.9(a)). Direction given to Counsel.
4. Conference with Legal Counsel – Existing Litigation. Name of Case: Russian Riverkeeper et al. v. County of Sonoma et al., Sonoma County Superior Court, SCV 248899 (Govt. Code Section 54956.9(a)). Direction given to Counsel.
5. Conference with Legal Counsel – Existing Litigation. Name of Case: North Sonoma County Healthcare District et al. v. County of Sonoma et al., Sonoma County Superior Court, SCV 248271 (Govt. Code Section 54956.9(a)). Direction given to Counsel.
6. Conference with Legal Counsel – Existing Litigation. Name of Case: Citizens Advocating for Roblar Rural Quality v. County of Sonoma et al., Sonoma County Superior Court, SCV 248943 (Govt. Code Section 54956.9(a)). Direction given to Counsel.
7. Conference with Legal Counsel – Existing Litigation. Name of Case: Friends of Americano Creek v. County of Sonoma et al., Sonoma County Superior Court, SCV 248944 (Govt. Code Section 54956.9(a)). Direction given to Counsel.
8. Conference with Legal Counsel (The Board of Supervisors and the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District) – Existing Litigation. Name of Case: Tresch, et al. v. County of Sonoma; Sonoma County Agricultural Preservation and Open Space District; SCV-249021 (Govt. Code Section 54956.9(a)). Direction given to Counsel and staff.
9. Conference with Real Property Negotiator (The Board of Commissioners of the Sonoma County Community Development Commission) – Property: 665 Sebastopol Road, Santa Rosa, CA – APN: 125-111-037. Negotiating Parties: Kathleen Kane for Sonoma County Community Development Commission; Michael R. Schaefer for Property Owner; James T. Baugh, trustee of the Baugh Survivor’s Trust (Trust 1) (Govt. Code Section 54956.8). Direction given to Negotiator, Kathleen Kane.

2:04 Public Comment opened  
Michael Hilber  
Bill Pisenti  
Peter Tcsherneff

\_\_\_\_\_  
Mary Morrison  
John Jenkel  
Kristy Deagan  
Brian \_\_\_\_\_  
Mike Goldberg

2:32 Public Comment closed

- 2:32 Permit and Resource Management Department: Review and possible action on the following:
- a. Acts and Determinations of Planning Commission/Board of Zoning Adjustments
  - b. Acts and Determinations of Project Review and Advisory Committee
  - c. Administrative Determinations of the Director of Permit and Resource Management

APPROVED

2:32 p.m.

File No.: MNS06-0032  
 Applicant: Jackson Family Investments II LLC  
 Appellant: Ad Hoc Committee for Clean Water  
 Env. Doc.: Mitigated Negative Declaration  
 Description: An Appeal of a Planning Commission decision to approve a Minor Subdivision of 189 acres creating four parcels, 40, 60, 42 and 47 acres in size.  
 Location: 12942 Bones Lane, Occidental  
 APN: 074-030-043  
 Sup. Dist.: 5

- 11-0053
18. Resolution continuing the public hearing on an appeal of the Planning Commission decision to approve a Minor Subdivision of 189 acres creating four parcels, 40, 60, 42 and 47 acres in size (MNS06-0032), to February 15, 2011 at 2:10 p.m.

UNANIMOUS

2:33 p.m.

File No. ZCE08-0032  
 Applicant: Jim Bundschu/Huichica Vineyards LLC  
 Env. Doc.: Categorical Exemption  
 Description: Zone Change to modify the density on the subject parcels to B7 (frozen lot size) as a condition of a previously approved Major Subdivision  
 Location: 2340, 2025, 2105 Napa Road, Sonoma  
 APN: 126-101-033, 018 and 019  
 Sup. Dist.: 1

2:33 Public Hearing opened

2:33 Public Hearing closed

11-0054

- 19. Resolution exempting from CEQA the Zone Change requested by Jim Bundschu on behalf of Huichica Vineyards LLC, for property located at 2340 Napa Road, Sonoma; APN's 126-101-033, -018, and -019.

UNANIMOUS

Ordinance No. 5924

- 20. Ordinance amending the official zoning database, adopted by reference by section 26-02-110 of the Sonoma County Code, by reclassifying certain real property from the LIA (Land Intensive Agriculture), B6-60 Acre Density, Z (Second Unit Exclusion), SR (Scenic Resources), VOH (Valley Oak Habitat) District to the LIA (Land Intensive Agriculture), B7 (Frozen Lot Size), Z (Second Unit Exclusion), SR (Scenic Resources), VOH (Valley Oak Habitat) district for 143.69 acres; and from the AR (Agriculture And Residential), B6-5 Acre Density, SR (Scenic Resource), VOH (Valley Oak Habitat) to the AR (Agriculture and Residential), B7 (Frozen Lot Size), SR (Scenic Resource), VOH (Valley Oak Habitat) on 2.97 acres or other appropriate district(s) located at 2340, 2025, and 2105 Napa Road, Sonoma; APN 126-101-033, -018, and -019.

UNANIMOUS

2:34 p.m.

Vineyard and Orchard Frost Protection Ordinance

- a. Hold a hearing on and approve a schedule of fees for registration under Section 11B.04.030 of the Vineyard and Orchard Frost Protection Ordinance, and approve the creation of a special fund to record revenues generated.
- b. Approve a phased implementation of the Frost Protection Program, with registration beginning in 2011 and implementation of monitoring beginning in 2012.
- c. Hold a hearing and waive further reading of minor language changes to Ordinance Chapter 11B, proposed to clarify program implementation.

2:34 Public Hearing on Vineyard and Orchard Frost Protection Ordinance (Cont.)

Present: Peter Rumble, County Administrator's Office  
David Hurst, Chief Deputy County Counsel

3:04 Public Hearing opened  
David Hines  
Pete Opatz  
Stephen Fuller-Rowell, Sonoma County Water Coalition  
Harvey Goldberg  
David Keller

3:24 Public Hearing closed

The Board approved the schedule of fees for registration under Section 11B.04.030 of the Vineyard and Orchard Frost Protection Ordinance, and a phased implementation of the frost protection program, with registration beginning in 2011 and implementation of monitoring beginning in 2012. The Board directed staff to return with recommendations in fall and winter 2011 to fully implement the Ordinance.

11-0055

21. Resolution introducing, reading the title of, and waiving further reading of an ordinance of the County of Sonoma amending the Title of Section 1-7.1 of the Sonoma County Code to add a reference to Vineyard and Orchard Frost Protection Regulations, amending subsection (a) of section 1-7.1 of the Sonoma County Code to add a reference to Chapter 11B of the Code and to make certain corrective changes, amending subsection (a) of section 1-7.3 of the Sonoma County Code to add a reference to Chapter 11B of the Code, amending Article 04 of Chapter 11B of the Sonoma County Code to make certain clarifying changes, amending Article 06 of Chapter 11B of the Sonoma County Code to add certain additional enforcement provisions, and amending section 11B.08.020 of the Sonoma County Code to make certain clarifying changes to the definitions of "Russian River Frost Protection Monitoring Program" and "Site," and Determining Exemption from the California Environmental Quality Act.

UNANIMOUS

3:40 Board adjourned in memory of Douglas Abbott. The meeting was adjourned to February 15, 2011 at 8:30 a.m.

Respectfully submitted,

Mary Thayer  
Secretary