

**AGENDA  
BOARD OF SUPERVISORS  
SONOMA COUNTY  
575 ADMINISTRATION DRIVE, ROOM 102A  
SANTA ROSA, CA 95403**

**TUESDAY**

**SEPTEMBER 17, 2013**

**8:30 A.M.**

(The regular afternoon session commences at 2:00 p.m.)

Susan Gorin	First District	Veronica A. Ferguson	County Administrator
David Rabbitt	Second District	Bruce Goldstein	County Counsel
Shirlee Zane	Third District		
Mike McGuire	Fourth District		
Efren Carrillo	Fifth District		

This is a simultaneous meeting of the Board of Supervisors of Sonoma County, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District, the Board of Directors of the Northern Sonoma County Air Pollution Control District, the Sonoma County Public Finance Authority, and as the governing board of all special districts having business on the agenda to be heard this date. Each of the foregoing entities is a separate and distinct legal entity.

The Board welcomes you to attend its meetings which are regularly scheduled each Tuesday at 8:30 a.m. Your interest is encouraged and appreciated.

**AGENDAS AND MATERIALS:** Agendas and most supporting materials are available on the Board's website at <http://www.sonoma-county.org/board/>. Due to legal, copyright, privacy or policy considerations, not all materials are posted online. Materials that are not posted are available for public inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, at 575 Administration Drive, Room 100A, Santa Rosa, CA.

**SUPPLEMENTAL MATERIALS:** Materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the Board of Supervisors office at 575 Administration Drive, Room 100A, Santa Rosa, CA, during normal business hours.

**DISABLED ACCOMMODATION:** If you have a disability which requires an accommodation, an alternative format, or requires another person to assist you while attending this meeting, please contact the Clerk of the Board at (707) 565-2241, as soon as possible to ensure arrangements for accommodation.

**Public Transit Access to the County Administration Center:**

Sonoma County Transit: Rt. 20, 30, 44, 48, 60, 62

Santa Rosa CityBus: Rt. 14

Golden Gate Transit: Rt. 80

For transit information call (707) 576-RIDE or 1-800-345-RIDE or visit or <http://www.sctransit.com/>

***APPROVAL OF THE CONSENT CALENDAR***

The Consent Calendar includes routine financial and administrative actions, are usually approved by a single majority vote. There will be no discussion on these items prior to voting on the motion unless Board Members or the public request specific items be discussed and/or removed from the Consent Calendar.

***PUBLIC COMMENT***

Any member of the audience desiring to address the Board on a matter on the agenda: Please walk to the podium and after receiving recognition from the Chair, please state your name and make your comments. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the subject under discussion. Each person is usually granted 3 minutes to speak; time limitations are at the discretion of the Chair.

## **8:30 A.M. CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

#### **I. APPROVAL OF THE AGENDA**

(Items may be added or withdrawn from the agenda consistent with State law)

#### **II. BOARD MEMBER ANNOUNCEMENTS**

#### **III. CONSENT CALENDAR**

(Items 1 through 21)

#### **PRESENTATIONS/GOLD RESOLUTIONS**

(Items 1 through 7)

##### **PRESENTATIONS AT BOARD MEETING**

1. Adopt a Gold Resolution celebrating the 30<sup>th</sup> Anniversary of the Community Foundation Sonoma County. (Third District)
2. Adopt a Gold Resolution proclaiming September 15<sup>th</sup> through October 15<sup>th</sup> as Latino Heritage Month in the County of Sonoma. (Countywide)
3. Adopt a Gold Resolution proclaiming September 21, 2013 as International Day of Peace in the County of Sonoma. (Countywide)
4. Adopt Gold Resolutions acknowledging Leland Fly Fishing Outfitters, Green Valley Consulting Engineers, Syar Industries and Republic Services for sponsoring the 2013 Parks Celebration and Russian River Festival. (Regional Parks)

##### **PRESENTATIONS AT DIFFERENT DATE**

5. Adopt a Gold Resolution proclaiming October 13<sup>th</sup> through October 22<sup>nd</sup> as ARTrails Sonoma County—OPEN STUDIOS Season. (Fourth District)
6. Adopt a Gold Resolution congratulating the active adult community of Oakmont on the occasion of their 50<sup>th</sup> Anniversary. (First District)
7. Adopt a Gold Resolution congratulating the Kenwood Depot on the occasion of their 125<sup>th</sup> Anniversary. (First District)

#### **SONOMA COUNTY WATER AGENCY**

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

8. Authorize the Chair to execute an agreement with Town of Windsor for the Water Agency to provide as needed wastewater collection and treatment facility maintenance services to the Town of Windsor; agreement terminates on September 17, 2018; and Authorize the Water Agency's General Manager to amend the agreement each year to extend the term of the agreement by one year, provided the extensions do not exceed a total of four years. (Fourth District)

CONSENT CALENDAR (Continued)

**SONOMA COUNTY WATER AGENCY**  
**OCCIDENTAL COUNTY SANITATION DISTRICT**  
**RUSSIAN RIVER COUNTY SANITATION DISTRICT**  
**SOUTH PARK COUNTY SANITATION DISTRICT**

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

**AND**

**SONOMA VALLEY COUNTY SANITATION DISTRICT**

(Directors: Gorin, Rabbitt, K. Brown)

9. Authorize the Chair to execute an agreement with Mary Constance Cloak dba C2 Alternative Services to provide multicultural public outreach and education services for an amount not to exceed \$50,000; agreement terminates on June 30, 2015.

**AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR**

**AND**

**RUSSIAN RIVER COUNTY SANITATION DISTRICT**  
**SONOMA COUNTY WATER AGENCY**

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

**AND**

**SONOMA VALLEY COUNTY SANITATION DISTRICT**

(Directors: Gorin, Rabbitt, K. Brown)

10. Fiscal Year 2013-14 Tax Rates –
- (A) Adopt a Concurrent Resolution of the Board of Supervisors of the County of Sonoma, the Board of Directors of the Sonoma County Water Agency, and the Board of Directors of the Russian River County Sanitation District setting the Fiscal Year 2013-14 tax rates for all debt service funds within their jurisdictions.
  - (B) Adopt a Resolution of the Board of Supervisors setting the Fiscal Year 2013-14 unitary, operating non-unitary, and railroad unitary tax rate for voter approved indebtedness.
  - (C) Adopt a Resolution of the Board of Directors of the Sonoma Valley County Sanitation District setting the Fiscal Year 2013-14 tax rates for all debt service funds within its jurisdiction.

**BOARD OF SUPERVISORS**

11. Disbursement of Fiscal Year 2013-14 District 3 Advertising Funds (First District) – Approve Advertising Program grant awards and authorize the County Administrator to execute a contract with the following entities for advertising and promotions activities for Fiscal Year 2013/14: Cittaslow, \$2,500; Sonoma International Film Festival, \$2,500; Valley of the Moon Natural History Association, \$2,000; Farm Bureau Foundation for Ag Days advertising, \$500; Farm Bureau Foundation for Love of the Land event advertising, \$2,000; Sonoma Valley Museum of Art, \$2,000; Valley of the Moon Vintage Festival, \$2,500; Law Enforcement Chaplaincy of Sonoma County for Tour de Fuzz advertising, \$500; Transcendence Theatre Company, \$3,000; Sonoma Valley Chamber of Commerce, \$2,000; Chicuchas Wasi: Free School for Girls in Peru, \$500.

CONSENT CALENDAR (Continued)

12. Adopt a Resolution taking original jurisdiction over a Use Permit application for a Materials Recovery Facility (MRF) / Recycle Operation for inert construction debris and other recyclables inside an existing building at the County's Central Transfer/Processing Facility (Landfill) on a portion of approximately 395 acres located at 500 Mecham Road, Petaluma (APNs 024-080-019 and 024-080-030), File No. UPE13-0065. (Second District)

**COUNTY ADMINISTRATOR**

13. Approve the Board of Supervisor's responses to the 2012-2013 Grand Jury Report.

**PROBATION**

14. Authorize the Chief Probation Officer to execute a Memorandum of Understanding (MOU) allowing the Probation Department to reimburse the Superior Court of California for costs associated with the DUI Treatment Court (\$306,815) and P.C. 1368 Mental Competency Assessment (\$92,400) programs.

**SHERIFF'S OFFICE**

15. Adopt a Resolution ratifying submission of the Selective Traffic Enforcement Program (STEP) grant application to the State of California Office of Traffic Safety, and authorizing the Sheriff's Office on behalf of the County to execute the grant agreement and administer the grant award amount of \$70,000 for the term October 1, 2013, through September 30, 2014, for the benefit of the City of Sonoma Police Department. (First District)

**SUCCESSOR AGENCY FOR THE SONOMA COUNTY COMMUNITY  
REDEVELOPMENT AGENCY**

16. Adopt a Resolution of the governing Board of the Successor Agency for the Sonoma County Community Redevelopment Agency, approving the Recognized Obligation Payment Schedule for the period January 1, 2014 to June 30, 2014. (First and Fifth Districts)

**TRANSPORTATION AND PUBLIC WORKS**

17. Adopt a Resolution declaring intention to purchase real property in the Airport area located at 1480 Sanders Road, Windsor, CA (APN 164-150-010); setting 10:00 a.m., October 15, 2013 for the consummation of said purchase; giving direction to staff; and giving direction to the Clerk to post and publicize the Notice of Intent. (Fourth District)
18. Adopt a Resolution authorizing the granting of a 2-year loan in the amount of \$15,000 to Bodega Water Company from the Special Projects – Small Water Systems Loan Assistance Fund; and adopt a Resolution authorizing a budgetary adjustment to the Special Projects-Small Water Systems Loan Assistance Fund to appropriate \$15,000. (Fifth District)

CONSENT CALENDAR (Continued)

19. Authorize the Chair to sign the second amendment to the services agreement for Reuse and Recycling Operations at the Sonoma Transfer Station with Sonoma Garbage Collector amending the scope of services, revenue sharing and extending the term of agreement to September 25, 2023 in the amount of \$55,240 in Fiscal Year 2013-14. (First District)

**APPOINTMENTS/REAPPOINTMENTS**

(Items 20 through 21)

20. Appoint Jenny Chamberlain to the Commission on Human Rights for a two-year term effective September 1, 2013 through August 31, 2015. (Fourth District)
21. Reappoint Jim McCord to the Aviation Commission for a coterminous term effective September 17, 2013. (First District)

**VI. REGULAR CALENDAR**

(Items 22 through 26)

**ECONOMIC DEVELOPMENT BOARD**

22. Receive presentation and accept Annual Report from the Building Economic Success Together (BEST) Program.

**AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR**

23. **10:00 A.M.** – Conduct a public hearing and adopt a Resolution to approve a tax exempt bond financing to be issued by the California Municipal Finance Authority to benefit Resident Owned Parks with respect to the refinancing of Windsor Mobile Country Club. (Fourth District)

**SONOMA COUNTY WATER AGENCY**

(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

24. Receive a staff presentation on the findings from the 2013 Water Agency Community Survey.

**COUNTY ADMINISTRATOR**

25. Approve Draft Amended Joint Powers Authority Agreement for the Sonoma County Library; and direct staff to return to Board for approval of final amended Joint Powers Authority agreement after further review by the Cities and Towns in the County.

**BOARD OF SUPERVISORS**

26. Approve Board Sponsorship of \$710 for the Russian River Sisters' annual free community Christmas dinner at the Guerneville Veteran's Memorial Building on December 25, 2013. (Fifth District)

## **V. CLOSED SESSION CALENDAR**

(Item 27)

27. The Board of Supervisors, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, and the Board of Directors of the Agricultural Preservation and Open Space District will consider the following in closed session: Conference with Labor Negotiator, Agency Negotiators: Wendy Macy/Carol Allen/ Janae Novotny, Burke & Associates, Carol Stevens, Burke & Associates, and Janet Cory Sommer, Burke & Associates. Employee organization: All. Unrepresented employees: All, including retired employees (Govt. Code Section 54957.6 (b)).

## **VI. REGULAR AFTERNOON CALENDAR**

(Items 28 through 32)

### **2:00 P.M. - RECONVENE FROM CLOSED SESSION**

28. Report on Closed Session.
29. **PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA**  
(Comments are restricted to matters within the Board jurisdiction. The Board will hear public comments at this time for up to thirty minutes. Please be brief and limit your comments to three minutes. Any additional public comments will be heard at the conclusion of the meeting.)
30. Permit and Resource Management Department: Review and possible action on the following:
- Acts and Determinations of Planning Commission/Board of Zoning Adjustments
  - Acts and Determinations of Project Review and Advisory Committee
  - Acts and Determinations of Design Review Committee
  - Acts and Determinations of Landmarks Commission
  - Administrative Determinations of the Director of Permit and Resource Management

### **PERMIT AND RESOURCE MANAGEMENT**

31. **2:10 P.M. – UPE11-0102 - (FIFTH DISTRICT)**
- APPLICANT: Redwood Gospel Mission
  - APPELLANT: Redwood Gospel Mission
  - LOCATION: 1048 Wildrose Drive, Santa Rosa
  - ASSESSOR'S PARCEL NO.: 037-021-054
  - ENVIRONMENTAL DOCUMENT: Categorical Exemption
  - REQUEST: Conduct a public hearing and consider adopting a Resolution to deny the appeal of the Board of Zoning Adjustments decision to approve a Use Permit.
32. **ADJOURNMENTS**

**NOTE: The next regular meeting will be held on September 24, 2013 at 8:30 a.m.**

**Upcoming Hearings** (All dates tentative until each agenda is finalized)

- September 24<sup>th</sup> (AM) – Sheriff's Substation Property Sale; 16717 Sonoma Highway, Sonoma
- September 24<sup>th</sup> (PM) – ZCE12-0007; 2760 Sullivan Road, Sebastopol





County of Sonoma  
Agenda Item  
Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 1**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Board of Supervisors

**Staff Name and Phone Number:**

Supervisor Shirlee Zane, 565-2241

**Supervisorial District(s):**

Third

**Title:** Gold Resolution

**Recommended Actions:**

Adopt a Gold Resolution Celebrating the 30<sup>th</sup> Anniversary of the Community Foundation Sonoma County

**Executive Summary:**

None

**Prior Board Actions:**

None

**Strategic Plan Alignment** Goal 1: Safe, Healthy, and Caring Community

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

<b>Narrative Explanation of Fiscal Impacts (If Required):</b>			
<b>Staffing Impacts</b>			
<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)
<b>Narrative Explanation of Staffing Impacts (If Required):</b>			
<b>Attachments:</b>			
<b>Related Items “On File” with the Clerk of the Board:</b>			



# County of Sonoma

## State of California

Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

4/5 Vote Required

### **Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Recognizing The 30<sup>th</sup> Anniversary Of The Community Foundation Sonoma County**

**Whereas**, the Community Foundation Sonoma County was created by a group of dedicated, passionate and tenacious community leaders, spearheaded by Jean Schulz, who held a long-term vision for the County of Sonoma; and

**Whereas**, the Community Foundation Sonoma County is the hub of philanthropy for the county, connecting people, ideas and resources to benefit all who live here; and

**Whereas**, the Community Foundation Sonoma County works with individual and family philanthropists to turn their ideas and passions into long-term solutions which will have a positive impact in our community; and

**Whereas**, the Community Foundation Sonoma County creates partnerships with donors, organizations and community leaders to invest in the promise of Sonoma County through four broad program areas: Education, Arts and Culture, Health and Human Services, and the Environment; and

**Whereas**, on behalf of its donors over the past 30 years, the Community Foundation Sonoma County has granted over \$125 million to benefit our community.

**Now, Therefore, Be It Resolved** Sonoma County Board of Supervisors congratulates the Community Foundation Sonoma County on its 30<sup>th</sup> anniversary and thanks the Community Foundation for the positive impact it has made to the residents of Sonoma County.

#### **Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

Resolution #

Date:

Page 2

**So Ordered.**



County of Sonoma  
Agenda Item  
Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 2**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Board of Supervisors

**Staff Name and Phone Number:**

Supervisor Efren Carrillo 565-2241

**Supervisorial District(s):**

Fifth District

**Title:** Gold Resolution

**Recommended Actions:**

Approve Gold Resolution proclaiming September 15<sup>th</sup> through October 15<sup>th</sup> as Latino Heritage Month in the County of Sonoma. (Countywide)

**Executive Summary:**

None.

**Prior Board Actions:**

Gold Resoluton 2012.

**Strategic Plan Alignment** Goal 4: Civic Services and Engagement

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

<b>Narrative Explanation of Fiscal Impacts (If Required):</b>			
N/A			
<b>Staffing Impacts</b>			
<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)
<b>Narrative Explanation of Staffing Impacts (If Required):</b>			
None.			
<b>Attachments:</b>			
Gold Resolution.			
<b>Related Items “On File” with the Clerk of the Board:</b>			
None.			



# County of Sonoma

## State of California

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Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

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4/5 Vote Required

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### **Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Proclaiming September 15th Through October 15<sup>th</sup>, 2013 As Latino Heritage Month In The County Of Sonoma.**

**Whereas**, in 1968, President Lyndon B. Johnson first recognized Hispanic Heritage week, later expanded under President Reagan to one month, and each successive President has continued this tradition, including President Barack Obama, who declared September 15 through October 15 to be National Hispanic Heritage Month and who has called upon the people of our country to observe this month with appropriate respect, ceremonies, activities; and

**Whereas**, Sonoma County has a long history of welcoming immigrants and is home to a growing multi-ethnic and multicultural Latino populations, including citizens originating from Mexico, Central America, South America, and the Caribbean - all of whom are welcome and make our lives brighter and better. Sonoma County's Latino population grew by 55% in the past decade and now represents 25 percent of our citizens, approximately 124,000 people; and

**Whereas**, the diverse Latino population of the County of Sonoma makes a significant economic contribution and has many profound positive influences on our community through strong commitment to family, faith, education, hard work, vibrant culture, service; and

**Whereas**, Sonoma County, which thrives on the diversity and ingenuity of all of our people, depends on the continued support and success of our diverse Latino population. We will continue to be enriched by and value the cultural contributions of our Latino friends and neighbors for many decades to come.

**Now, Therefore, Be It Resolved** that the Board of Supervisors of the County of Sonoma, in deep appreciation to the diverse Latino population of our community, hereby proclaim September 15 through October 15 to be Latino Heritage Month in Sonoma County.

Resolution #

Date:

Page 2

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**





County of Sonoma  
Agenda Item  
Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 3**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Board of Supervisors

**Staff Name and Phone Number:**

Supervisor Efren Carrillo 565-2241

**Supervisorial District(s):**

Fifth District

**Title:** Gold Resolution

**Recommended Actions:**

Approve Gold Resolution proclaiming September 21, 2013 as International Day of Peace in the County of Sonoma. (Countywide)

**Executive Summary:**

None.

**Prior Board Actions:**

None.

**Strategic Plan Alignment** Goal 4: Civic Services and Engagement

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

<b>Narrative Explanation of Fiscal Impacts (If Required):</b>			
N/A			
<b>Staffing Impacts</b>			
<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)
<b>Narrative Explanation of Staffing Impacts (If Required):</b>			
None.			
<b>Attachments:</b>			
Gold Resolution.			
<b>Related Items “On File” with the Clerk of the Board:</b>			
None.			



# County of Sonoma

## State of California

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Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

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4/5 Vote Required

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### **Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Proclaiming September 21, 2013 As International Day Of Peace In The County Of Sonoma**

**Whereas**, the issue of peace embraces the deepest hopes of all peoples and is humanity's guiding inspiration; and

**Whereas**, in 1981 the United Nations proclaimed the International Day of Peace be devoted to commemorating and strengthening the ideals of peace both within and among all nations and peoples; and

**Whereas**, the United Nations expanded the observance of the International Day of Peace in 2001 to include a call for a day of global ceasefire and non-violence, and invited all nations and people to honor a cessation of hostilities for the duration of the Day; and

**Whereas**, our community embraces these values and confirms that the observance of the International Day of Peace, which affirms a vision of our world at peace while fostering cooperation between individuals, organizations, and nations; and

**Whereas**, honoring International Day of Peace is an opportunity to draw attention to the objectives of the Day, and observing and celebrating this important Day strengthens the ideals of peace and aids to alleviate tension and causes of conflict.

**Now, Therefore, Be It Resolved** that the Board of Supervisors of the County of Sonoma proclaims September 21, 2013 as International Day of Peace in the County of Sonoma, and with this proclamation urges all citizens to honor the ideals of this day.

Resolution #

Date:

Page 2

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



## County of Sonoma Agenda Item Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 4**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Sonoma County Regional Parks Foundation

**Staff Name and Phone Number:**

Melissa Kelley, 707-565-1830

**Supervisorial District(s):**

Countywide

**Title:** Gold Resolution acknowledging major sponsors of the 2013 Parks Celebration and Russian River Festival

**Recommended Actions:**

Present Gold Resolutions to Leland Fly Fishing Outfitters, Green Valley Consulting Engineers, Syar Industries and Republic Services.

**Executive Summary:**

Sonoma County Regional Parks held several major events in 2013, including the Annual Parks Celebration and the Russian River Festival. Regional Parks and the Sonoma County Regional Parks Foundation seek local sponsors to help underwrite the expense of these events. Sponsors who donate \$5,000 or more are recognized with a Gold Resolution.

**Prior Board Actions:**

The Board of Supervisors has awarded Gold Resolutions to major sponsors of the Parks Celebration for more than a decade. The Russian River Festival is a new event as of July 2013.

**Strategic Plan Alignment** Goal 4: Civic Services and Engagement

**Fiscal Summary - FY 13-14**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

**Narrative Explanation of Fiscal Impacts (If Required):**

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**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

**Narrative Explanation of Staffing Impacts (If Required):**

NA

**Attachments:**

Four Gold Resolutions

**Related Items "On File" with the Clerk of the Board:**

None



County of Sonoma  
State of California

Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Honoring Leland Fly Fishing Outfitters for Its Support of the 2013 Russian River Festival**

**Whereas,** Sonoma County Regional Parks preserves irreplaceable natural and cultural resources, and offers opportunities for recreation and education to enhance the quality of life and well-being of residents and visitors to Sonoma County; and

**Whereas,** to encourage families and individuals to visit the Russian River and gain a better understanding of this critical natural resource, the Regional Parks Department initiated the new Russian River Festival in the summer of 2013; and

**Whereas,** the Sonoma County Regional Parks Foundation seeks and obtains community sponsorships of the Russian River Festival; and

**Whereas,** Leland Fly Fishing Outfitters contributed \$10,000 to sponsor the 2013 Russian River Festival; and

**Whereas,** the County of Sonoma would like to extend its appreciation to Leland Fly Fishing Outfitters for its help in making this a successful event;

**Now, Therefore, Be It Resolved** that the Board of Supervisors hereby recognizes Leland Fly Fishing Outfitters as a sponsor of the 2013 Russian River Festival; and

**Be It Further Resolved** that the Board of Supervisors thanks Leland Fly Fishing Outfitters for its support of our County parks, and awards Leland Fly Fishing Outfitters this Gold Resolution.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



County of Sonoma  
State of California

Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Honoring Green Valley Consulting Engineers for Its Support of the 2013 Parks Celebration.**

**Whereas,** Sonoma County Regional Parks preserves irreplaceable natural and cultural resources, and offers opportunities for recreation and education to enhance the quality of life and well-being of residents and visitors to Sonoma County; and

**Whereas,** as a means of thanking the people of Sonoma County for supporting the county parks and outdoor recreation, and to encourage new visitors to the parks, the Regional Parks Department holds the Annual Parks Celebration in all County parks; and

**Whereas,** the Sonoma County Regional Parks Foundation seeks and obtains community sponsorships of the Parks Celebration; and

**Whereas,** Green Valley Consulting Engineers has sponsored the Annual Parks Celebration for more than a decade, and provided a sponsorship in 2013 valued at \$5,000 to help support the 2013 Parks Celebration and the Parks Foundation; and

**Whereas,** the County of Sonoma would like to extend its appreciation to Green Valley Consulting Engineers for its help in making this a successful event;

**Now, Therefore, Be It Resolved** that the Board of Supervisors hereby recognizes Green Valley Consulting Engineers as a sponsor of the 2013 Annual Parks Celebration; and

**Be It Further Resolved** that the Board of Supervisors thanks Green Valley Consulting Engineers for its support of our County parks, and awards Green Valley Consulting Engineers this Gold Resolution.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**





County of Sonoma  
State of California

Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Honoring Syar Industries for Its Support of the 2013 Russian River Festival**

**Whereas,** Sonoma County Regional Parks preserves irreplaceable natural and cultural resources, and offers opportunities for recreation and education to enhance the quality of life and well-being of residents and visitors to Sonoma County; and

**Whereas,** to encourage families and individuals to visit the Russian River and gain a better understanding of this critical natural resource, the Regional Parks Department initiated the new Russian River Festival in the summer of 2013; and

**Whereas,** the Sonoma County Regional Parks Foundation seeks and obtains community sponsorships of the Russian River Festival; and

**Whereas,** Syar Industries provided a sponsorship valued at \$7,500 for the 2013 Russian River Festival; and

**Whereas,** the County of Sonoma would like to extend its appreciation to Syar Industries for its help in making this a successful event;

**Now, Therefore, Be It Resolved** that the Board of Supervisors hereby recognizes Syar Industries as a sponsor of the 2013 Russian River Festival; and

**Be It Further Resolved** that the Board of Supervisors thanks Syar Industries for its support of our County parks, and awards Syar Industries this Gold Resolution.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



County of Sonoma  
State of California

Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Honoring Republic Services for Its Support of the 2013 Russian River Festival**

**Whereas**, Sonoma County Regional Parks preserves irreplaceable natural and cultural resources, and offers opportunities for recreation and education to enhance the quality of life and well-being of residents and visitors to Sonoma County; and

**Whereas**, to encourage families and individuals to visit the Russian River and gain a better understanding of this critical natural resource, the Regional Parks Department initiated the new Russian River Festival in the summer of 2013; and

**Whereas**, the Sonoma County Regional Parks Foundation seeks and obtains community sponsorships of the Russian River Festival; and

**Whereas**, Republic Services contributed \$7,500 to sponsor the 2013 Russian River Festival; and

**Whereas**, the County of Sonoma would like to extend its appreciation to Republic Services for its help in making this a successful event;

**Now, Therefore, Be It Resolved** that the Board of Supervisors hereby recognizes Republic Services as a sponsor of the 2013 Russian River Festival; and

**Be It Further Resolved** that the Board of Supervisors thanks Republic Services for its support of our County parks, and awards Republic Services this Gold Resolution.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



## County of Sonoma Agenda Item Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 5**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Board of Supervisors

**Staff Name and Phone Number:**

Supervisor Mike McGuire, 565-3758

**Supervisorial District(s):**

Fourth

**Title:** Gold Resolution

**Recommended Actions:**

Adopt a Gold Resolution Proclaiming October 13 through October 22nd as ARTrails Sonoma County—OPEN STUDIOS Season.

Supervisor McGuire will be presenting the Gold Resolution at the Wells Fargo Center for the Arts on Friday September 20, 2013.

**Executive Summary:**

**Prior Board Actions:**

**Strategic Plan Alignment**      Goal 4: Civic Services and Engagement

**Fiscal Summary - FY 13-14**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

**Narrative Explanation of Fiscal Impacts (If Required):**

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**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

**Narrative Explanation of Staffing Impacts (If Required):**

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**Attachments:**

Resolution

**Related Items "On File" with the Clerk of the Board:**

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# County of Sonoma

## State of California

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Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

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4/5 Vote Required

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### **Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Proclaiming October 13 through October 22nd as ARTrails Sonoma County—OPEN STUDIOS Season.**

**Whereas**, the Board of Supervisors, the Arts Council of Sonoma County and the juried artists participating in ARTrails Sonoma County-Open Studios call upon all citizens to celebrate, promote and participate in the visual arts and the art culture of Sonoma County, and;

**Whereas**, the visual arts are the embodiment of all things beautiful and in the world—the enduring record of human achievement, and;

**Whereas**, the visual arts enhance every aspect of life in Sonoma County—improving our economy, enriching our civic life, driving tourism, and exerting a profound positive artful influence on the education of our children, and;

**Whereas**, arts education research shows that the visual arts help to foster creativity, imagination, and self-expression while also helping to develop a heightened appreciation of beauty and cross-cultural understanding, and;

**Whereas**, the visual arts play a unique and intrinsically valuable role in the lives of our families, our community, and our region, and;

**Whereas**, over the preceding 28 years, during the second and third weekends in the month of October, local juried visual artists have opened their personal art studios to our citizens and persons visiting Sonoma County.

**Now, Therefore, Be It Resolved**, that the Sonoma County Board of Supervisors proclaims October 12<sup>th</sup> through October 20<sup>nd</sup>, 2012 ARTrails Sonoma County-Open Studios season, a program of the Arts Council of Sonoma County.

Resolution #

Date:

Page 2

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



County of Sonoma  
Agenda Item  
Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 6**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Board of Supervisors

**Staff Name and Phone Number:**

Supervisor Susan Gorin, 565-2241

**Supervisorial District(s):**

First

**Title:** Gold Resolution

**Recommended Actions:**

Adopt a Gold Resolution congratulating the active adult community of Oakmont on the occasion of their 50<sup>th</sup> Anniversary.

**Executive Summary:**

**Prior Board Actions:**

**Strategic Plan Alignment** Not Applicable

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

<b>Narrative Explanation of Fiscal Impacts (If Required):</b>			
<b>Staffing Impacts</b>			
<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)
<b>Narrative Explanation of Staffing Impacts (If Required):</b>			
<b>Attachments:</b>			
Resolution			
<b>Related Items “On File” with the Clerk of the Board:</b>			





# County of Sonoma

## State of California

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Date: September 17, 2013

Resolution Number: \_\_\_\_\_

4/5 Vote Required

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### **Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Commending the Active Adult Community of Oakmont on its 50<sup>th</sup> Anniversary**

**WHEREAS**, it all began when H. N. Berger and his wife Frances found the perfect place in the Valley of the Moon, sheltered by the mountains of Annadel State Park and Hood Mountain Regional Park, to develop the community of Oakmont; and

**WHEREAS**, his vision was to build a community in a rural setting for active adults; and

**WHEREAS**, on November 29, 1963 the Santa Rosa City Council approved the annexation of Oakmont and H. Norwood as owner of Fairfield Homes, along with his wife Frances, signed the papers; and

**WHEREAS**, on April 1964 land usage zoning to allow Oakmont to be built was approved by the City of Santa Rosa and Oakmont was incorporated; and

**WHEREAS**, on July 31, 1964 the first four home purchases were recorded; and

**WHEREAS**, in 1986 in order to complete the construction of Oakmont and faced with failing health, H. N. Berger sold to Bill Gallaher and brother Pat the remaining 480 undeveloped lots in Oakmont for subsequent development; and

**WHEREAS**, Oakmont is noted as Sonoma County's premier active adult community with a peaceful setting of vineyards and golf courses affords leisure activities with freedom from home maintenance for residents over 55 years of age; and

**WHEREAS**, Oakmont is home to 4,500 residents living in over 3,000 affordable single-story homes where residents participate in over 125 groups and organizations; and

**WHEREAS**, Oakmont is a community constructed around the golf greens and has established a Community Charter that encourages resident involvement and maintains a vibrant community that values civic engagement and preservation of the Oakmont community.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Sonoma County hereby commends Oakmont Active Adult Community on the occasion of their 50<sup>th</sup> Anniversary.

Resolution #

Date:

Page 2

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



County of Sonoma  
Agenda Item  
Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 7**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Board of Supervisors

**Staff Name and Phone Number:**

Supervisor Susan Gorin, 565-2241

**Supervisorial District(s):**

First

**Title:** Gold Resolution

**Recommended Actions:**

Adopt a Gold Resolution congratulating the Kenwood Depot on the occasion of their 125<sup>th</sup> Anniversary.

**Executive Summary:**

**Prior Board Actions:**

**Strategic Plan Alignment** Not Applicable

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

<b>Narrative Explanation of Fiscal Impacts (If Required):</b>			
<b>Staffing Impacts</b>			
<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)
<b>Narrative Explanation of Staffing Impacts (If Required):</b>			
<b>Attachments:</b>			
Resolution			
<b>Related Items “On File” with the Clerk of the Board:</b>			



# County of Sonoma

## State of California

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Date: September 17, 2013

Resolution Number: \_\_\_\_\_

4/5 Vote Required

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### **Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Congratulating the Kenwood Depot on the Occasion of their 125th Anniversary**

**WHEREAS**, the Depot was constructed in 1887 in an area known as South Los Guilicos, which became known as “Kenwood” in 1895; and

**WHEREAS**, the Kenwood Depot was built by T.J. Ludwig, builder of nearly all the prominent structures in Sonoma County in the 19<sup>th</sup> century, while stone work was by Peter Marioni, the first of four great Italian stone masons who left a legacy of beautiful historical buildings in Sonoma County; and,

**WHEREAS**, the beautiful stone structure was designed by Charles Coolidge in the style of Richardsonian Romanesque architecture and crafted from locally quarried Basalt stone; and

**WHEREAS**, only two depots in California share this distinct architecture and style: Kenwood and San Carlos; both were designed, built and put into operation in the same year, thus 2013 is the 125<sup>th</sup> Anniversary of both depots; and

**WHEREAS**, in June of 1888, the first train carrying visitors to the Sonoma Valley arrived at the Kenwood Depot, thus transforming the valley into a destination for visitors and center of commerce; and

**WHEREAS**, the Kenwood Depot served as Sonoma Valley’s Depot from 1888-1934; and,

**WHEREAS**, in 1940, Agnes Morton of the Kenwood Improvement Club purchased the idle depot from Central Pacific Railroad for \$10.00 with the stipulation it would serve the community; and

**WHEREAS**, since that time it has been home to community organizations, including Camp Fire Girls, 4HClub and the Valley of the Moon Farm Bureau and many more; and

**WHEREAS**, the depot continues to serve as the heart of Kenwood in its capacity as a community gathering hall that is managed and preserved by the Kenwood Community Club.

Resolution #

Date:

Page 2

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Sonoma County hereby commends the Kenwood Depot on the occasion of their 125<sup>th</sup> Anniversary.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



## County of Sonoma Agenda Item Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 8**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Directors, Sonoma County Water Agency

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Sonoma County Water Agency

**Staff Name and Phone Number:**

Erik Brown - 521-1892

**Supervisorial District(s):**

Fourth

**Title:** Maintenance Services for the Town of Windsor Wastewater Facilities

### **Recommended Actions:**

a) Authorize Chair to execute an agreement with Town of Windsor for the Water Agency to provide as needed Wastewater Collection and Treatment Facility Maintenance Services to the Town of Windsor; agreement terminates on September 17, 2018; b) Authorize Water Agency's General Manager to amend the Agreement each year to extend the Term of the Agreement by one year, provided the extensions do not exceed a total of four years.

### **Executive Summary:**

This item requests approval for the Chair to execute an agreement with Town of Windsor for Sonoma County Water Agency to provide wastewater collection facilities maintenance services (Town of Windsor will pay Sonoma County Water Agency for all services performed).

### **HISTORY OF ITEM/BACKGROUND**

The Town of Windsor (Town) has requested that the Sonoma County Water Agency (Water Agency) provide maintenance services for its wastewater collection system. Currently, the Town contracts with private firms to provide collection system preventative maintenance on an as-needed basis. The Town is planning to increase the amount of preventative maintenance performed on its collection system and has requested the Water Agency's assistance. The Water Agency is currently relocating its Collection System Maintenance section to the Water Agency's new Maintenance Center located at the Airport/Larkfield/Wikiup (Airport) Sanitation Zone's wastewater treatment facility. Because of the proximity of the Town to the Water Agency's new maintenance center, the Town determined that the Water Agency could provide preventative maintenance services more efficiently than the Town's current vendor.

The Water Agency maintains eight separate wastewater collection systems spread geographically throughout the County of Sonoma. Because of the Town's proximity to the Airport treatment plant and the new maintenance center, the Water Agency concurs that the proposed maintenance activities can

be performed at a lower cost to Town and with greater flexibility than can be achieved with the Town's current vendor while fulfilling the duties and responsibilities of maintaining the facilities of the various sanitation districts and zones managed by the Water Agency.

The Water Agency will benefit from this Agreement, as the additional revenue from providing these services will help fund extra help personnel employed for peak seasonal activities. The Town will benefit from the flexibility and cost savings realized by having the Water Agency perform the proposed maintenance activities.

The Water Agency will be fully reimbursed for all work performed under this Agreement on behalf of the Town. The volume of work will vary from year to year, but is expected to be on the average, \$60,000 per year for labor and equipment. The Agreement terminates on September 17, 2018. The agreement provides for termination following a 30 day notice, allowing for notice to the Water Agency to adjust workload and extra staffing as appropriate.

**SERVICES TO BE PERFORMED**

Under the proposed Agreement, the Water Agency will provide maintenance services to the Town for Town's wastewater collection facilities. The maintenance activities will consist of cleaning of approximately 13,500 lineal feet of sewer main ranging in diameter from 10-inches to 27-inches on an annual basis, clearing dry-weather stoppages in the collection system when requested by the Town, performing investigative services such as videoing the sewer main to identify inflow and infiltration, and lift station cleaning. Additionally, the Water Agency will provide wastewater treatment plant and lift station maintenance when requested by the Town.

**Prior Board Actions:**

N/A

**Strategic Plan Alignment**      Goal 2: Economic and Environmental Stewardship

County Goal 2: Economic and Environmental Stewardship - Investing in jobs, workforce, institutions, and community infrastructure; supporting a diverse and thriving economy.

Water Agency Organizational Goals and Strategies, Goal 1: Increase organizational efficiency, effectiveness, and resilience to natural disasters



**Fiscal Summary - FY 13-14**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$ 0	County General Fund	\$ 0
Add Appropriations Req'd.	\$ 0	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 0</b>	<b>Total Sources</b>	<b>\$ 0</b>

**Narrative Explanation of Fiscal Impacts (If Required):**

The Water Agency will be fully reimbursed for all work performed under this Agreement on behalf of the Town of Windsor. The volume of work will vary from year to year, but is estimated to be on the average, \$60,000 per year for labor and equipment.

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

**Narrative Explanation of Staffing Impacts (If Required):**

Full cost recovery for staff and materials is expected from the Town of Windsor. The revenue received for these services will help fund extra help personnel employed for peak seasonal activities. Providing these services will not adversely impact the staff available for current maintenance commitments.

**Attachments:**

NONE

**Related Items "On File" with the Clerk of the Board:**

Agreement (4 Copies)



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number: 9**

(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Directors, Sonoma County Water Agency, and All County Sanitation Districts

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Sonoma County Water Agency, and All County Sanitation Districts

**Staff Name and Phone Number:**

Brad Sherwood / 547-1927

**Supervisorial District(s):**

All Districts

**Title:** Multicultural Public Outreach and Education

### **Recommended Actions:**

Authorize Chair to execute an agreement with Mary Constance Cloak dba C2 Alternative Services to provide multicultural public outreach and education services for an amount not to exceed \$50,000; agreement terminates on June 30, 2015.

### **Executive Summary:**

This item requests approval to enter into an agreement with Mary Constance Cloak dba C2 Alternative Services (\$50,000 through June 30, 2015) for multicultural public outreach and education services.

#### HISTORY OF ITEM/BACKGROUND

Sonoma County Water Agency (Water Agency) has a comprehensive multicultural outreach and education plan to support Water Agency public outreach and education efforts including, but not limited to, issues relating to water supply, flood control, Qualified Water Efficient Landscaper programs in English and Spanish, sanitation, water conservation, environmental topics, issues relating to the Russian River Biological Opinion, and the Safe Medicine Disposal Program.

Water Agency personnel and water contractors use the materials developed through the multicultural outreach and education plan at various public outreach events and activities. The materials support a variety of Water Agency public outreach programs, including water conservation and the safe medicine disposal program.

#### SELECTION PROCESS

On January 11, 2012, the Water Agency issued a Request for Qualifications to the following three firms: Mary Constance Cloak dba C2 Alternative Services, Santa Rosa, CA; Mopwater Social Public Relations, Bethesda, MD; and Green Media Creations, Glendora, CA.

Mary Constance Cloak dba C2 Alternative Services and Green Media Creations were the only firms to submit a Statement of Qualifications. Mopwater Social Public Relations did not submit a Statement of Qualifications because it is not locally based and, therefore, was not interested.

Mary Constance Cloak dba C2 Alternative Services (Consultant) met the minimum qualifications required by the Water Agency including experience, professional qualifications, responsiveness to the work requirements, understanding of the marketplace, and demonstrated ability to perform the work in accordance with good practices common to the industry. In addition, a 5% local preference weighting was given to Consultant.

On February 27, 2012, the Water Agency entered into an agreement with Consultant for multicultural outreach and education services in the amount of \$25,000. The agreement expired on June 30, 2013.

Based on the previous selection process, Consultant was selected to perform the services under the proposed Agreement.

**SERVICES TO BE PERFORMED**

Under the proposed Agreement, Consultant will provide Spanish-speaking staff for the Water Agency’s booth at the Sonoma County Fair; attend and organize outreach events and water supply tours; assist Water Agency with radio and print media placement; schedule and coordinate radio interviews on Spanish radio stations; assist the Water Agency with the Spanish Qualified Water Efficient Landscaper Program, including classes and Spanish phone hotline; update the Spanish flood and emergency hotline and translate messages from Spanish to English for Water Agency staff; and other services related to multicultural public outreach and education.

The cost of services will not exceed \$50,000; the term end date is June 30, 2015.

**Prior Board Actions:**

None.

**Strategic Plan Alignment**                      Goal 4: Civic Services and Engagement

This item supports Goal 4 by seeking to ensure that all members of the Community have the opportunity understand and support the services provided by the Water Agency.

Water Agency Organizational Goals and Strategies, Goal 3: Increase outreach to community and employees.

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 50,000	Water Agency Gen Fund	\$ 50,000
Add Appropriations Req'd.	\$ -0-	State/Federal	\$ -0-
	\$	Fees/Other	\$ -0-
	\$	Use of Fund Balance	\$ -0-
	\$	Contingencies	\$ -0-
	\$		\$
<b>Total Expenditure</b>	<b>\$ 50,000</b>	<b>Total Sources</b>	<b>\$ 50,000</b>

**Narrative Explanation of Fiscal Impacts (If Required):**

FY 2013/2014 appropriation of \$50,000 is from the General Fund – Consultant Services fund. No additional appropriation is required.

<b>Staffing Impacts</b>			
<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)
<b>Narrative Explanation of Staffing Impacts (If Required):</b>			
None.			
<b>Attachments:</b>			
None.			
<b>Related Items “On File” with the Clerk of the Board:</b>			
Agreement (4 Copies).			

DT: \\fileserver\data\CL\Agenda\agrees\09-17-2013 WA Multicultural Public Outreach\_summ.docm

CF/0-0-21 C2 Alternative Services (Agree for As-Needed Multicultural Outreach and Education Services) TW 11/12-078 (ID 4290)



## County of Sonoma Agenda Item Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 10**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors and the Board of Directors of the Sonoma County Water Agency, the Russian River County Sanitation District and the Sonoma Valley County Sanitation District

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Auditor-Controller Treasurer-Tax Collector

**Staff Name and Phone Number:**

Randy Osborn (707) 565-3294

**Supervisorial District(s):**

**Title:** Fiscal Year 2013-14 Tax Rates

### **Recommended Actions:**

Approve Concurrent Resolution of the Board of Supervisors of the County of Sonoma, the Board of Directors of the Sonoma County Water Agency, and the Board of Directors of the Russian River County Sanitation District setting the Fiscal Year 2013-14 tax rates for all debt service funds within their jurisdictions.

Approve Resolution of the Board of Supervisors, County of Sonoma, setting the Fiscal Year 2013-14 unitary, operating non-unitary, and railroad unitary tax rate for voter approved indebtedness.

Approve Resolution of the Board of Directors of the Sonoma Valley County Sanitation District setting the Fiscal Year 2013-14 tax rates for all debt service funds within its jurisdiction.

### **Executive Summary:**

On or before October 3 of each year, the Board sets Tax Rates for Debt Service Funds within Special Districts governed by the Board of Directors (Sonoma County Water Agency and Sanitation Zones, Russian River and Sonoma Valley County Sanitation Districts), Special Districts governed by Local Boards and applicable School Districts. These rates are levied to provide taxing agencies with the necessary revenue to pay the annual principal and interest charges on voter-approved indebtedness. Once approved by the Board, the rates are used to determine the ad valorem (percentage of value) charge on taxable secured parcels within the boundary of applicable debt service agencies. The tax bill amount is determined by multiplying the tax rate by one percent of the assessed property value of each taxable parcel. As an example, a tax rate of 0.0500 will result in a charge of \$50 per \$100,000 of assessed value.

Occasionally, the rates will fluctuate based on increasing principal and interest payments, changes to assessed values and adjustments to reserve requirements. In order to keep the Tax Rates from fluctuating significantly, fund balance may be utilized over future periods in accordance with Section 15250 of the Education Code, State of California.

In the case of multi-county School Districts, the Board of Supervisors adopts the rates equivalent to those approved by the Board of Supervisors of the governing counties. Tax Rates from these counties are unavailable at this time. Approval of this resolution package will set Tax Rates equivalent to those approved by the governing

bodies.

The unitary debt service tax rate is calculated by the Auditor-Controller based on an average of all the debt service rates for the unitary, operating non-unitary, and railroad unitary (utility) tax roll, as required by Section 100 of the Revenue and Taxation Code. The debt service burden is distributed equally between the utility companies.

Calculations for these rates are on file at the Auditor-Controller-Treasurer-Tax Collector's office.

**Prior Board Actions:**

Each and every year, the Board sets rates for debt service funds and the unitary, operating non-unitary, and railroad unitary tax roll.

**Strategic Plan Alignment**      Not Applicable

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

**Narrative Explanation of Fiscal Impacts (If Required):**

This tax rate approval process has no impact on revenues currently budgeted in Fiscal Year 2013-14.

**Staffing Impacts**

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

**Narrative Explanation of Staffing Impacts (If Required):**

<b>Attachments:</b>
Resolutions approving FY 2013-14 tax rates and Exhibit "A".
<b>Related Items "On File" with the Clerk of the Board:</b>



County of Sonoma  
State of California

Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

4/5 Vote Required

**Concurrent Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, the Board of Directors of the Sonoma County Water Agency, And the Board of Directors of the Russian River County Sanitation District Setting The Fiscal Year 2013-14 Tax Rates For All Debt Service Funds Within Their Jurisdictions.**

**Whereas**, the Board is required to set the Fiscal Year 2013-14 Tax Rates for all Debt Service Funds within the Special Districts governed by the Board, Special Districts governed by Local Boards and applicable School Districts, and

**Whereas**, the Tax Rates necessary to produce an amount sufficient to cover Debt Service requirements are listed in Exhibit "A",

**Now, Therefore, Be It Resolved** and ordered by the Board of Supervisors of the County of Sonoma, the Board of Directors of the Sonoma County Water Agency, and the Board of Directors of the Russian River County Sanitation District that the Tax Rates listed in Exhibit "A" be used as the Fiscal Year 2013-14 Tax Rates for all Debt Service Funds within their jurisdictions, in accordance with Section 29100 of the Government Code, State of California.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**





County of Sonoma  
State of California

Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Setting The Fiscal Year 2013-14 Unitary, Operating Non-Unitary, And Railroad Unitary Tax Rate For Voter Approved Indebtedness.**

**Whereas**, the Board of Supervisors is required to set the Fiscal Year 2013-14 Tax Rate for the Unitary, Operating Non-Unitary, and Railroad Unitary Tax Roll, and

**Whereas**, the Tax Rate necessary to produce an amount sufficient to meet the debt service requirements from the Unitary, Operating Non-Unitary, and Railroad Unitary Tax Roll is indicated below:

<u>DESCRIPTION</u>	<u>Last Year's (12-13) Tax Rate</u>	<u>This Year's (13-14) Tax Rate</u>
Unitary, Operating Non-Unitary, & Railroad Unitary Debt Service	.4827	.4956

**Now, Therefore, Be It Resolved**, and ordered by the Board of Supervisors of the County of Sonoma, that the above tax rate be used as the Fiscal Year 2013-14 tax rate for Unitary, Operating Non-Unitary, and Railroad Unitary Tax Roll voter approved indebtedness, in accordance with Section 29100 of the Government Code, State of California.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



County of Sonoma  
State of California

Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

4/5 Vote Required

**Resolution Of The Board Of Directors Of The Sonoma Valley County Sanitation District, State Of California, Setting The Fiscal Year 2013-14 Tax Rates For All Debt Service Funds Within Its Jurisdiction.**

**Whereas**, the Board of Directors is required to set the Fiscal Year 2013-14 Tax Rates for all debt service funds within its jurisdiction, and

**Whereas**, the Tax Rate necessary to produce an amount sufficient to cover debt service requirements is indicated below:

<u>Fund</u>	<u>DESCRIPTION</u>	<u>Last Year's (12-13) Tax Rate</u>	<u>This Year's (13-14) Tax Rate</u>
55-513-304	Sonoma Valley Sanitation- Glen Ellen Bonds	.0110	.0110

**Now, Therefore, Be It Resolved** and ordered by the Board of Directors, that the above tax rate be used as the Fiscal Year 2013-14 tax rate for the Sonoma Valley County Sanitation District in accordance with Section 29100 of the Government Code, State of California.

**Directors:**

Gorin:

Rabbitt:

Brown:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**

## FISCAL YEAR 2013-14 DEBT SERVICE TAX RATES

1. Under Board of Supervisors Jurisdiction:

<u>Fund Code</u>	<u>Description</u>	<u>Last Year's (12-13) Tax Rate</u>	<u>This Year's (13-14) Tax Rate</u>
<u>SCHOOL DISTRICT BONDS:</u>			
37-900-046	Bellevue Elem #6 & 7	.0455	.0485 (a)
37-900-048	Bellevue Elem #8	.0162	.0162
37-900-049	Bellevue Elem #9 QSCB	.0088	.0088
37-900-068	Bennett Valley Elem #10	.0105	.0150 (a)
37-900-069	Bennett Valley Elem #11	.0228	.0228
37-900-176	Forestville Elem #6 - 8	.0410	.0410
37-900-177	Forestville Elem #9 & 10	.0259	.0259
37-900-210	Gravenstein Un Elem #10	.0150	.0140
37-900-211	Gravenstein Un Elem #11	.0000	.0300 (b)
37-900-220	Guerneville Elem #1-2	.0306	.0300
37-900-243	Harmony Un Elem #3	.0135	.0130
37-900-271	Horicon Elem #1R	.0300	.0290
37-900-313	Liberty Elem #4	.0300	.0300
37-900-340	Mark West Elem #11 & 12	.0195	.0250 (a)
37-900-341	Mark West Elem #13	.0120	.0100
37-900-386	Oak Grove #5R & 6	.0210	.0210
37-900-398	Old Adobe Elem #16 - 18	.0280	.0280
37-900-399	Old Adobe Elem #19	.0321	.0240
37-900-435	Petaluma Elem #29 - 32R	.0465	.0505 (a)
37-900-439	Piner-Olivet Elem #8, 8R & 9	.0580	.0620 (a)
37-900-440	Piner-Olivet Elem #10	.0260	.0260
37-900-475	Rincon Valley Elem #16, 16R & 17	.0220	.0235 (a)
37-900-487	Roseland Elem #7	.0000	.0280 (b)
37-900-510	Santa Rosa Elem #15R	.0105	.0105
37-900-509	Santa Rosa Elem #13 - 17R	.0150	.0150
37-900-517	Sebastopol Elem #7R - 10R	.0381	.0370
37-900-537	Twin Hills Elem #8 & 9R	.0325	.0305
37-900-539	Twin Hills Elem #11	.0045	.0045
37-900-624	Wilmar Union #4	.0000	.0285 (b)
37-900-649	Wright Elem #9 & 10	.0264	.0285 (a)
37-900-650	Wright Elem #11	.0316	.0240
37-900-712	West So Co High #1 - 2R	.0138	.0138
37-900-714	West So Co High #3 CREB	.0005	.0005
37-900-713	West So Co High #4 & 5	.0018	.0016
37-900-753	Healdsburg Unified #1 & 2	.0400	.0400
37-900-751	Healdsburg Unified #3	.0065	.0060
37-900-754	Healdsburg SFID #1 - 3R	.0365	.0340
37-900-784	Petaluma High #21, 27R - 30R	.0342	.0360 (a)
37-900-790	Santa Rosa High #28R & 31R	.0360	.0350
37-900-795	Santa Rosa High #26 - 30R	.0219	.0200
37-900-801	Cloverdale Unified #2 & 3R	.0075	.0065
37-900-802	Cloverdale Unified #4 & 5	.0271	.0271
37-900-828	Cotati-Rohnert Park Unified #13R - 18R	.1000	.1075 (a)
37-900-843	Geyserville Unified #3R	.0035	.0025
37-900-844	Geyserville Unified #4	.0150	.0140
37-900-886	Sonoma Valley Unified #4R & 8R	.0480	.0465
37-900-887	Sonoma Valley Unified #9B	.0055	.0055
37-900-892	Windsor Unified #1 - 3R	.0776	.0776
37-900-893	Windsor Unified #4 - 7	.0530	.0490
37-900-894	Windsor Unified #6 QSCB	.0115	.0115
37-900-901	Sonoma County Junior College 1 - 4	.0210	.0188

Fund Code	Description	Last Year's (12-13) Tax Rate	This Year's (13-14) Tax Rate
17-030-905	Point Arena High (Mendocino)	.0200	- (c)
17-030-906	Calistoga Joint Unified - 1995 (Napa)	.0087	- (c)
17-030-906	Calistoga Joint Unified - 2010 (Napa)	.0237	- (c)
17-030-906	Napa Valley Community College (Napa)	.0250	- (c)
17-030-907	Shoreline Unified - 2011 (Marin)	.0219	- (c)
17-030-907	Shoreline Unified - 2009 (Marin)	.0342	- (c)

SPECIAL DISTRICTS GOVERNED BY LOCAL BOARDS:

75-025-031	Windsor Water General Obligation Bonds	.0001	.0001
75-068-100	Graton Community Services-Sanitation	.0100	.0100

2. Under Board of Directors Jurisdiction:

WATER AGENCY AND SANITATION ZONES:

54-740-200	SCWA - Warm Springs Dam/Russian River Project	.0070	.0070
57-800-200	SCWA - Sanitation - Penngrove	.0090	.0090
57-810-200	SCWA - Sanitation - Geyserville	.0190	.0190

COUNTY SANITATION DISTRICTS:

55-512-301	Russian River Sanitation	.0250	.0170
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- (a) Increase in tax rate needed to cover increases in principal and interest payments and/or decreases in assessed valuation.
- (b) Tax rate needed to cover requirements of new bond issue.
- (c) Tax rate used will be equivalent to the one approved by the Board of Supervisors of the governing county.



## County of Sonoma Agenda Item Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 11**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Board of Supervisors

**Staff Name and Phone Number:**

Supervisor Susan Gorin, 565-2241

**Supervisorial District(s):**

First

**Title:** Disbursement of FY 13/14 District 3 Advertising Funds.

### **Recommended Actions:**

Approve Advertising Program grant awards and authorize the County Administrator to execute a contract with the following entities for advertising and promotions activities for FY 13/14: Cittaslow, \$2,500; Sonoma International Film Festival, \$2,500; Valley of the Moon Natural History Association, \$2,000; Farm Bureau Foundation for Ag Days advertising, \$500; Farm Bureau Foundation for Love of the Land event advertising, \$2,000; Sonoma Valley Museum of Art, \$2,000; Valley of the Moon Vintage Festival, \$2,500; Law Enforcement Chaplaincy of Sonoma County for Tour de Fuzz advertising, \$500; Transcendence Theatre Company, \$3,000; Sonoma Valley Chamber of Commerce, \$2,000; Chicuchas Wasi: Free School for Girls in Peru, \$500.

### **Executive Summary:**

Category E – Local Events and Organizations of the Advertising and Promotions Program Policy provides grant allocations to each Supervisor, to be distributed at the Supervisor’s discretion. The First District has reviewed applications and wishes to make the following FY 13/14 advertising grant award:

- 1.) Cittaslow (Slow Cities) USA for advertising and promotions activities for FY 13/14: “Rural Heritage – Sonoma Valley” publication, \$2,500;
- 2.) Sonoma International Film Festival, for advertising and promotions activities for FY 13/14: 17<sup>th</sup> annual Sonoma International Film Festival April 9-13, 2014, \$2,500;
- 3.) Valley of the Moon Natural History Association, for advertising and promotions activities for FY 13/14: events in Jack London Park, \$2,000;
- 4.) Farm Bureau Foundation for advertising and promotions activities for FY 13/14: Ag Days 2014 Farm News for Kids 2<sup>nd</sup> Edition, \$500;
- 5.) Farm Bureau Foundation for advertising and promotions activities for FY 13/14: Love of the Land event, \$2,000;
- 6.) Sonoma Valley Museum of Art, for advertising and promotions activities for FY 13/14: general museum event advertising; \$2,000;

- 7.) Valley of the Moon Vintage Festival, for advertising and promotions activities for FY 13/14: Vintage Festival advertising \$2,500;
- 8.) Law Enforcement Chaplaincy of Sonoma County for advertising and promotions activities for FY 13/14: Tour de Fuzz 2013 event, \$500;
- 9.) Transcendence Theatre Company, for advertising and promotions activities for FY 13/14: Broadway Under the Stars in Jack London State Park advertising; \$3,000;
- 10.) Sonoma Valley Chamber of Commerce, for advertising and promotions activities for FY 13/14: promotion of Food Day and local foods promotion, \$2,000;
- 11.) Chicuchas Wasi: Free School for Girls in Peru, for advertising and promotions activities for FY 13/14: Andean Music and Dance Concert Benefit promotion, \$500.

Funds will be distributed upon approval of these awards by Board and execution of Advertising grant agreement contract with each entity. The contract will require the County logo on promotional materials produced using the grant award and will require submission to the District Director and County Administrator’s Office of advertising and promotional activity receipts up to the total amount of the grant award.

**Prior Board Actions:**

Previous grants were awarded through District 1 during FY 12/13.

**Strategic Plan Alignment**      Goal 2: Economic and Environmental Stewardship

Grant funds allow non-profit partners to advertise and grow local events and encourage tourism thereby promoting economic development and growth.

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 22,000	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 22,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 22,000</b>	<b>Total Sources</b>	<b>\$ 22,000</b>

**Narrative Explanation of Fiscal Impacts (If Required):**

Funds are included in the FY 13/14 budget. The District was allocated a total of \$41,216. Following today’s actions, \$19,216 will remain for award.

<b>Staffing Impacts</b>			
<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)
<b>Narrative Explanation of Staffing Impacts (If Required):</b>			
N/A.			
<b>Attachments:</b>			
FY 13/14 Grant Award Agreement Template.			
<b>Related Items “On File” with the Clerk of the Board:</b>			
None.			

AGREEMENT

THIS AGREEMENT made and entered into this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_, by and between the COUNTY OF SONOMA, (hereinafter COUNTY) and the «Organization», (hereinafter ADVERTISER).

WITNESSETH:

WHEREAS, ADVERTISER has represented that it is aware of and understands the provisions and requirements of Government Code Section 26100 and COUNTY'S "Advertising and Promotions Program Policy" for the expenditure of funds appropriated under Section 26100, and that any expenditure made by ADVERTISER will be in compliance with Section 26100, the Advertising and Promotions Policy, and this Agreement, and

WHEREAS, COUNTY'S Board of Supervisors has relied on those representations in authorizing the execution of this Agreement, and

WHEREAS, ADVERTISER has applied for and received funding under Category E – Local Events and Organizations category of the Advertising and Promotions Program Policy, and

WHEREAS, ADVERTISER is ready, willing and able to perform the services herein provided to be performed.

NOW, THEREFORE, IT IS AGREED by and between the parties hereto as follows:

1. During the fiscal year July 1, 2013 to June 30, 2014, COUNTY shall pay to ADVERTISER the total sum of \$«Amount» (hereinafter "Advertising Funds"), payable upon execution of this contract.
2. ADVERTISER must submit to the COUNTY receipts of activities performed utilizing the Advertising Funds. Activities must take place between July 1, 2013 and June 30, 2014. Receipts must be remitted to the COUNTY by July 31, 2014. If receipts are not submitted by July 31, 2014, repayment will be required of grant dollars not supported by advertising expense receipts by August 15, 2014. Failure to submit required receipts may jeopardize ability to receive future grant awards.
3. In consideration whereof, ADVERTISER promises and agrees to render the following services to COUNTY during the fiscal year July 1, 2013 to June 30, 2014:

All actions as set forth in the attached, Exhibit A (application for funding). In the case of more than one event, Advertiser will not transfer funds between events without prior approval from the COUNTY's program coordinator.



4. ADVERTISER agrees to keep complete and accurate books and records, and to make available and submit to audit by COUNTY all of ADVERTISER'S books, records, and financial statements upon COUNTY'S request and without prior notice.
5. ADVERTISER warrants to COUNTY that any Advertising funds paid to ADVERTISER by COUNTY pursuant to this Agreement shall be expended for only those purposes authorized by Section 26100 of the Government Code of the State of California and the COUNTY's Advertising and Promotions Policy.
6. Travel expenses, such as transportation and lodging, and/or meal costs, are not allowable advertising and promotions expenses. Advertising Funds may not be used to purchase or lease fixed assets.
7. ADVERTISER agrees to submit copies of all published materials to the County Administrator's Office.
8. Indemnification:
  - a. ADVERTISER agrees to accept all responsibility for loss or damage to any person or entity, including COUNTY, and to indemnify, hold harmless, and release COUNTY, its officers, agents, and employees, from and against any actions, claims, damages, liabilities, disabilities, or expenses, that may be asserted by any person or entity, including ADVERTISER, that arise out of, pertain to, or related to ADVERTISER's or its agents', employees', contractors', subcontractors', or invitees' performance or obligations under this Agreement. ADVERTISER's obligations under this Section apply whether or not there is concurrent negligence on COUNTY's part, but to the extent required by law, excluding liability due to COUNTY's conduct. COUNTY shall have the right to select its legal counsel at ADVERTISER's expense, subject to ADVERTISER's approval, which shall not be unreasonably withheld. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for ADVERTISER or its agents, employees, contractors, subcontractors, or invitees under workers' compensation acts, disability benefits acts, or other employee benefit acts.
  - b. ADVERTISER shall be liable to COUNTY for any loss or damage to COUNTY property arising from or in connection with ADVERTISER's performance hereunder.
9. Non-Discrimination: ADVERTISER shall comply with all applicable federal, state and local laws, rules and regulations in regard to non-discrimination in employment because of race, ancestry, color, sex, age, national origin, religion, marital status, medical condition, or handicap, including the provisions of Article II of Chapter 19 of the Sonoma County Code, prohibiting discrimination in housing, employment, and services because of AIDS or HIV infection.
10. Assignment/Delegation: ADVERTISER shall not assign, sublet, transfer or delegate any interest in or duty under this agreement without written consent of COUNTY, and no assignment shall be of any force or effect whatsoever unless and until so consented.
11. Merger: This writing is intended both as the final expression of the agreement between the parties hereto with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement, pursuant to C.C.P. Section 1856. No modification of this agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.

12. Termination: At any time, with or without cause, COUNTY shall have the right in its sole discretion, to terminate this Agreement by giving written notice to ADVERTISER. In the event of such termination, COUNTY shall pay ADVERTISER for services rendered satisfactorily and in good faith to such date in an amount which bears the same ratio to the total fees specified in the Agreement as the services satisfactorily rendered hereunder by ADVERTISER bear to the total services otherwise required to be performed for such total fee; provided, however, that there shall be deducted from such amount the amount of damage, if any, sustained by COUNTY by virtue of the breach of the Agreement by ADVERTISER.
13. Repayment: If ADVERTISER fails to comply with the rules and requirements of the Advertising and Promotions Program Policy or the specific Category requirements under which the ADVERTISER received funds, as specified, then ADVERTISER shall, within ten days of receipt of notice of such failure by COUNTY, return all grant funds provided by COUNTY under this Agreement; provided, however, that COUNTY may, in its sole discretion, allow ADVERTISER to retain some or all grant funds if COUNTY determines that the failure was inadvertent or immaterial, or that ADVERTISER has taken action to ensure that the failure will not reoccur.
14. Conflict of Interest: ADVERTISER covenants that it presently has no interest and shall not acquire any interest, direct, or indirect, which would conflict in any manner or degree with the performance of its services hereunder. ADVERTISER further covenants that in the performance of this contract no person having any such interest shall be employed.
15. Attorneys' Fees: In the event the COUNTY brings an action or proceeding for damages arising out of the ADVERTISER's performance under this Agreement or to establish the COUNTY's right or remedy, the COUNTY shall be entitled to recover reasonable attorneys' fees and costs as a part of such action or proceeding.
16. Statutory Compliance: ADVERTISER agrees to comply with all applicable federal, state and local laws, regulations, statutes and policies applicable to the services provided under this Agreement as they exist now and as they are changed, amended or modified during the term of this Agreement.
17. AIDS Discrimination: ADVERTISER agrees to comply with the provisions of Chapter 19, Article II, of the Sonoma County Code prohibiting discrimination in housing, employment, and services because of AIDS or HIV infection during the term of this Agreement and any extensions of the term.
18. No Third Party Beneficiaries: Nothing contained in this Agreement shall be construed to create and the parties do not intend to create any rights in third parties.
19. Extra or Changed Work: Extra or changed work or other changes to the Agreement may be authorized only by written amendment to this Agreement, signed by both parties. ADVERTISER expressly recognizes that, pursuant to Sonoma County Code Section 1-11, COUNTY personnel are without authorization to order extra or changed work or waive Agreement requirements. Failure of ADVERTISER to secure such written authorization for extra or changed work shall constitute a waiver of any and all right to adjustment in the Agreement price or Agreement time due to such unauthorized work and thereafter ADVERTISER shall be entitled to no compensation whatsoever for the performance of such work. ADVERTISER further expressly waives any and all right or remedy by way of restitution and quantum meruit for any and all extra work performed without such express and prior written authorization of the COUNTY.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands the day and year first above written.

COUNTY OF SONOMA

DATE: \_\_\_\_\_

By \_\_\_\_\_  
County Administrator, authorized by the  
Chair, Board of Supervisors

ATTEST: \_\_\_\_\_  
Clerk of the Board of Supervisors

«Organization»  
«Street»  
«City», «StateZip»

DATE: \_\_\_\_\_

By \_\_\_\_\_  
«Contact»  
«Event»



## County of Sonoma Agenda Item Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 12**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Supervisor Rabbitt

**Staff Name and Phone Number:**

Andrea Krout (707) 565-3754

**Supervisorial District(s):**

Second

**Title:** Original Jurisdiction for Use Permit Application; Materials Recovery Facility / Recycle Operation at the Central Landfill; APN 024-080-019 and 024-080-030.

### **Recommended Actions:**

Adoption of a resolution taking original jurisdiction over a Use Permit application for a Materials Recovery Facility (MRF) / Recycle Operation for inert construction debris and other recyclables inside an existing building at the County's Central Transfer/Processing Facility (Landfill) on a portion of approximately 395 acres located at 500 Mecham Road, Petaluma (APNs 024-080-019 and 024-080-030), UPE13-0065, Supervisorial District 2.

### **Executive Summary:**

The proposed project is a request for a Use Permit for a materials recovery facility and recycle operation located at the Central Landfill. The applicant is Republic Services of Sonoma County, Inc. Supervisor Rabbitt requests the Board exercise original jurisdiction to facilitate more efficient processing of the application. Supervisor Rabbitt filed a request to exercise original jurisdiction with the Clerk of the Board on August 26, 2013.

### **Prior Board Actions:**

None

**Strategic Plan Alignment** Goal 2: Economic and Environmental Stewardship

Providing the community with a solid waste system which is focused on providing increased recycling and green house gas reductions in a manner that is economically efficient and sustainable.

**Fiscal Summary - FY 13-14**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>
	<b>\$0</b>		<b>\$0</b>

**Narrative Explanation of Fiscal Impacts (If Required):**

Not applicable

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

**Narrative Explanation of Staffing Impacts (If Required):**

**Attachments:**

Draft Board of Supervisors Resolution

**Related Items "On File" with the Clerk of the Board:**

None



# County of Sonoma

## State of California

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Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

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4/5 Vote Required

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**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Taking Original Jurisdiction Over The Use Permit Application For A Materials Recovery Facility (MRF) /Recycle Operation for Inert Construction Debris and other Recyclables Inside an Existing Building at the County's Central Transfer/Processing Facility (Landfill) on a Portion of Approximately 395 Acres Located at 500 Mecham Road, Petaluma (APN's 024-080-019 and 024-080-030), Supervisorial District 2.**

**Whereas**, Republic Services of Sonoma County, Inc. has applied for a Use Permit application for a Materials Recovery Facility (MRF) /Recycle Operation for Inert Construction Debris and other Recyclables Inside an Existing Building at the County's Central Transfer/Processing Facility (Landfill) on a Portion of Approximately 395 Acres Located at 500 Mecham Road, Petaluma (APNs 024-080-019 and 024-080-030), Supervisorial District 2.

**Whereas**, the Use Permit application would normally be reviewed and considered by the Sonoma County Board of Zoning Adjustments; and

**Whereas**, Section 26-92-155 of the Sonoma County Code allows the Board of Supervisors to exercise original jurisdiction over a Use Permit application; and

**Now, Therefore, Be It Resolved** that the Board of Supervisors hereby takes original jurisdiction over the Use Permit Application for the proposed Materials Recovery Facility/Recycle Operation.

**Be It Further Resolved** that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitutes the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

Resolution #

Date:

Page 2

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



## County of Sonoma Agenda Item Summary Report

**Agenda Item Number: 13**

(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** County Administrator's Office

**Staff Name and Phone Number:**

Mary Booher 565-3779

**Supervisorial District(s):**

All

**Title:** Board of Supervisors Responses to 2012-2013 Grand Jury Report

### **Recommended Actions:**

Approve the Board of Supervisors responses to 2012-2013 Grand Jury Report

### **Executive Summary:**

The 2012-2013 Grand Jury Final Report was presented to the Presiding Judge of the Superior Court on June 26, 2013. The California Penal Code Section 933 requires the Board of Supervisors to formally respond to the Presiding Judge within 90 days, or no later than September 25, 2013.

The Grand Jury reports requiring responses from the Board include:

1. Fluoridation: Where do you Stand?
2. PRMD: Is Change Permitted?
3. Weathering a Disaster

The specific recommendations and draft Board responses are attached for the Board's consideration and approval.

### **Prior Board Actions:**

The Board annually approves required responses to the Grand Jury.

**Strategic Plan Alignment:** Goal 4: Civic Services and Engagement

Board responses to the Grand Jury reports promote transparency and accountability in County government.



**Fiscal Summary - FY 13-14**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

**Narrative Explanation of Fiscal Impacts (If Required):**

There is no fiscal impact associated with this action. Potential future financial implications of following the Grand Jury's recommendations are noted in the individual responses.

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

**Narrative Explanation of Staffing Impacts (If Required):**

No impacts

**Attachments:**

- Board responses to Grand Jury Report
- Attachment 1: Board of Supervisors response to Grand Jury Cover Letter
- Attachment 2: Fluoridation: Where do you Stand?
- Attachment 3: PRMD: Is Change Permitted?
- Attachment 4: Weathering a Disaster

**Related Items "On File" with the Clerk of the Board:**

2012-2013 Sonoma County Civil Grand Jury Final Report

September 17, 2013

The Honorable Rene Chouteau, Presiding Judge  
Sonoma County Superior Court  
600 Administration Drive  
Santa Rosa, CA 95401

RE: Response to 2012-2013 Sonoma County Grand Jury Report

Dear Judge Chouteau:

Thank you for the opportunity to respond to the 2012-2013 Grand Jury Report. Attached are the Sonoma County Board of Supervisors' responses to reports titled:

- 1) Fluoridation; Where do you Stand?
- 2) PRMD: Is Change Permitted?
- 3) Weathering a Disaster

Sincerely,

David Rabbit  
Chair and District 2 Supervisor

Attachments: Responses

cc: Members, Sonoma County Board of Supervisors  
Veronica Ferguson, Sonoma County Administrator  
Bruce Goldstein, County Counsel  
William Rousseau, Clerk-Recorder-Assessor  
Rita Scardaci, Director of Health Services  
Pete Parkinson, Director PRMD  
Mark Aston, Director Fire and Emergency Services

## **Board of Supervisors Response to “Fluoridation: Where do you Stand” Grand Jury Report**

### **RECOMMENDATIONS (R1-R3)**

**Recommendation R-1:** *The Board of Supervisors advise and inform all residents by multiple methods, e.g. utility bill inserts, bilingual notices through printed or social media, and radio, of its meetings, hearings, discussions, presentations, and votes relating to fluoridation.*

**Board of Supervisors’ Response: This recommendation has been implemented.**

The Board of Supervisors uses multiple technologies to communicate its meetings, hearings, discussions, presentations and votes. Additionally, the County through the Department of Health Services will continue to consider additional avenues to communicate about future public meetings, including utility bill inserts where appropriate, bilingual notices and social media which the Board wholly supports.

**Recommendation R-2:** *With respect to fluoridation, the Board of Supervisors make impartial decisions based on the best evidence available, allowing for both pro and con views to be heard.*

**Board of Supervisors’ Response: This recommendation has been implemented.**

The Board of Supervisors has to date on all items relating to fluoridation made impartial decisions using the best evidence available and has allowed for all viewpoints to be heard and will continue to do so in the future.

**Recommendation R-3:** *The Board of Supervisors communicate to the public how fluoridation would be funded prior to a final vote.*

**Board of Supervisors’ Response: This recommendation has not yet been implemented, but will be implemented when cost information has been evaluated and presented and options for funding have been vetted.**

The Board of Supervisors has every intention to communicate to the public how fluoridation will be funded prior to Board of Supervisors approval. In February 2013, the Board of Supervisors approved a contract with MWH Americas, Inc. to develop a Preliminary Engineering Design Report for fluoridation of Sonoma County Water Agency’s drinking water. This report will include cost estimates to implement a fluoridation system for Sonoma County Water Agency’s drinking water.

As presented to the Board on February 26, 2013, the Department of Health Services plans to return to the Board by March 2014 with a financial analysis and recommended next steps. This financial analysis will include analysis of funding options based on the cost data derived through the Engineering Design Report.

## **Sonoma County Board of Supervisors Response To “PRMD: Is Change Permitted” Grand Jury Report**

### **RECOMMENDATIONS**

**Recommendation R-3:** *The Board of Supervisors and the PRMD Director support and advertise the Ombudsman role in assisting clients.*

**Board of Supervisors’ Response: The recommendation has been implemented.**

The Board of Supervisors frequently directs customers to the services of the Customer Service Ombudsman and has supported the addition and continuance of the position through the PRMD budget. PRMD also has and continues to promote the position to customers and the general public through press releases, distributed email campaigns, online via the PRMD website and other presentations to the public and interested parties.

**Recommendation R-4:** *The Board of Supervisors take the opportunity to hire a Director committed to making the culture of PRMD consistent with its mission to provide customer-focused services.*

**Board of Supervisors’ Response: This recommendation has been implemented.**

The Board supports customer-focused services and the Director in position at the time the report was released carried that mission forward. With the announced retirement of the Director, a nation-wide recruitment was conducted to find a successful replacement to fill this important position. The recruitment advertisement period has concluded and interviews will be held by the end of August 2013 with a new Director hired thereafter. Customer service has continued to be a focus throughout the recruitment and hiring process.

# **Board of Supervisors Response to “Weathering A Disaster” Grand Jury Report**

## **RECOMMENDATIONS**

- R1. The Board of Supervisors provide a continuing protected source of revenue to improve and maintain the deteriorating County Road System.**

**Response: Recommendation has been implemented.**

Since Fiscal Year (FY) 2001-2002, annually the Board of Supervisors has allocated an average of \$7.4 million in ongoing General Fund Revenues. The lowest allocation during that time period was in FY 2011-2012, when the General Fund contribution was reduced to \$5.3 million, as a result of extreme countywide budget reductions. In both FY 2012-2013 and 2013-2014 the Board allocated \$7.5 million in ongoing General Fund support, as well as contributing an additional \$8 million from other one-time sources to provide road maintenance and pavement preservation activities, and improve safety and pavement quality in the unincorporated County.

- R2. The Fire and Emergency Services Department monitor the progress of the Telephone Emergency Notification System and devote resources to inform the public of the activation and benefit of the system.**

**Response: Recommendation has been implemented.**

With the support of the Board of Supervisors, the Fire & Emergency Services Department, Sheriff's Office and Information Systems Department is working to install, test and implement a more robust and capable Telephone Emergency Notification System (TENS). The Board recently approved a cost sharing and usage agreement with the City of Santa Rosa that allowed for a 33% increase in the TENS dialing capacity. Department staff monitor the system and dedicate a portion of their time to inform the public about the system.

- R3. The Fire and Emergency Services Department work with the Board of Supervisors to create and continually fund a position dedicated to outreach education and disaster preparation of residents.**

**Response: Recommendation has been implemented.**

The Board of Supervisors believes that the Fire and Emergency Services Department has sufficient staff to respond to requests for public outreach and education on disaster preparedness. There are three staff members who have outreach included in their job duties and the responsibilities are shared among the staff.

**R4. The Department of Health Services update the “Pocket Guide to Emergency Preparedness” and continue to maintain it with current information.**

**Response: The recommendation has been implemented.**

The paper version of the “Pocket Guide to Emergency Preparedness” is updated periodically with current information, as additional copies are printed. The Board of Supervisors encourages those who are not familiar with this useful guide to request a copy by calling 707-565-1152 or print an updated version from the Health Services website [http://www.sonoma-county.org/health/topics/pdf/ep\\_guide.pdf](http://www.sonoma-county.org/health/topics/pdf/ep_guide.pdf)

**R5. The Fire and Emergency Services Department develop a program to distribute the “Pocket Guide to Emergency Preparedness,” particularly to rural residents.**

**Response: Recommendation will not be implemented because it is not warranted.**

The Guide is widely available to the public as it is available at County offices, through the rural fire districts and volunteer fire companies, and on line. Also, Health Services and Fire and Emergency Services departments have made available the pocket guide by request to any individuals, community groups or organizations that wish to use or distribute them, regardless of their location within the County.



## County of Sonoma Agenda Item Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 14**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors of Sonoma County

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Probation

**Staff Name and Phone Number:**

Robert Ochs, Probation: 565-2732

**Supervisorial District(s):**

Countywide

**Title:** Public Safety Realignment Superior Court MOU

### **Recommended Actions:**

Authorize the Chief Probation Officer to execute a Memorandum of Understanding (MOU) allowing the Probation Department to reimburse the Superior Court of California for costs associated with the DUI Treatment Court (\$306,815) and P.C. 1368 Mental Competency Assessment (\$92,400) programs.

### **Executive Summary:**

#### **Overview**

The Probation Department seeks Board approval to execute a Memorandum of Understanding (MOU) with the Superior Court of California, Sonoma County, to cover two programs approved by the Community Corrections Partnership (CCP) as part of the County's FY 13-14 Realignment Plan: 1) the DUI Treatment Court, and 2) Penal Code 1368 Mental Competency Assessments. The Board-approved AB 109 Public Safety Realignment Plan for Fiscal Year 13-14 included a budget appropriation for the Superior Court's contract psychologist responsible for pre-screening criminal defendants to determine whether a Penal Code 1368 competency process should be ordered. The CCP's plan also included a contingency reserve fund. At its July 17, 2013 meeting, the CCP approved utilization of contingency funds for the DUI Treatment Court program, in order to continue operations from October 01, 2013 through June 30, 2014. The DUI Treatment Court integrates treatment, close Probation supervision, and strict judicial accountability for DUI offenders in Sonoma County.

#### **Synopsis of DUI Treatment Court Program**

In 2007, the Sonoma County Superior Court initiated a multi-agency collaborative DUI Treatment Court program, which includes enhanced alcohol monitoring through Continuous Alcohol Monitoring devices, weekly judicial reviews, intensive supervision by a Probation Officer, and targeted alcohol treatment services from contracted local providers. The DUI Court targets both offenders with 1 or 2 prior convictions, and first-time offenders with high Blood Alcohol Content (BAC). The Superior Court's goal, in partnership with Probation, is to impact the long-term decision and judgment-making processes for

repeat DUI offenders, ultimately changing the behaviors that lead them to make poor decisions, often resulting in potential loss of life or injury to self or others. In FY 13-14, the Superior Court seeks to sustain and increase the effectiveness and outcomes of the DUI Treatment Court program by expanding the quality of the evidence-based treatment program/curriculum and further partnering with Probation.

The DUI Court has been directly funded by California Office of Traffic Safety (OTS) grants since 2009; from 2007 through 2008, it was funded via a pass-through OTS grant from the Administrative Office of the Court. For Fiscal Year 12-13, the Superior Court received OTS grant funds to operate the DUI Court program through 9/30/2013. The Superior Court's OTS grant application to continue funding the DUI Court through 9/30/2014 was not granted due to changes in OTS priority. In order to continue operating the program through 6/30/2014, the Superior Court requested an AB 109 funding allocation, under the Public Safety Realignment Plan's goal of detention alternative programming to reduce recidivism, which the CCP approved on July 17, 2013. The \$306,815 budget for the program includes: \$103,740 for Superior Court staff (and associated training) needed to administer the program (1.0 FTE Program Management Analyst and 0.2 FTE combined time for a Courtroom Clerk and Interpreter); \$87,854 to fund 2.0 FTE Case Managers from sub-contracted local providers; and \$115,221 to fund 1.0 FTE Probation Officer III position.

The Probation Officer serves as a member of the DUI Court and provides specialized supervision services for a caseload of approximately 40+ DUI offenders. The total caseload annually reaches 80-90 offenders with an average of 50+ per year graduating as new offenders are sentenced into the program on a weekly basis. In FY 13-14, the Probation Officer will continue to supervise the 40+ offenders sentenced to formal probation and participating in the DUI Treatment Court. The Probation Officer provides case oversight services, such as: (1) linking the client to county services; (2) monitoring the clients' compliance with conditions of probation; (3) working with the client to set realistic healthy life goals; and (4) providing structure and guidance to increase the likelihood of success and ensure that case information is shared with the entire DUI Court team on an ongoing basis. The Court also contracts with local providers responsible for providing case management services for DUI Court participants. In FY 12-13, the case managers received training to enhance their skills in Motivational Interviewing and Moral Reconation Therapy, evidence-based practices (EBP) used by Probation and the Jail. The providers use the EBPs to collaboratively integrate their treatment programming and curriculum, as supported by Probation in the FY 13-14 OTS application. Throughout FY 13-14, the Superior Court will continue to work closely with its contracted treatment providers' Case Manager/Compliance Officers to coordinate the day-to-day treatment of DUI Court participants.

Continued operation of the DUI Treatment Court furthers the CCP's Realignment Plan goals by utilizing evidence-based practices to reduce recidivism and acting as a viable detention alternative. Over the past 4 years, 270 individuals have participated in DUI Treatment Court. Of this intake, 165 individuals graduated from the program and 53 are currently participating in the program. The population of 165 DUI Court graduates that successfully completed the program have committed a combined total of 9 DUI re-offences, which equates to a recidivism rate of just under 6%.

### **Synopsis of "1368" Mental Competency Assessment Program**

The Sonoma County Superior Court contracts with a psychologist to provide early assessments of criminal defendants to determine whether a Penal Code 1368 competency process should be ordered,



thereby limiting non-competency cases from delaying the process. The psychologist provides pre-screening for 1368 referrals from the Court and conducts interviews and reviews of the file in order to provide a report to the court. This quick assessment provides for efficient movement of cases where competency is determined not to be an issue, thereby reducing potential jail bed days. This expedited process allows for a more targeted use of limited resources available for formal PC 1368 evaluations.

**Prior Board Actions:**

6/4/2013: The Board approved the CCP’s Recommended Public Safety Realignment Plan and associated budget for FY 13-14 (Year 3).

**Strategic Plan Alignment**      Goal 1: Safe, Healthy, and Caring Community

Continued operation of the DUI Treatment Court aligns with the Safe, Health & Caring Community strategic goal, by enhancing community safety, reducing DUI recidivism, and fostering safer lives for participants and their families. Intensive Probation supervision of DUI Offenders fosters a safer community by: reducing new DUI offenses; reducing the number of persons killed or injured in traffic collisions; and reducing the number of DUI probationers arrested/cited for driving with a suspended or revoked license.

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 92,400	County General Fund	\$ 0
Add Appropriations Req'd.	\$ 306,815	State/Federal	\$ 399,215
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 399,215</b>	<b>Total Sources</b>	<b>\$ 399,215</b>

**Narrative Explanation of Fiscal Impacts (If Required):**

On June 04, 2013, the Board unanimously approved the Community Corrections Partnership’s recommended Public Safety Realignment Plan for Fiscal Year 2013-14 (Year 3). The Year 3 Plan for Sonoma County approved by the Board assumed available FY 13-14 funding of \$13,287,251, which accounted for a state revenue allocation of \$10,698,219, plus an estimated \$2,429,711 of carryover surplus FY 12-13 realignment funds. Based upon final FY 12-13 year-end expenditures, the County realized a larger surplus of unspent realignment funds equal to \$3,301,622; therefore, total available funding for FY 13-14 Public Safety Realignment programs has increased to \$14,159,161. Of this total available funding, the Year 3 Plan allocated \$11,423,566 to fund combined program expenditures for Probation, Sheriff, Health Services, Human Services, District Attorney, Public Defender, County Counsel, Information Systems, and other agencies. The remaining \$2,735,596 of unallocated funding was reserved as a contingency for unanticipated needs.

The \$92,400 budget for the 1368 Mental Competency Assessments was included as part of the Board-approved FY 13-14 Realignment Plan. The recurring annualized cost for the program is estimated to be

\$92,400. At its July 17, 2013 meeting, the CCP approved utilization of contingency funds for the DUI Treatment Court. The budget appropriation of \$306,815 needed to fund DUI Court program expenditures will be requested as part of Probation’s quarterly consolidated budget adjustment, anticipated to be reviewed by the Board in October 2013. The ongoing annualized cost to operate the DUI Treatment Court for a full 12-month period is estimated to be approximately \$410,000. Upon approval, the DUI Court budget allocation would be deducted from the FY 13-14 contingency fund, leaving a remaining balance of \$2,428,781.

Both the DUI Treatment Court and 1368 Mental Competency Assessment programs will be fully funded by revenues received from the State for AB 109 Public Safety Realignment. The Superior Court will request AB 109 funds in future fiscal years to continue operating both programs; however, If the Superior Court is unable to secure AB 109 funding beyond FY 13-14, the programs may be discontinued.

**Staffing Impacts**

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
N/A	N/A	N/A	N/A

**Narrative Explanation of Staffing Impacts (If Required):**

Probation currently staffs 1.0 FTE Probation Officer III position to support the DUI Court. This position is funded by state revenues received from the Superior Court’s existing grant from the Office of Traffic Safety. This position will be funded by the Court’s grant until it ends on September 30, 2013. Starting October 01, 2013, Probation will use state revenues from AB 109 Public Safety Realignment to fund the PO III. Future AB 109 funding cannot be guaranteed; therefore, the Probation Officer position will be time-limited with an end date of June 30, 2014. If the CCP does not recommend future AB 109 state revenues to reimburse ongoing annual costs for this position after June 30, 2014, the position will be at risk of termination, unless another source of funding can be identified. If the Officer’s employment term ends due to inability to secure funding, the formal probationers on the DUI caseload would be re-assigned to existing caseloads, based upon assessed risk level and classification of offense. All individuals serving conditional sentences would be solely managed by the Superior Court.

**Attachments:**

None

**Related Items “On File” with the Clerk of the Board:**

Memorandum of Understanding with the Superior Court for AB 109 Programs



## County of Sonoma Agenda Item Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 15**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors of Sonoma County

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Sheriff's Office

**Staff Name and Phone Number:**

Monique Chapman 565-2872

**Supervisorial District(s):**

1<sup>st</sup> District

**Title:** Authorize Selective Traffic Enforcement Program grant agreement and award.

### **Recommended Actions:**

Resolution ratifying submission of the Selective Traffic Enforcement Program (STEP) grant application to the State of California Office of Traffic Safety, and authorizing the Sheriff's Office on behalf of the County to execute the grant agreement and administer the grant award amount of \$70,000 for the term October 1, 2013, through September 30, 2014, for the benefit of the City of Sonoma Police Department.

### **Executive Summary:**

The Sheriff's Office requests ratification of the grant application previously submitted to the Office of Traffic Safety (OTS) for the Selective Traffic Enforcement Program (STEP) grant, and for authority to execute the grant agreement and accept the grant awarded in the amount of \$70,000 for the benefit of the City of Sonoma Police Department.

**Background:** Since April 2004, the Board has approved Agreements for Law Enforcement Services between the Sheriff's Office and the City of Sonoma, through which the Sheriff's Office provides the City with law enforcement staff and related services. Sheriff's Office staff perform services under that agreement through the Sonoma Police Department.

Since 2005, the Sonoma Police Department has applied for and received grant funding through the OTS to support specific traffic safety operations. The OTS administers traffic safety grant programs to reduce traffic deaths, injuries, and economic losses. STEP is one of the federally-funded grants administered by the OTS, through which grant funds are provided to city police departments and other government agencies. The STEP grant provides for enforcement of specific traffic safety laws through targeted operations, and promotes public safety through media coverage and community outreach.

In 2013, the Sonoma Police Department applied for the 2013 STEP grant through the OTS, and was subsequently approved for a grant award of \$70,000 for a term of one year commencing October 1, 2013. In past years, Sonoma Police Department has contracted directly with the OTS for such grant

funding. After the 2013 STEP grant application was submitted and approved, the OTS for the first time informed the Sonoma Police Department that federal regulations require the OTS to enter into the grant agreement with the County which provides law enforcement services to the city, rather than the city police department. Accordingly, the Sheriff's Office requests approval for the County to enter into the STEP grant agreement for the benefit of the Sonoma Police Department.

**Request:** The Sheriff's Office is seeking authorization and a resolution to enter into a one-year agreement with the OTS for the STEP grant, and to receive and administer the grant award amount of \$70,000. STEP grant funds will be administered by the Sonoma Police Department to implement strategies aimed at reducing the number of persons killed and injured in crashes involving alcohol, speed, red light running, and other primary collision factors.

Strategies implemented with STEP grant funds will include Driving Under the Influence (DUI) saturation patrols to apprehend drunk drivers, warrant service operations targeting DUI violators who failed to appear in court or violate probation, stakeouts, a "HOT Sheet" program, and court stings. The program will also concentrate on speed, aggressive driving, seat belt enforcement, intersection operations with disproportionate numbers of traffic crashes, and special enforcement operations encouraging motorcycle safety. All strategies will be designed to gain media attention to enhance the overall deterrent effect. The grant will not be used to fund any DUI checkpoints.

If approved, grant funds will pay for direct costs associated with conducting the specified operations. Overtime needed to perform the identified strategies will be funded under the STEP grant, as well as travel expenses for staff to attend in state and out-of-state training to support the grant goals and objectives. One fully-equipped police motorcycle and associated equipment will be purchased for the purpose of conducting the traffic operations as described in the grant agreement.

**Prior Board Actions:**

- 4/21/04: Board approved the Agreement for Law Enforcement Services for the City of Sonoma.
- 11/8/05: Board approved the First Amendment to the Agreement.
- 9/12/06: Board approved the Second Amendment to the Agreement.
- 11/6/07: Board approved the Third Amendment to the Agreement.
- 6/23/09: Board approved the 10-year Agreement for Law Enforcement Services for the City of Sonoma.

**Strategic Plan Alignment**      Goal 1: Safe, Healthy, and Caring Community

If approved, grant funds will pay for specialized traffic operations aimed at increasing public safety, and decreasing the number of violations related to unsafe driving.

**Fiscal Summary - FY 13-14**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$ 70,000	State/Federal	\$ 70,000
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 70,000</b>	<b>Total Sources</b>	<b>\$ 70,000</b>

**Narrative Explanation of Fiscal Impacts (If Required):**

Appropriations are requested for the total STEP grant award amount of \$70,000 to support direct costs associated with the identified traffic operations. This amount was not included in the FY 13-14 adopted budget. Below is the requested budget for the STEP grant funds:

<b>Cost Category</b>	<b>Grant Funds</b>
Overtime	\$ 27,715
Travel Expense	\$ 4,100
Equipment	\$ 33,000
Other Direct Costs	\$ 5,185
<b>Grant Total:</b>	<b>\$ 70,000</b>

Since operations funded under the grant agreement will be provided by the Sonoma Police Department, appropriations are requested for the Sonoma contract city budget. Expenditures in the Sonoma contract city budget are directly reimbursed by the City of Sonoma. Therefore, we anticipate no impact to the County general fund.

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

**Narrative Explanation of Staffing Impacts (If Required):**

**Attachments:**

**Related Items “On File” with the Clerk of the Board:**

Grant Agreement between the OTS and Sonoma County Sheriff’s Office for 2013 STEP grant funds.



County of Sonoma  
State of California

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Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

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4/5 Vote Required

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**Resolution of the Board of Supervisors of the County of Sonoma, State of California,  
Authorizing the Sonoma County Sheriff to Execute the Grant Agreement with the Office of  
Traffic Safety to Receive the 2013-2014 Selective Traffic Enforcement Program Grant Award  
Amount of \$70,000.**

**Whereas**, the Sheriff-Coroner has contracted with the City of Sonoma to provide law enforcement services since 2004 through the Sonoma Police Department; and

**Whereas**, the Sonoma Police Department has applied for and received funding from the State of California Office of Traffic Safety (OTS) for specialized operations since 2005; and

**Whereas**, in 2013, the Sonoma Police Department applied for grant funds from the OTS for its Selective Traffic Enforcement Program; and

**Whereas**, the Sheriff-Coroner recommends that the Sonoma Police Department continue to participate in OTS grant-funded operations for the purpose of reducing traffic-related injuries and deaths; and

**Whereas**, the OTS has approved the application from the Sonoma Police Department for the Selective Traffic Enforcement Program, and has awarded it a grant of \$70,000 for the term of October 1, 2013 through September 30, 2014; and

**Now, Therefore, Be It Resolved** by the Board of Supervisors that the Sheriff's Office is authorized to execute the OTS Selective Traffic Enforcement Program grant agreement on behalf of the County of Sonoma, and to request grant award reimbursements for the benefit of the City of Sonoma in the amount not to exceed \$70,000 for the term identified above.

Resolution #

Date:

Page 2

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**





## County of Sonoma Agenda Item Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 16**  
(This Section for use by Clerk of the Board Only.)

**To:** Successor Agency for the Sonoma County Community Redevelopment Agency

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Community Development Commission

**Staff Name and Phone Number:**

John D. Haig, Jr. – 565-7508

**Supervisorial District(s):**

1st & 5th

**Title:** Redevelopment Dissolution - Recognized Obligation Payment Schedule.

### **Recommended Actions:**

Resolution of the governing Board of the Successor Agency for the Sonoma County Community Redevelopment Agency, approving the Recognized Obligation Payment Schedule for the period January 1, 2014 to June 30, 2014.

### **Executive Summary:**

On January 10, 2012, pursuant to the enactment of ABx1 26 (Dissolution Act), which dissolved redevelopment agencies effective February 1, 2012, the Sonoma County Board of Supervisors (County Board) adopted a resolution accepting for the County the role of Successor Agency to the former Sonoma County Community Redevelopment Agency, utilizing Sonoma County Community Development Commission (CDC) staff to perform the work of the Successor Agency. Also pursuant to the Dissolution Act, a seven-member Oversight Board primarily comprised of representatives of local taxing entities was established to oversee the unwinding of the former Redevelopment Agency's assets and obligations.

The Dissolution Act requires that the Successor Agency prepare, and the Oversight Board approve, a Recognized Obligation Payment Schedule (ROPS) for each six-month period beginning on January 2, 2012 until all obligations of the former Redevelopment Agency are fully satisfied. Each ROPS must be submitted to, and approved by, the State Department of Finance (DOF) prior to becoming effective. The first four ROPS, for the periods ending June 30, 2012, December 31, 2012, June 30, 2013, and December 31, 2013, were approved by your Board and adopted by the Oversight Board. The ROPS were also approved by DOF, with the exception of certain disqualified items, the most significant of which are the Highway 12 and Roseland Village projects). The Successor Agency sued DOF to challenge the disqualification of these items, and the Sacramento County Superior Court issued a tentative ruling in favor of the Successor Agency on August 22, 2013, affirming that the Highway 12 and Roseland Village

projects are enforceable obligations.

The ROPS for the period from January through June 2014 must be approved and submitted to the State no later than October 1, 2013. Staff has prepared the draft ROPS (on file with the Clerk of the Board) listing estimates of all anticipated resources and expenses for the Successor Agency for the period of January 1, 2014 to June 30, 2014. The major redevelopment projects remaining to be completed and listed on ROPS 13-14B are: 1) Roseland Village shopping center environmental clean-up and public improvements; 2) Highway 12 improvements; 3) Monte Rio Recreation and Park District's Creekside Park; and 4) Riverkeeper Stewardship Park in Guerneville. Expenses are also listed for on-going management and maintenance of the East Thompson parking lot in the Springs Project Area and the Guerneville public restrooms, which are being held by the Successor Agency prior to completion of the disposition process that must be approved by DOF, as well as operating costs for the Successor Agency. The ROPS form also includes a reconciliation of estimated to actual costs for the ROPS period ending June 30, 2013. DOF and Auditor-Controller will use the reconciliation to actual costs to make adjustments in the distribution of Redevelopment Property Tax for the upcoming ROPS period.

After consideration and approval by your Board, the ROPS will be submitted to the Oversight Board for approval, and to the State for review.

**Prior Board Actions:**

- 02/05/13 - Approved Recognized Obligation Payment Schedule for July 1 – December 31, 2013.
- 08/14/12 – Approved Recognized Obligation Payment Schedule for January 1 – June 30, 2013.
- 04/24/12 – Approved Recognized Obligation Payment Schedule for July 1 – December 31, 2012.
- 02/28/12 - Approved Recognized Obligation Payment Schedule for January 1 - June 30, 2012.

**Strategic Plan Alignment**      Not Applicable

The Successor Agency exists solely to wind up the affairs of the former Redevelopment Agency.

**Fiscal Summary - FY 13-14**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

**Narrative Explanation of Fiscal Impacts (If Required):**

This action is administrative in nature with no budget impacts. The Redevelopment Dissolution Act requires Successor Agencies to prepare a Recognized Obligation Payment Schedule for each six-month period beginning January 1, 2012 until all enforceable obligations of the former Redevelopment Agency are fully satisfied. After approval by the State Department of Finance, the Schedule allows the Successor Agency to expend funds for the listed obligations. Obligations will be paid using cash on hand or revenues from the Redevelopment Property Tax Trust Fund; no general funds will be used to prepare the ROPS or to pay obligations listed on the ROPS.

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

**Narrative Explanation of Staffing Impacts (If Required):**

None.

**Attachments:**

Resolution

**Related Items "On File" with the Clerk of the Board:**

Recognized Obligation Payment Schedule for January 1, 2014 to June 30, 2014.



# County of Sonoma

## State of California

---

Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

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4/5 Vote Required

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**Resolution Of The Governing Board Of The Successor Agency For The Sonoma County Community Redevelopment Agency ("Successor Agency"), Approving The Recognized Obligation Payment Schedule For January 1, 2014 To June 30, 2014.**

**Whereas**, on December 29, 2011, the California Supreme Court delivered its decision in *California Redevelopment Association v. Matosantos*, finding ABx1 26 largely constitutional, and AB 1484 was subsequently enacted by the State Legislature to revise and expand upon the terms of ABx1 26 (collectively referred to herein as the "Dissolution Act"); and

**Whereas**, under the Dissolution Act all California redevelopment agencies, including the Sonoma County Community Redevelopment Agency (the "Redevelopment Agency"), were dissolved on February 1, 2012; and

**Whereas**, on January 10, 2012, the Sonoma County Board of Supervisors ("County Board") adopted a resolution accepting for the County the role of Successor Agency to the Redevelopment Agency ("Successor Agency"); and

**Whereas**, under the Dissolution Act, the Successor Agency must prepare a "Recognized Obligation Payment Schedule" ("ROPS") that enumerates the enforceable obligations and expenses of the Successor Agency for successive six-month periods beginning on January 1, 2012, which must be (a) approved by the Oversight Board for the Successor Agency, (b) submitted to the County Auditor-Controller, County Administrator, State Controller's Office, and State Department of Finance, and (c) posted on the Successor Agency's website; and

**Whereas**, the Successor Agency and the Oversight Board have previously approved and adopted the ROPS for the periods ending June 2012, December 2012, June 2013, and December 2013; and

**Whereas**, the State Department of Finance has approved the ROPS for the periods ending June 2012, December 2012, June 2013, and December 2013, with the exception of certain disqualified items; and

**Whereas**, the State of California Superior Court has issued a ruling that invalidates the Department of Finance's determinations regarding certain disqualified items; and

Resolution #

Date:

Page 2

**Whereas**, the Successor Agency must prepare, and the Oversight Board must adopt and submit, a fifth ROPS covering the six-month period ending June 30, 2014, no later than October 1, 2013.

**Now, Therefore, Be It Resolved**, that the governing Board of the Successor Agency for the Sonoma County Community Redevelopment Agency, hereby finds, determines, and resolves as follows:

1. The foregoing recitals are true and correct.
2. The Board hereby approves the Recognized Obligation Payment Schedule for the Successor Agency covering the period from January 1, 2014 through June 30, 2014, as presented to this Board, and authorizes and directs the Executive Director of the Sonoma County Community Development Commission, on behalf the Successor Agency, to take all necessary actions under the Dissolution Act with respect to submitting the Recognized Obligation Payment Schedule in the mandated format to the Oversight Board, County Auditor-Controller, County Administrator, State Controller, and the State Department of Finance.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



## County of Sonoma Agenda Item Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 17**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Transportation and Public Works

**Staff Name and Phone Number:**

Susan Klassen (707) 565-2231

**Supervisorial District(s):**

Fourth

**Title:** Airport Real Property Acquisition

### **Recommended Actions:**

Adopt resolution declaring intention to purchase real property in the Airport area located at 1480 Sanders Road, Windsor, CA; setting 10:00 am, October 15, 2013 for the consummation of said purchase; giving direction to staff; and giving direction to the Clerk to post and publicize the Notice of Intent.

### **Executive Summary:**

The property located at 1480 Sanders Road consists of 10± acres of land with a 1,091 square foot single family residence, horse barn, shop and shed. It is located within the Air Transportation Element of the Sonoma County General Plan, and is identified for voluntary acquisition by the County in order to protect runway approaches and setbacks at the Charles M. Schulz –Sonoma County Airport. This purchase is consistent with the Airport Capital Project Plan. It is anticipated that the majority of the property acquisition costs will be funded through the Federal Aviation Administration's (FAA) Airport Improvement Program. Any unfunded costs will be paid from operating revenues from the Airport Enterprise fund. The total acquisition cost is estimated to be \$1,020,000: \$850,000 for the purchase; \$70,000 for relocation, moving and closing costs; and \$100,000 for administrative expenses.

FAA funding for real property acquisitions is available only as a reimbursement rather than a direct grant. The Airport does not currently have sufficient fund balance to cover the purchase price and related expenditures for the subject acquisition and therefore will be requesting a \$1,000,000 short-term loan from the Sonoma County Treasurer (Treasury). County Counsel has reviewed the proposed structure of the financing, and believes it complies with state law. The Treasury invests funds for various agencies across the county and is administered by the Auditor-Controller-Tax Collector's Office. Under the Treasury's investment policy, and approved by the Board of Supervisors, the Treasury is able to purchase the requested Note and upon receipt of FAA funding, the Airport will pay back the Note, together with accrued interest. Estimated interest for Fiscal year 13-14 is \$11,835. The Debt Advisory Committee reviewed the subject note on September 3, 2013 and is supportive of the note issuance for this acquisition. The request for approval of the Note will be included in the Board Action for the

consummation of the purchase on October 15, 2013.			
<b>Prior Board Actions:</b>			
None			
<b>Strategic Plan Alignment</b>		Goal 3: Invest in the Future	
The real property acquisition pertains to the Airport's stewardship responsibilities for the operation of a key component of the County's transportation infrastructure, which operation is a significant contributor to a strong and diverse economy that supports job growth and job retention for all residents.			
<b>Fiscal Summary - FY 13-14</b>			
<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$ 1,020,000		\$
Add Appropriations Req'd.	\$	State/Federal	\$ 918,000
	\$	Fees/Other	\$ 102,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 1,020,000</b>	<b>Total Sources</b>	<b>\$ 1,020,000</b>
<b>Narrative Explanation of Fiscal Impacts (If Required):</b>			
Appropriations for the acquisition are included in the FY 13-14 budget. The Airport will be requesting approval of a Note from the Treasury for the amount of \$1,000,000 to facilitate the acquisition of this property. The remaining costs will use operating revenues for funding.			
<b>Staffing Impacts</b>			
<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)
<b>Narrative Explanation of Staffing Impacts (If Required):</b>			
None.			
<b>Attachments:</b>			
Resolution, Location Map, Publication Notice			
<b>Related Items "On File" with the Clerk of the Board:</b>			
None.			



County of Sonoma  
State of California

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Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

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4/5 Vote Required

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**Resolution of the Board of Supervisors of the County of Sonoma, State of California, Declaring Its Intention to Purchase Certain Real Property Located at 1480 Sanders Road, Windsor, CA; Directing the Publication of the Notice of Intent; and Setting the Date and Time for Consummation of the Purchase.**

**Whereas,** the County of Sonoma ("County") desires to purchase the real property commonly known as 1480 Sanders Road, Windsor, within the County of Sonoma, California, and further identified as Assessor's Parcel No. 164-150-010 ("Property") from The Giacomelli Family 2000 Revocable Trust ("Seller"), said property having been identified in the Air Transportation Element of the General Plan and designated for voluntary acquisition in order to protect runway approaches and setbacks at the Charles M. Schulz-Sonoma County Airport; and

**Whereas,** the County and the Seller have reached a tentative agreement ("Purchase Agreement") as to the terms and conditions for the sale of the Property, subject to certain contingencies and the completion of environmental, legal and procedural requirements; and

**Whereas,** prior to consummation of the purchase, the County will have published its notice of intention to purchase the Property once a week for three consecutive weeks in compliance with Government Code Sections 23350 and 6063; and

**Now, Therefore, Be It Resolved** that this Board of Supervisors hereby finds, determines, declares, and orders, as follows:

1. INTENTION TO PURCHASE: This Board of Supervisors authorizes the purchase of the Property from the Seller for the sum of Eight Hundred Fifty Thousand and no/100 Dollars (U.S. \$850,000) contingent upon all of the terms and conditions set forth in the Purchase Agreement for the Property by and between the County and the Seller.
2. CONSUMMATION OF PURCHASE: This Board of Supervisors hereby sets October 15, 2013 as the date at 10:00 A.M. as the date and time to consummate said purchase and directs the Clerk of the Board to publish a Notice of Intention to Purchase the Property in accordance with Government Code Sections 6063.
3. DIRECTIONS TO DIRECTOR OF TRANSPORTATION AND PUBLIC WORKS: The Director of



Resolution #

Date:

Page 2

Transportation and Public Works is hereby authorized and directed, prior to the consummation of said purchase, to:

a. Complete such procedures as are necessary for compliance with statutory requirements for the consummation of said purchase including, but not limited to, compliance with the requirements of the California Environmental Quality Act (Public Resources Code Section 2100, et seq.) and Government Code Section 65402, and instructing North American Title Company to prepare any necessary legal documents, subdivision endorsements, escrow instructions, preliminary title report updates, and hold any necessary legal documents; and

b. Take such steps as may be necessary to enable the County to complete the purchase of the Property in a timely manner; and

c. Prepare and deliver to the Clerk of the Board at least five days prior to October 15, 2013, a written report on the purchase.

4. DIRECTIONS TO COUNTY COUNSEL: County Counsel is hereby authorized and directed, prior to the public hearing, to take any necessary action as may be necessary and appropriate to assist the Airport Manager in completing this transaction.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

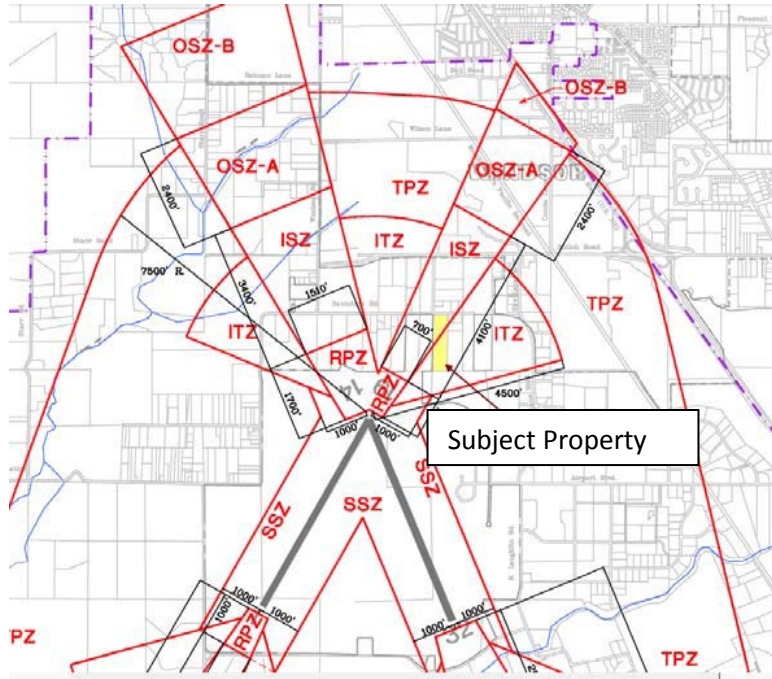
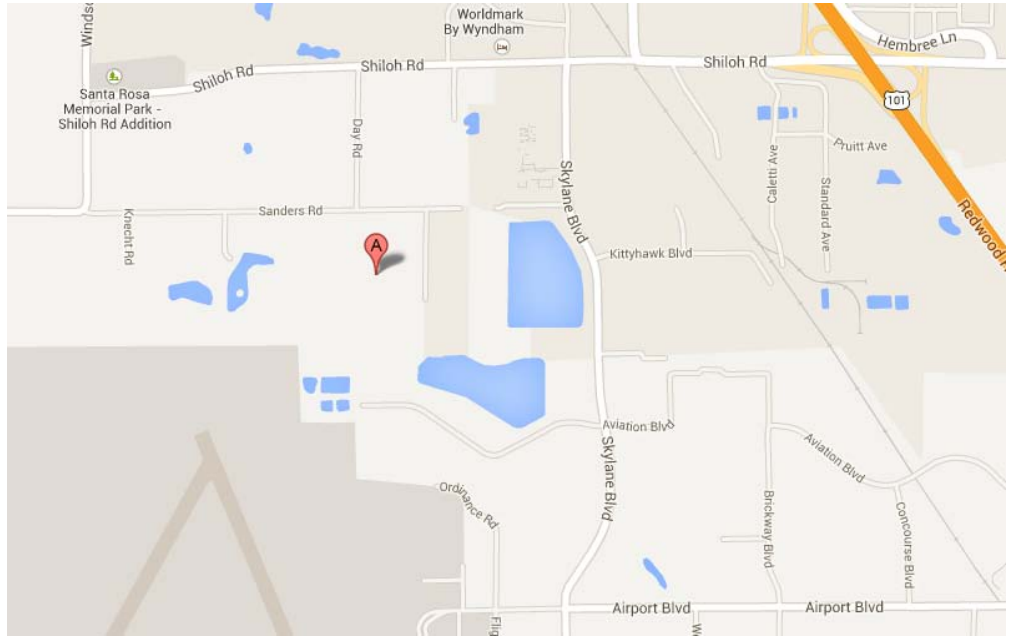
Abstain:

**So Ordered.**

# LOCATION MAP

1480 Sanders Road

Sonoma County Assessor's Parcel 164-150-010



## NOTICE OF INTENT

OF COUNTY OF SONOMA

TO PURCHASE REAL PROPERTY

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Sonoma, a political subdivision of the State of California, intends to purchase real property commonly known as 1480 Sanders Road, Windsor, within the County of Sonoma, California, and further identified as Sonoma County Assessor's Parcel No. 164-150-010 ("the Property"). The Board of Supervisors intends to purchase the Property in order to protect the airport approach zone at the Charles M. Schulz-Sonoma County Airport. The County intends to purchase the Property from The Giacomelli Family 2000 Revocable Trust for the sum of Eight Hundred and Fifty Thousand and no/100 Dollars (U.S. \$850,000).

Additional information regarding the proposed purchase is available for public review at the Department of Transportation and Public Works – Airport Division, 2290 Airport Blvd. Santa Rosa, California, 95403. The Board of Supervisors will meet on October 15, 2013 at 10:00 A.M. at the Sonoma County Administration Building, Room 102A, 575 Administration Drive, Santa Rosa, California, 95403 to consummate the purchase.



## County of Sonoma Agenda Item Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 18**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Transportation and Public Works

**Staff Name and Phone Number:**

Susan Klassen (707) 565-2231

**Supervisorial District(s):**

Fifth

**Title:** Small Water Systems Loan

### **Recommended Actions:**

1. Resolution authorizing the granting of a 2-year loan in the amount of \$15,000 to Bodega Water Company from the Special Projects – Small Water Systems Loan Assistance Fund.
2. Approve a resolution authorizing a budgetary adjustment to the Special Projects-Small Water Systems Loan Assistance Fund to appropriate \$15,000

### **Executive Summary:**

On behalf of the Bodega Water Company (“BWC”), the staff of the Department of Transportation and Public Works requests that the Board of Supervisors approve a 2-year loan in the amount of \$15,000 from the Small Water Systems Assistance Fund for BWC.

On June 23, 1992, the Board of Supervisors and the Board of Directors of the Sonoma County Water Agency established, by joint action, the Special Projects-Small Water Systems Assistance Fund (Water Fund). The Water Fund was originally funded through a contribution of \$500,000, provided by the Sonoma County Water Agency.

BWC is a mutual benefit corporation located in the rural area of western Freestone. The BWC was formed in the early 1960s and services a subdivision of homes; and today has approximately 38 connections.

On August 16, 2013 the BWC submitted an application to the County for a \$15,000 loan from the Water Fund. The loan application requested funding for purchase and installation of chlorine and turbidity monitoring equipment. This work is necessary to comply with the California Department of Public Health state drinking water standards that ensure residents have access to safe drinking water.

On August 21, 2013, the County’s Small Water Systems Assistance Fund Loan Committee reviewed BWC’s application. The loan committee is comprised of representatives from the County Department of

Transportation and Public Works, the County Administrator’s Office, the County Auditor-Controller and Treasurer-Tax Collector’s Office. Rick Williams of Bodega Water Company was also in attendance to answer questions from the committee members.

Although the loan is not secured by taxes or assessments, the loan committee reviewed the financial report of BWC and believes that there will be sufficient revenue to make the annual loan payments. BWC has obtained a prior loan from the Fund and repaid it in a timely manner, including a current loan that was approved on 9/18/12 that will be repaid on September 10, 2013. Therefore, the committee recommends that BWC receive a \$15,000 loan at this time for the purchase of the necessary equipment.

**Prior Board Actions:**

9/18/12: Approve a \$15,000 loan to Bodega Water company for electrical repair work; 1/9/07: Approval of a \$70,000 loan to Bodega Water Company for initial study and design for system upgrades (Repaid January 2008); 6/23/92: Concurrent action with Sonoma County Water Agency to establish the Small Water Systems Assistance Fund program and associated criteria for providing loans.

**Strategic Plan Alignment**      Goal 1: Safe, Healthy, and Caring Community

The loan to Bodega Water Company supports the County’s Strategic Plan focus area of Safe, Healthy, and Caring Community by providing the financial assistance needed to ensure that the water system is in compliance with California drinking water standards.

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$ 15,000	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$ 15,000
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 15,000</b>	<b>Total Sources</b>	<b>\$ 15,000</b>

**Narrative Explanation of Fiscal Impacts (If Required):**

The Water Fund has a fund balance of \$536,172 as of July 1, 2013. There are currently two outstanding loans with Freestone Water District for \$62,808 which will be repaid by April 2021 and Salmon Creek Water District for \$400,000, the current repayment date is November 2014. Net of these existing loans the Water fund available cash is \$118,350 for FY 13-14. At the time of this writing no other request for funding are pending.

<b>Staffing Impacts</b>			
<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)
<b>Narrative Explanation of Staffing Impacts (If Required):</b>			
<b>Attachments:</b>			
BWC Loan Application; BWC Note; SWS Budget Adjustment Resolution; BWC Loan Resolution			
<b>Related Items "On File" with the Clerk of the Board:</b>			



SMALL WATER SYSTEMS LOAN ASSISTANCE FUND  
LOAN APPLICATION

DATE: August 14, 2013

DISTRICT NAME: West Sonoma County 5<sup>th</sup> District

NAME OF APPLICANT'S AUTHORIZED REPRESENTATIVE: Rick Williams, Preseident of the Board  
of the Bodega Water Company

AMOUNT REQUESTED: \$15,000.00

- The interest rates, terms and conditions will be determined by the County.
- Each loan shall be reviewed by a loan committee which includes representatives of the County Administrator's Office, Auditor-Controller-Treasurer-Tax Collector and Transportation and Public Works.
- Requests for assistance must be approved by the Sonoma County Board of Supervisors prior to fund disbursements being made.

PURPOSE OF LOAN:

Purchase and install equipment for continuous monitoring of Chlorine and Turbidity with the capability of transmitting the information for remote monitoring. This will assist the Bodega Water Company to comply with California Department of Public Health's requirements for continuous monitoring in a more cost-effective approach.

Please submit materials documenting deficiencies in meeting State drinking water standards:

The California Department of Public Health has requested continuous reporting of Chlorine and Turbidity.

Submit a report listing alternatives to correct deficiencies. Include potential solutions and permanent funding sources such as State or Federal grant/loan funds and tax levying/rate setting authority:

No other alternative. Equipment installation is the only option. Remote monitoring eliminates the need to have a daily visit by a Certified Operator.

LOAN CRITERIA:

Loans shall be made to responsible entities that can demonstrate a means of repayment:

Rate increases and special assessments can be implemented to repay the loan.

The small water system shall be one which is required by law to meet drinking water standards, but which may have difficulty providing water which meets such standards without system improvements

because the Bodega Water Company has had several circumstances over the past year (one very recent) when the chlorine level was not at an adequate level which reduced disinfection to the point that Choliform became present at routine test points. Continuous reporting/monitoring

will create an opportunity to respond more timely to low chlorine levels. The monitoring of the turbidity of one of the wells requires monitoring. The California Department of Public Health has requested continuous monitoring.

The water system must have documented deficiencies in meeting State drinking water standards.

The above mentioned monitoring is required by the "Surface Water Treatment Rule" of Title 22 of the California Regulations to meet the State drinking water standards.

Expenditures are to be for feasibility studies, design, engineering support, construction loans, and administrative costs to small public water systems.

Studies have already been performed. The funds will be used to pay the contractor for the acquisition of the equipment, for the design of the integration of the monitoring system, and installation and testing of the monitoring system.

The small water system may be in need to technical, financial, administrative, or operational assistance.

The Bodega Water Company requires a loan to accommodate a large expenditure of this nature.

Loan funds are available to water systems within the County of Sonoma which provide water to citizens to whom water from the Sonoma County Water Agency may not be available

The Bodega Water Company is a mutual benefit corporation that operates a small water system that provides water to 36 properties in the small community of Bodega, California residing in the Sonoma County's 5<sup>th</sup> District.

Funds may be used to help a small water system identify alternatives and prepare to request assistance from this program or other programs that assist small water systems.

The funds will be used to create a more accurate and timely reporting system that could significantly minimize potential health risks.

**\*Please attach a copy of your Board's resolution authorizing this loan application**

**Attach additional pages as needed to answer the above questions**

Loan Applicant's authorized signature: \_\_\_\_\_





Exhibit A

BODEGA WATER COMPANY  
NOTE NO. 2014-1  
(SUBJECT TO CALL AND REDEMPTION)

No. \_\_\_\_\_

\$15,000

The Bodega Water Company, a mutual benefit corporation, for value received hereby promises to pay to the County of Sonoma, the registered owner, the principal sum of \$15,000. Payment will be made in two annual installments of principal amount \$7,500 and accrued interest with the first payment due on September 17, 2014, and the final payment due on September 17, 2015. Interest shall accrue at the rate of 1.6 percent on the unpaid principal. Both the principal of and interest on this Note are payable in lawful money of the United States of America at the Office of the Sonoma County Treasurer.

The Board of the Bodega Water Company hereby covenants and warrants that it will pay promptly, when due, the principal of this Note and interest accruing hereon, all in accordance with the terms hereof and the terms and provisions set forth in the Resolution and the applicable Law.

It is hereby certified that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this Note do exist, have happened and have been performed in due time, form and manner as required by law, and that the amount of this Note, together with all indebtedness and obligations of the Bodega Water Company, does not exceed any limit prescribed by the Resolution or the laws of the State of California.

This Note is subject to call and redemption in whole or in part at any time prior to maturity without penalty or premium by Bodega Water Company giving the registered owner thirty (30) days' prior written notice thereof.

IN WITNESS WHEREOF, the Bodega Water Company has caused this Note to be signed in its name by the Chair of the Board of Bodega Water Company, and has caused this Note to be dated September 17, 2013.

\_\_\_\_\_  
Chair, Board of Bodega Water Company



County of Sonoma  
State of California

Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Authorizing Budgetary Adjustments To The 2013-2014 Final Budget For The Special Projects –  
Small Water Systems Assistance Fund In The Amount Of \$15,000**

**Whereas**, the Board of Supervisors has adopted a Final Budget for the Special Projects-  
Small Water Systems Assistance Loan Fund

**Whereas**, the government code allows for adjustments to the Final Budget during the  
2013-14 Fiscal Year

**Now, Therefore, Be It Resolved** that the County Auditor-Controller is hereby authorized  
and directed to make the following budgetary adjustments:

Administrative Control Account:

Special Projects - Small Water Systems Assistance Fund	
203 037036-9210 Advances	\$15,000
202 037036-9219 Advances-Clearing	(\$15,000)

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



County of Sonoma  
State of California

Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Approving A Loan From The Sonoma County Small Water Systems Assistance Fund To The  
Bodega Water Company In The Amount of \$15,000**

**Whereas**, the Board of Supervisors and the Sonoma County Water Agency, through concurrent action on June 23, 1992 established the Sonoma County Small Water Systems Assistance Fund with \$500,000 granted by the Sonoma County Water Agency

**Whereas**, the Board of Supervisors in Resolution No. 92-1009, dated June 23, 1992 established criteria for the purpose of providing assistance to small water systems within the County of Sonoma

**Whereas**, Bodega Water Company ("BWC") has requested a loan of \$15,000 from the Small Water Systems Loan Assistance Fund to cover the cost of monitoring equipment necessary to continue safe operations to supply drinking water to the residents and users of the BWC

**Whereas**, the Small Water Systems Assistance Loan Fund Committee has determined that BWC meets all of the criteria established in Resolution No. 92-1009, and the Committee has confirmed that BWC can repay the loan from operational revenues

**Now, Therefore, Be It Resolved** that the Board of Supervisors hereby finds it is in the public interest to facilitate the purchase of monitoring equipment for BWC's small public water system, approves the granting of a loan in the amount of \$15,000 to BWC, and authorizes the acceptance of a note issued by BWC in the form and at the terms in the Note attached hereto as Exhibit A.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**

Resolution #

Date:

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## County of Sonoma Agenda Item Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 19**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Transportation and Public Works

**Staff Name and Phone Number:**

Susan Klassen, (707) 565-2231

**Supervisorial District(s):**

First

**Title:** Reuse and Recycling Operations at the Sonoma Transfer Station

### **Recommended Actions:**

Approve and authorize the Chair to sign the Second Amendment to the Services Agreement for Reuse and Recycling Operations at the Sonoma Transfer Station with Sonoma Garbage Collector amending the scope of services, revenue sharing and extending the term of agreement to September 25, 2023 in the amount of \$55,240 in FY 13-14.

### **Executive Summary:**

Staff is requesting that the Board approve the Second Amendment to the Agreement for Reuse and Recycling Operations at the Sonoma Transfer Station. The amendment will extend the term of the Agreement to September 25, 2023. In consideration for this extension, Sonoma Garbage Collector (SGC) will making operational changes and site improvements to reduce the risk of possible storm water contamination from activities at the site, including:

1. Installing removable covers on storage bins that will be used in anticipation of and during any storm events, as well as when the facility is closed.
2. Using a regenerative sweeper to sweep paved areas at least twice per week and mechanical blowers and/or manual sweeping in all areas where the regenerative sweeper is unable to access.
3. Installing permanent covers over outdoor reusable items and motorized equipment to protect such items from storm water exposure.
4. Implementing various other operational adjustments including clear delineation of spill kits, additional employee training in proper spill response and clean-up techniques, and periodic and daily inspections.

The Integrated Waste Division (IWD) is recommending that the County continue to secure the services of SGC for the operation and maintenance of the reuse/recycle center at the Sonoma Transfer Station. IWD does not have adequate staff or equipment to provide these services.

The total estimated up-front cost to SGC for these improvements is \$30,000 and will require estimated operating expenses of \$7,000 annually. In exchange for the improvements the Second Amendment will amend the revenue sharing section of the agreement whereby the County and SGC will share revenue from sales of recycled materials evenly up to a maximum of \$8,740 in any one month, and SGC will retain 100% of all sales revenue over \$8,740 in any month. Previously anything above \$8,740 was retained by County. IWD negotiated this change to provide fair compensation for the improvements to be provided by SGC.

This Second Amendment to the Agreement has been reviewed and approved as to form by County Counsel.

**Prior Board Actions:**

9/21/10: Board approved the First Amendment to the Services Agreement for Reuse and Recycling Operations at the Sonoma Transfer Station (“Agreement”) with Sonoma Garbage Collector (SGC). 9/27/05: Approved the Agreement with SGC.

**Strategic Plan Alignment**      Goal 1: Safe, Healthy, and Caring Community

This amendment provides additional tasks to decrease the potential for storm water runoff contamination and thereby additional protections to surrounding waterways. In addition, the Reuse and Recycling operations at the Sonoma Transfer Station is one of the programs that assists the County’s in maintaining the minimum 50% diversion requirement of the California Integrated Waste Management Act of 1989 and decreases the daily tons that must be processed for transfer to an out-of-County landfill for disposal.

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 55,240		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 55,240
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 55,240</b>	<b>Total Sources</b>	<b>\$ 55,240</b>

**Narrative Explanation of Fiscal Impacts (If Required):**

Annual cost of agreement for FY 2013-14 is \$55,240 and appropriations are included in the 2013-14 Refuse Enterprise Budget, the rate increases annually based on CPI for the life of the agreement. Expense of agreement is offset by revenue sharing which varies due to market prices of recyclables up to a maximum annual amount of \$52,440. The estimated remaining balance of \$2,800 to be funded with tipping fees.

<b>Staffing Impacts</b>			
<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)
<b>Narrative Explanation of Staffing Impacts (If Required):</b>			
<b>Attachments:</b>			
Second Amendment to the Services Agreement for Reuse and Recycling Operations at the Sonoma Transfer Station.			
<b>Related Items “On File” with the Clerk of the Board:</b>			
Agreement and First Amendment to the Services Agreement for Reuse and Recycling Operations at the Sonoma Transfer Station.			

**SECOND AMENDMENT TO THE SERVICES AGREEMENT  
FOR THE REUSE AND RECYCLING OPERATIONS  
AT THE SONOMA TRANSFER STATION**

This Second Amendment to Agreement for the Operations Agreement for Reuse and Recycling at the Sonoma Transfer Station ("Amendment") dated as of \_\_\_\_\_, 2013 ("Second Amendment Effective Date"), is by and between the County of Sonoma, a political subdivision of the State of California ("County") and Sonoma Garbage Collector ("Contractor"). All capitalized terms used herein shall, unless otherwise defined, have the meaning ascribed to those terms in the existing agreement, as amended.

WHEREAS, County and Contractor entered into that certain First Amendment to the Agreement for Reuse and Recycling at the Sonoma Transfer Station dated as of September 26, 2005 (hereinafter referred to as the " Agreement") in order to continue to provide reuse and recycling services and extending the term of the Agreement to September 25, 2013; and

WHEREAS, County and Contractor entered into that certain Operations Agreement for Reuse and Recycling at the Sonoma Transfer Station dated as of September 26, 2005 (hereinafter referred to as the " Agreement") in order to provide reuse and recycling services for the County; and

WHEREAS, Contractor represents that it is duly qualified and experienced in operating reuse and recycling centers and related services; and

WHEREAS, the parties desire to amend the Agreement in order to (1) extend the term of the Agreement; (2) add best management practices to the Scope of Work; and (3) amend the payment terms.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

A G R E E M E N T

1. Section 3 of the Agreement shall be deleted and replaced with the following language:  
  
"3. Term of Agreement. The term of this Agreement shall be for commence on September 26, 2005 ("Commencement Date"), and terminate on September 25, 2023."
2. Exhibit A – Scope of Work is hereby deleted in its entirety and replaced with the attached Exhibit A-1 – Scope of Work.
3. Exhibit B – Payment Terms for Reuse and Recycling Operations at the Sonoma Transfer Station, Section A. Material Sales Revenue, Item 1 is hereby deleted and replaced with the following language:



“1. Contractor shall itemize all material sales revenues each calendar month and prepare a monthly Recovered Materials Reports in the forms attached hereto as Exhibit C-2 and Exhibit C-3. With respect to gross material sales revenues at the Sonoma transfer Station, Contractor and County shall each receive fifty percent (50%) of gross material sales revenues less than or equal to \$8,740 per month, and Contractor shall receive one hundred percent (100%) of all gross revenue in excess of \$8,740 per month.”

4. Except to the extent the Agreement is specifically amended or supplemented hereby, the Agreement together with exhibits is, and shall continue to be, in full force and effect as originally executed, and nothing contained herein shall, or shall be construed to modify, invalidate or otherwise affect any provision of the Agreement or any right of County arising thereunder.
5. This Amendment shall be governed by and construed under the internal laws of the State of California, and any action to enforce the terms of this Amendment or for the breach thereof shall be brought and tried in the County of Sonoma.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the First Amendment Effective Date.

**SONOMA GARBAGE COLLECTOR:**

**COUNTY OF SONOMA:**

By: \_\_\_\_\_

By: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of the Board of Supervisors

CERTIFICATES OF INSURANCE AND  
PERFORMANCE BOND ON  
FILE WITH DEPARTMENT AND  
APPROVED AS TO SUBSTANCE  
FOR COUNTY:

By: \_\_\_\_\_  
Department Head

Date: \_\_\_\_\_

APPROVED AS TO FORM FOR COUNTY:

By: \_\_\_\_\_  
County Counsel

Date: \_\_\_\_\_

## Exhibit A-1

Scope of Work for

### Reuse and Recycling Operations at the Sonoma Transfer Station

County and Contractor agree to the following terms and conditions regarding the reuse and recycling operations at the Center. The Center shall not be used for any other purposes other than those described in the Agreement.

#### A. GENERAL RESPONSIBILITIES

1. Contractor agrees to provide the necessary labor, equipment (e.g., fork lift, cardboard baler, etc.), tools, supplies, supervision, containers, and all other resources necessary to operate and maintain the Center and transship recyclable materials to market.
2. Contractor shall provide and locate containers and storage racks that are in the best possible condition for the deposit of reusable and recyclable materials. Contractor shall evaluate display tables and containers on a regular basis and recycle or discard those that are rusting and/or deteriorating. The Director or his designee shall approve all containers and storage racks. Contractor shall not store surplus debris boxes at the Center that are not integral to reuse or recycling operations.
3. Any equipment brought to the Center by Contractor, and subsequently rejected by the Director, or his designee, for not complying with the requirements or intent of the Agreement, shall be removed immediately by Contractor from the Center.
4. Contractor shall ensure that the materials collected at the Center do not encroach on the area beyond the designated boundaries of the Center.
5. Contractor shall be responsible for the inspection of all materials deposited at the Center to ensure that all materials are reusable/recyclable and to exclude unaccepted wastes from being unloaded at the Center. If non-reusable or unrecyclable materials are deposited at the Center, Contractor shall be solely responsible for such materials and all costs arising from or associated with said materials including, but not limited to, disposal costs.
6. Contractor shall provide any and all informational signing at the Center which clearly describes the materials being accepted for reuse and recycling, sorting instructions, traffic control directions, storm water pollution prevention, and any signs required under regulations for battery, oil and paint recycling or reuse. Signs relating to reused and recycled materials and safety signs shall be in both

English and Spanish. Signs shall be of sufficient material quality and workmanship to be consistent with signage existing in other parts of the solid waste facility. Signs shall be provided within thirty (30) days of executing this Agreement unless otherwise agreed to by the parties. All signs shall be approved by the County's contract manager.

7. Contractor shall abide by all the terms and requirements contained in the current Solid Waste Facilities Permits issued for the solid waste disposal facilities by the California Integrated Waste Management Board. Copies of the Solid Waste Facilities Permits are available for review at the Central Disposal Site Administration Office.
8. Contractor shall supply and maintain one portable toilet at each Center for Contractor's employees and the public.

**B. GENERAL BEST MANAGEMENT PRACTICES (BMPs) RESPONSIBILITIES**

Contractor shall implement the following BMPs in order to comply with the Joint Technical Document for the Central Disposal Site for the reuse and recycling operations at the Center. These general BMPs shall be in addition to any other specific BMP responsibilities described herein.

1. Contractor shall inspect all drainage features daily. In the event that there are concerns, Contractor shall inform Operations Staff immediately by contacting the Central Disposal Site Administration Office.
2. Contractor shall not accept hazardous or Group I wastes as defined by state laws and regulations except for the following: used motor oil, used oil filters, and automotive batteries.
3. Contractor shall apply best management practices in handling all materials to reduce pollutant loadings to the storm water as required by the State of California Industrial Storm Water Permit and as described in the site Storm Water Prevention Plan. Contractor shall conduct periodic and daily inspections of equipment, material and surfaces.
4. Contractor will install covers over the outdoor storage areas and storage bins to prevent rainwater contact with reusable items and recyclable materials. Contractor will also be responsible for pavement cleaning to remove debris that could run off into the storm water collection system. All site improvements shall become the property of the County following termination of the Agreement.
5. Contractor shall maintain all of its equipment used in providing service under this Agreement in a safe, neat, clean, and operable condition at all times. Company shall repair, or arrange for the repair of, all of its vehicles and equipment for which repairs are needed because of accident, breakdown, or any other cause so

as to maintain all equipment in a safe and operable condition. All major repairs shall be completed off site.

6. Contractor shall be responsible for implementing additional requirements for BMPs as may be required due to changes in Federal or State laws and regulations.

### **C. MATERIAL STORAGE**

1. Contractor may temporarily store recovered materials in partially full, approved containers at the Center. Full containers shall be removed from the Center within one weekday. Storing full debris boxes or other full containers of recovered materials is prohibited. In the event Contractor fails to remove full debris boxes or other full containers from the Center within one weekday, the Director or his designee shall have the right to deduct One Hundred Dollars (\$100) from Contractor's monthly compensation for each day for each debris box or other container that remains full.
2. Contractor shall work with vendors to ensure that debris boxes provided for material storage are in the best possible condition available to reduce rusty and perforated bins that may contribute metals to storm water discharge.
3. Recovered materials, which do not contain petroleum and petroleum products or do not leach upon contact with water, may be stored loose, in a neat fashion, on the ground in designated areas, as determined by the Director or his designee.

### **D. ACCOUNTING FOR FINANCIAL TRANSACTIONS**

1. Contractor shall have a valid California resale license. Contractor shall operate the resale operations in a fair, consistent, and professional manner.
2. All resale transactions, including employee discounts, shall be processed through a cash register. Contractor shall provide a centralized location, such as a cashier's booth, for resale transactions. Contractor shall remove all cash from the cash register at the end of each operating day and shall not leave cash in the cash register overnight. Contractor assumes all responsibility for cash handling and for any loss due to mishandling or theft.
3. Contractor shall supply customers with a receipt for reusable materials purchased upon request. Contractor shall post a sign that states "Please ask for a receipt."
4. Contractor shall implement the following policy governing employee purchase of reusable materials:

“Contractor employees are allowed to purchase any item at fifty percent (50%) of the Contractor's selling price for the general public. Purchase prices shall be set only by the executive officer for Contractor and shall not be set by other

employees. Contractor employees shall only purchase items for their personal reuse. Contractor employees shall not purchase items accepted at the Center for resale at yard sales, flea markets, or other resale opportunities.”

5. Contractor shall maintain a log of employee purchases (“Employee Purchase Log”), which shall include the date of sale, description of item(s) purchased, volume/weight estimate of item(s) purchases, and the dollar value. The Employee Purchase Log shall be included with submittal of the monthly reports to County’s contract manager.
6. In the event any employee fails to comply with said employee purchase policy, the Director or his designee shall have the right to deduct One Hundred Dollars (\$100.00), for each such incident from Contractor's compensation. The remedy provided herein is in addition to any other remedy provided by this Agreement or at law.
7. Contractor shall submit invoices, in the form of Exhibit B-1, to County monthly, accompanied by a report of the total materials recycled, by material type, with appropriate support documentation (e.g., sales receipts, weight tags, etc.). The invoices shall include the following information:
  - ~~Billing period~~ Billing period beginning and end dates
  - A summary of receipts for all recycled materials sold to a buyer, including buyer’s name and business address, and net weight of recycled materials
  - A summary of revenues received and revenue sharing
  - Reusable latex paint log
  - Liability release(s) for reusable latex paint
  - Oil tank inspection logs
  - Employee purchase log
  - Shipping papers for hazardous waste, including, but not limited to used oil, oil filters and automobile batteries
  - Special Occurrence Report, if appropriate
  - Total amount due Contractor
8. Contractor shall maintain, in its principal office in Sonoma County, full and complete accounting records, prepared in accordance with generally accepted accounting principles. Contractor's accounting records shall be available at Contractor's principal office in Sonoma County at any time during regular office hours for inspection and/or audit by County or its authorized representatives for a period of five (5) years following the expiration or earlier termination of this Agreement.
  - a. Contractor shall maintain its accounting records in a manner that clearly and separately identifies the revenues received from each Center.
  - b. Such books and records shall be subject to audit and inspection by County and its authorized representatives, agents or employees, at any reasonable time as determined by County, at Contractor's principal office, for the

primary purpose of reviewing operations, verifying materials processed, and substantiating payments made to Contractor by County.

- c. In the event such audit or inspection reveals that Contractor does not maintain adequate and separate records in accordance with the terms of this Agreement, County shall notify Contractor in writing of any alleged deficiencies in the accounting. Contractor shall have fifteen (15) calendar days to correct said deficiencies. If Contractor fails to correct said deficiencies to County's reasonable satisfaction, then County or its authorized representative, may create such adequate and separate records and Contractor shall reimburse County for the costs of such services.
- d. In the event that an audit or inspection reveals that the amount of compensation paid to Contractor by County is greater than the amount actually due to Contractor under the terms of this Agreement, Contractor shall remit such excess compensation to County, including interest from the date of over payment at the rate of ten percent (10%) per year, within thirty (30) days of invoice by County of such excess and shall reimburse County for the costs of the audit.

#### **E. RECYCLABLE MATERIALS TO BE ACCEPTED**

1. Contractor shall accept the following recyclable materials at the Center:
  - a. scrap metal of various compositions
  - b. cardboard
  - c. porcelain/ceramic materials, including, but not limited to, toilets, sinks, tubs, and ceramic tiles
  - d. glass beverage and food containers
  - e. aluminum beverage and food containers and aluminum scrap
  - f. plastic beverage and food containers
  - g. bi-metal cans
  - h. paper, including but not limited to, cardboard, newspaper, high-grade office paper, mixed paper, cartonboard, magazines, catalogs, and junk mail
2. Special handling instructions to be implemented by Contractor include:
  - a. Scrap Metal. Contractor shall not be obligated to accept compressed gas cylinders or whole steel drums.
  - b. Automotive Parts. Contractor shall only accept automotive engines or other mechanical devices that have been drained of oil, and other chemicals by implementing the following special handling procedures:
    - Any item containing hazardous waste, including, but not limited to oil, transmission fluid, and gasoline, shall not be placed in the automobile

metal bin until the hazardous waste has been completely removed from the item and properly disposed of by the customer.

- Contractor shall provide information directing customers to the Sonoma County Waste Management Agency's Household Toxics Facility at the Central Disposal Site for the proper disposal of hazardous wastes during operational hours.
- Contractor shall not permit customers to remove hazardous materials from mechanical devices at the Center.
- Contractor shall provide absorbent socks to place inside the automobile metal bin to prevent any fluids from draining onto the surrounding ground.
- Contractor shall conduct daily inspections and cleaning of the ground around the automobile metal bin. Any oil discovered during the daily inspections shall be immediately cleaned up with grease sweep or other appropriate material.

#### **F. REUSABLE MATERIALS TO BE ACCEPTED**

Contractor shall provide reuse services for, but not limited to, the following materials:

- building materials
- furniture
- household goods
- books
- sports equipment
- bicycles
- clothing, and
- other items determined by Contractor to have resale value

Contractor may accept small tools with engines or other mechanical devices, including, but not limited to, lawnmowers, chainsaws, weed eaters, and table saws, that have been drained of oil and other hazardous liquids. All small tools shall be stored under cover to prevent them from becoming a source point for storm water contamination.

Contractor shall evaluate reusable materials inventory on a regular basis to follow the rain/dry seasons to protect items from storm water exposure as necessary.

#### **G. RECYCLABLE HAZARDOUS AND UNIVERSAL WASTE TO BE ACCEPTED**

1. Contractor shall provide collection services for the following types of recyclable hazardous and universal wastes:
  - used motor oil, up to a maximum of 20 gallons per participant
  - used oil filters
  - automobile batteries, and



- latex paint
2. The following special handling instructions shall apply for recyclable hazardous and universal wastes:
    - a. Contractor shall be solely responsible for maintaining the hazardous waste recycling facilities involving the oil tank(s), oil filter container(s), reusable latex paint, and battery container(s) at the Center in accordance with federal, state and local laws and regulations. Contractor shall maintain such hazardous waste recycling facilities in a clean, safe and environmentally sound manner.
    - b. In the event unaccepted materials are brought to the Center and are the type of materials that are normally accepted by the Household Toxics Facility, Contractor shall direct the individual to the Household Toxics Facility and provide hours of operation.
    - c. Subject to Contractor's obligations set forth herein, Contractor shall have full authority to evict any person attempting to deliver wastes not accepted or volumes larger than accepted in accordance with this scope of work.
    - d. In determining how to respond to the situation when a unaccepted waste is spotted during unloading or after it has been unloaded at the Center, Contractor shall follow the procedure(s) specified in SB 198 Employee Safety, incorporated herein by reference, or any successive legislation governing such procedures. A copy of the County's SB 198 Employee Safety Plan is available at the Central Disposal Site Administration Office.
    - e. In the event that unaccepted waste is unloaded without Contractor's knowledge Contractor shall immediately contact the on-call Disposal Supervisor so that the unaccepted waste may be added to the on-site load-check lockers.
  3. The following specific handling instructions shall apply to the recyclable hazardous and universal wastes discussed below:
    - a. Used Oil, Used Oil Filters, and Automobile Batteries
      - i. Automotive Oil & Filters. Contractor shall accept ownership of all used automotive lubricating oil and oil filters offered by the public for recycling that are in recyclable condition. Contractor shall not be required to accept automotive lubricating oil for recycling from commercial haulers including commercial non-profit dealers or when loads are more than twenty (20) gallons of oil.  
  
County shall supply, and Contractor shall maintain, containers for the collection of used motor oil and oil filters.

Contractor shall ensure that a licensed hauler collects used oil and oil filters at a minimum ninety (90) day interval.

Oil filters are to be stored in a 55-gallon drum within the prefabricated oil buildings for the oil tanks. Contractor shall place a lid on the drum every evening.

Contractor shall maintain a daily inspection log to be submitted with the monthly report to the County's contract manager.

Contractor shall make necessary arrangements and precautions to ensure that petroleum storage containers do not overflow.

- ii. Automotive Batteries. Contractor shall accept ownership of all automotive batteries offered by the public for recycling which are in recyclable condition. Contractor shall not be required to accept automotive batteries for recycling brought to the Center by commercial haulers including commercial non-profit dealers or when loads have more than three (3) batteries.

Contractor shall ensure that a licensed hauler collects automotive batteries at a minimum ninety (90) day interval.

Contractor shall store the batteries in a container provided by County.

Automotive batteries shall be inspected for leaking, and if found to be leaking shall be placed in a corrosive-resistant container and labeled in a manner to discourage public contact with the material.

Contractor shall provide and maintain an eyewash to be placed near the automotive battery location.

Contractor shall provide for storage of oil-contaminated absorbent and spill pads and socks until such time that County is able to provide proper hazardous waste disposal of these items.

- iii. Reporting. Contractor shall provide original copies of shipping documentation for oil, oil filters and batteries to the County Contract Manager with monthly reports

b. Latex Paint Exchange

- i. Accepting Reusable Latex Paint. Contractor shall accept ownership of reusable latex paint for exchange. Contractor shall inspect each can of paint to assure that it is usable and is not contaminated or dry before accepting paint. Latex paint must meet the following criteria: in one-gallon containers or smaller, at least half full cans, original label

attached, in rust-free cans. Reusable paint accepted shall be offered free of charge to the public. As required by law, Contractor shall display a sign stating that the County and Contractor recommend customers use paint in accordance with the directions on the label.

- ii. Reporting. Contractor shall maintain a log/liability waiver of reusable latex paint distributed. Logs shall include liability waiver language the date, amount of latex paint distributed and a name, address and signature of the recipient. Contractor shall obtain County's approval for waiver language prior to using a log/liability waiver. Paint logs/liability waivers shall be included with submittal of the monthly reports to the County's contract manager.
- iii. Unacceptable Latex Paint. Contractor may reject unacceptable paint. Customers with containers whose contents are questionable shall be directed to the Household Toxics Facility at the Central Disposal Site for proper disposal.
- iv. Handling and Disposal of Latex Paint. Contractor shall monitor the shelf life of paints and shall bring paint that has not moved through the paint exchange program after six (6) months to the Household Toxics Facility at the Central Disposal Site for proper disposal. Mixing or transferring paint from one container to another is a regulated activity not permitted at the Center; Contractor shall not perform this activity. For materials intentionally accepted, or unintentionally accepted due to lack of oversight, by the latex paint exchange that require disposal as hazardous waste, the Contractor shall be subject to all applicable fees for use of the Household Toxics Facility.

## **H. REVISIONS TO THE LIST OF ACCEPTED MATERIALS**

The County shall have, in its sole discretion, the right to revise the list of accepted materials defined in Sections E, F, and/or G above. If the County determines that it is in the best needs of the County or its citizens, the County may (1) add a material or item to the list; (2) remove a material or item to the list; or (3) direct the public to deliver a material(s) or item(s) to an alternate vendor. Contractor shall implement such changes to the list of materials within thirty (30) days of such a request, provided, however, that Contractor shall have the right to request adjustments to compensation for such materials by providing the Director, or his designee, with adequate written documentation justifying the adjusted compensation.

In cases where changes to the list of materials require adjustments to compensation for services, terms for adjustments shall be negotiated with the selected Proposer as a part of negotiations for compensation under Section 2 (Compensation) of this Agreement.

In addition, Contractor may request that certain materials set forth in Sections E, F, and/or G be deleted. Contractor shall make such request by providing the Director, or his designee, with a written request that shall include all the reasons for the request. The Director shall have thirty (30) days from the receipt of such written request and supporting documentation to either, in the Director's reasonable discretion, grant or deny the request.

In cases where items to the list of materials are deleted at the request of the Contractor that require adjustments to compensation for services, terms for adjustments shall be negotiated with the selected Proposer as a part of negotiations for compensation under Section 2 (Compensation) of this Agreement.

In the event that materials are added to Sections E, F, and/or G, the Director shall revise the appropriate section to reflect such changes and forward a copy of the revised exhibit to Contractor, which shall be deemed to be incorporated into this Agreement.

## **I. CONDITION OF PREMISES**

1. By executing this Agreement, Contractor acknowledges that the premises are in suitable condition. Contractor agrees to report any defects noted by it in writing to County no later than seven days after beginning operations work. Any defects subsequently noted shall be reported by Contractor in writing within two days.
2. Contractor will be responsible for general cleanup, housekeeping, and litter control to maintain the Center in a neat, litter-free, and sanitary manner. Contractor shall clean the Center at the end of each day of operation so that no excess accumulation of dirt or material occurs.
3. Contractor shall handle all materials in such a way as to prevent littering, leaching, or otherwise allowing the release of contaminants to the environment. This will be accomplished through the use of containment appropriate to the materials as approved by the Director or his designee.
4. In the event the Director, or his designee, finds that Contractor has failed to maintain the premises in accordance with the requirements set forth herein, Contractor shall have twenty-four (24) hours after written notice of such determination to remedy the situation. In the event Contractor fails to remedy the problem to the satisfaction of the Director or his designee within such twenty-four (24) hour period, the Director or his designee shall have the right to deduct One Hundred Dollars (\$100.00) per day from Contractor's compensation until such time as the problem is remedied to the satisfaction of the Director or his designee. The remedy provided herein is in addition to any other remedy provided in the Agreement or at law.

## **J. SAFETY**

Contractor shall operate the Center at all times in a safe and workmanlike manner which demonstrates consideration for property and the health and safety of all persons employed or otherwise at the Center, including the general public.

1. Contractor shall adhere to state and local health and safety policies, including without limitation, Section 66264.16 (Personnel Training) of Title 22 of the California Code of Regulations and Section 3380 (Personal Protective Devices) and Section 5192 (Hazardous Waste Operations and Emergency Response) of Title 8 of the California Code of Regulations.
2. Contractor shall attend all County contractor safety meetings.
3. Contractor shall complete the form Exhibit A-1 – Special Occurrence Report attached hereto and incorporated herein, and submit to Director or his designee within twenty-four (24) hours, whenever an unusual situation occurs at the Center including, but not limited to, fires, injuries, property damage, accidents, explosions, theft, vandalism, mechanical failure of any portion of the Center, incidents regarding hazardous waste, flooding, violations, regulations and other concerns. Exhibit A-1 shall include a description of the incident area of concern, action taken, date(s) of action(s) and person(s) responsible for repair or action. A copy of Exhibit A-1 shall be kept on site for review when requested by inspectors and shall be submitted with the next monthly invoice to the County's contract manager.
4. Contractor shall document and report immediately, according to the County's Emergency Response Plan, any release of pollutants and identify steps taken to clean up the release. Contractor shall have materials and trained staff available to clean up any release of pollutants.
5. Contractor shall develop and supply County, within thirty (30) days of the execution of this Agreement, with a copy of an Emergency Response Plan which coordinates with the County's Emergency Response Plan, incorporated herein by reference, to evacuate personnel in case of fires or other emergencies. A copy of the County's Emergency Response Plan is available for review at the Central Disposal Site Administration Office.
6. Contractor shall maintain a binder of information that includes an emergency plan, an emergency contact list and a daily inspection log. Contractor is to keep on file signed affidavits from all employees that work at the Center that they have read and understand the emergency and operations plans for the Center.
7. Contractor shall provide and maintain fire extinguishers (40BC), eye wash, absorbent, spill pads, and spill socks at each Center which are ready and available at all times to address spills or other potential emergencies. Contractor shall

provide for storage of oil-contaminated absorbent and spill pads and socks; County will provide proper hazardous waste disposal.

8. Contractor shall ensure that its employees wear appropriate clothing (e.g., uniforms) that will readily identify them to the public as staff and appropriate safety clothing (e.g., t-shirts and vests in safety colors such as orange, yellow, or green) as required by OSHA for activities at the Center. In the event any employee is not wearing appropriate clothing, the Director shall have the right to deduct One Hundred Dollars (\$100.00) for each employee per day from Contractor's compensation. The remedy provided herein is in addition to any other remedy provided in this Agreement or at law.
9. Contractor shall maintain sufficient hoses and firefighting equipment to comply with the Department of Fire Services safety standards and as directed by the County.
10. Contractor shall set up easily accessible delineated spill kits in locations where spills are likely to occur. Spill kits shall be bright yellow or orange and properly labeled. Each spill kit shall have a material supply container and a waste container.
11. Contractor shall store at the Center a sufficient number of barricades and flagging tape to barricade off the public in the event of a hazardous waste incident in accordance with SB 198.
12. Contractor shall ensure their employees do not salvage materials from the tipping floor at the disposal facilities. Notwithstanding anything stated to the contrary herein, in the event any employee is found salvaging materials from the tipping floor, the Director shall have the right to deduct One Hundred Dollars (\$100.00), for each such incident from Contractor's compensation. The remedy provided herein is in addition to any other remedy provided by this Agreement or at law.

#### **K. CENTER HOURS OF OPERATION**

1. The Center shall be open to the public daily from 7:00 a.m. to 2:30 p.m.
2. The Center shall be closed on the following holidays: New Year's Day, Labor Day, Easter Sunday, Independence Day, Thanksgiving Day, and Christmas Day.
3. In the event any Contractor employee is at the Center at times other than specified above, the Director shall have the right to deduct One Hundred Dollars (\$100.00) from Contractor's monthly compensation for each such violation. The remedy provided herein is in addition to any other remedy provided in the Agreement or at law.

4. In the event that County determines that it is necessary to reduce the operating hours and/or days of operation of the Center, County shall provide Contractor thirty (30) days notice of the change in operating hours and/or days of operation.

**L. CENTER MAINTENANCE**

1. Contractor shall maintain the Center as defined in the Report of Station Information in a neat, litter free, clean, and orderly manner, and shall provide all necessary supplies, fuels and oils. All fuels shall be stored well away from any storm water drain inlet.
2. Contractor shall maintain in sound working condition all parts of the Center including, but not limited to:
  - all buildings
  - the asphalt concrete access roads and storage area
  - the foundations
  - restroom
  - downspouts, and
  - keep litter out of drainage ditches.
3. Contractor shall be responsible for repairing any structure, part or surface which is damaged at any time during the hours set forth above or by Contractor. All repairs made by Contractor shall be with an identical article or material or an approved equal. In determining whether an article or material is approvable as an equal, Section 6-1.05 (Trade Names and Alternatives), of the Caltrans Standard Specifications, January 1996, shall govern. Contractor shall notify County in writing prior to replacing any equipment if Contractor intends for County to pay for such expenses. Contractor shall not be responsible for repairs needed due to earthquakes, floods, winds, range or forest fires, or any design or construction defects in improvements made by County.
4. Contractor shall be responsible for repairing cracks and holes in the asphalt, including consideration of applying an economical sand slurry sealant.
5. Contractor shall use a regenerative sweeper to sweep all paved areas throughout the Center as least twice a week during the rainy and once a week during the non-rainy season. Mechanical blowers coupled with manual sweeping shall be performed in all areas where the large regenerative sweeper is unable to access.
6. Contractor shall make all efforts to remove oil and grease stains in the Center operating area, tending to spills and leaks as soon as possible, using a pressure water and wet-dry vacuum and using minimal water. All applied water shall be contained, captured and disposed of as an oily waste.

7. Contractor shall submit detailed information for any equipment proposed for the Center for approval by the Director or his designee. Improvements may include, but are not limited to:
  - portable buildings or trailers
  - containers
  - containment systems for reusable materials such as mattresses, windows or door racks, and or
  - baler or other processing machinery
8. Contractor shall not be responsible to do repairs or improvements that will extend the life of the Center and its mechanical systems beyond their depreciated normal life.

#### **M. UTILITIES AND SERVICES**

1. County shall receive and pay for all utility bills for the Center.
2. Contractor shall have a telephone installed at each Center and shall be responsible for payment of all telephone bills. Contractor shall provide County with the phone numbers of said phones.

#### **N. EDUCATION AND PUBLIC OUTREACH**

Contractor shall provide education and public outreach that focuses on reuse and recycling as follows:

1. Contractor shall make staff available to provide public tours of the reuse and recycling area at the Center, upon request.
2. Contractor shall make public education materials available, including but not limited to, the Annual Recycling Guide and information on the proper disposal of household hazardous waste. Contractor shall provide public education materials to customers upon request.

#### **O. ADMINISTRATIVE DUTIES**

1. Permits and Legal Requirements. The County's solid waste facilities are subject to a number of different permits that govern operations at the sites. Therefore, Contractor shall abide by the following:
  - a. Contractor shall comply with all applicable permits, including, without limitation, the *Solid Waste Facilities Permits* and the *Industrial Storm Water Permits* that have been issued by the State of California for each site, by applying best management practices in handling all materials to reduce



pollutant loadings to the storm water and as described in the sites' *Storm Water Pollution Prevention Plan*. Copies of permits are available at the Central Disposal Site Administration Office and are incorporated herein as referenced:

- Sonoma Transfer Station Solid Waste Facilities Permit No. 49-AA-0144 and Industrial Storm Water Permit No. 2 49 I 006105.

- b. Contractor shall bear the cost of any fines and/or reinspections levied for any violations by the Contractor of any of the terms of any such permits, or any other applicable requirements of federal, state or local laws and regulations for activities described in this Agreement.
- c. Contractor shall secure, from the agencies having jurisdiction, any and all necessary permits for performance of the work and any site improvements performed by Contractor at its sole expense. In cases where the County directs Contractor to perform work that is the County's responsibility, the County shall acquire any necessary permit(s) at its sole expense.
- d. Contractor shall, at its sole expense, give all necessary notices and cause all services and work provided hereunder to comply with all applicable local, state and federal laws, ordinances, rules, regulations, codes and orders.
- e. Contractor covenants and warrants that it shall observe and comply strictly with all applicable local, state and federal laws, ordinances, rules, regulations, codes and orders in connection with Contractor's performance hereunder.

## 2. Contractor Personnel

- a. Contractor shall provide informed and courteous employees during the Center' operating hours who shall be responsible for directing and assisting the public to make maximum use of the reuse and recycling areas.
- b. Contractor shall annually provide the County's contract manager with the name of Contractor's employees and work schedules. Contractor shall provide an updated list when new employee(s) commence work.
- c. Contractor shall staff the Sonoma Transfer Station Center with a minimum of one (1) staff person on-site at all times during operating hours.
- d. In the event the Center are not adequately staffed as provided herein, the Director shall have the right to deduct One Hundred Dollars (\$100.00) from Contractor's compensation for each incident. The remedy provided herein is in addition to any other remedy provided in this Agreement or at law.

- e. Contractor may utilize temporary labor if appropriate training and safety equipment is provided to each individual.

3. Training

- a. Contractor shall ensure that all of its employees that work at the Center receive training for all aspects of work required to perform the tasks listed herein.
- b. Contractor shall ensure that all of its employees working at the Center have been trained to use all the equipment at the Center to comply with local, state and federal safety regulations.
- c. Contractor shall ensure that all of its employees receive appropriate hazardous and universal waste training, including proper spill response and cleanup techniques. Such training shall include annual refresher training.
- d. Contractor shall maintain a file of training provided for employees. Contractor shall provide a copy of any training certificates issued to employees to the County's contract manager.

4. Reporting

- a. Contractor shall accurately complete a recovered materials report monthly, within twenty-five (25) days following the month which the report summarizes.
- b. Contractor shall maintain a record of all equipment and Center maintenance, repairs or replacement and shall submit copies of said maintenance records, upon request, to County.

**P. RESPONSIBILITIES OF THE COUNTY OF SONOMA**

- 1. County may adopt reasonable rules and regulations and post signs with reference to the day-to-day operation of the Center and shall provide Contractor with a copy of such rules and regulations. Contractor shall comply with all such rules and regulations.
- 2. County shall be responsible for repairs and replacements needed as the result of a structure or surface having reached the end of its serviceable life. County shall be responsible for repairs needed due to earthquakes, floods, winds, after-hours vandalism, fires or insufficient engineering design.
- 3. County will provide a tank for the storage of used automotive oil and oil filters.

4. County shall provide storage structures for automotive batteries and reusable latex paint.
5. County shall receive and pay for all utility bills for the Center.
6. County shall place any unaccepted hazardous or universal wastes discovered at the Center into load-check lockers.
7. In the event that Contractor exercises its authority to evict any person attempting to deliver and/or unload non-permitted wastes, County agrees to refund any tipping fees which such person may have paid at the gate house.
8. County shall provide Contractor full and unimpaired access to the Center from 7:00 a.m. to 4:00 p.m.



County of Sonoma  
Agenda Item  
Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 20**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Board Of Supervisors

**Staff Name and Phone Number:**

Supervisor Mike McGuire, 575-3758

**Supervisorial District(s):**

Fourth District

**Title:** Appointment

**Recommended Actions:**

Appoint Jenny Chamberlain to the Commission on Human Rights for a 2 year term effective September 1, 2013 through August 31, 2015.

**Executive Summary:**

**Prior Board Actions:**

**Strategic Plan Alignment** Goal 4: Civic Services and Engagement

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

<b>Narrative Explanation of Fiscal Impacts (If Required):</b>			
<b>Staffing Impacts</b>			
<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)
<b>Narrative Explanation of Staffing Impacts (If Required):</b>			
<b>Attachments:</b>			
<b>Related Items “On File” with the Clerk of the Board:</b>			



County of Sonoma  
Agenda Item  
Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 21**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Board of Supervisors

**Staff Name and Phone Number:**

Supervisor Susan Gorin, 565-3752

**Supervisorial District(s):**

First District

**Title:** Appointment

**Recommended Actions:**

Reappoint Jim McCord to the Aviation Commission effective September 17, 2013 (coterminous). (First District)

**Executive Summary:**

**Prior Board Actions:**

**Strategic Plan Alignment** Goal 4: Civic Services and Engagement

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

**Narrative Explanation of Fiscal Impacts (If Required):**

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**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

**Narrative Explanation of Staffing Impacts (If Required):**

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**Attachments:**

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**Related Items “On File” with the Clerk of the Board:**

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County of Sonoma  
Agenda Item  
Summary Report

**Agenda Item Number: 22**  
(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Supervisors

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Economic Development Board

**Staff Name and Phone Number:**

Jennifer Milligan, 565-3783

**Supervisorial District(s):**

All

**Title:** Sonoma County BEST Annual Report

**Recommended Actions:**

Receive presentation and accept Annual Report from the Building Economic Success Together (BEST) Program.

**Executive Summary:**

Building Economic Success Together (BEST) Program staff will provide a presentation to the Board on their annual report, including achievements and status of current efforts and future direction.

**History:**

On March 15, 2011, the Board passed a resolution commending the Santa Rosa Chamber of Commerce for developing the Building Economic Success Together (BEST) program and expressing support for the program's declared intent to work in a collaborative fashion with existing County programs. As identified at that time, BEST had five strategic initiatives, four of which include elements that were appropriate for Board support and for coordination with other County efforts related to economic development. These initiatives were, and remain: Business Retention and Expansion, Foster Innovative Businesses, Attract New Businesses Providing High Quality Jobs, and Building a World Class Workforce Based on Educational Attainment. The fifth initiative seeks to create a strong, vibrant, and supportive business climate.

On May 24, 2011, the Board approved a resolution entering into a Memorandum of Understanding (MOU) between the County and the Santa Rosa Chamber of Commerce, to support the BEST Program, for a term of three years, and providing \$100,000 for each year of the term. In consideration for the County funding, two seats on the BEST Board of Directors were allocated to be filled by the Board of Supervisors. Currently, Supervisor David Rabbitt and Supervisor Shirlee Zane sit on the BEST Board of Directors.

**The MOU:**

The MOU between the County and the Chamber for support of the BEST Program is effective from June 1, 2011 through



May 31, 2014, with an option for the County to extend the term for an additional two years. The MOU also specifies the Chamber will work with the County's Workforce Investment Board (WIB) and Economic Development Board (EDB) and regularly discuss and coordinate projects with similar efforts. Sherry Alderman, the WIB Director, and Ben Stone the EDB Director regularly meet with Carolyn Stark, the BEST Director. Also, Pam Chanter, Chair of the Economic Development Board sits on the BEST Board.

Per the MOU, the Chamber is to provide an annual report to the Board of Supervisors for each year of this MOU, which is what is before the Board today. The following information was submitted by BEST as their annual report.

**BEST Annual Report:**

Since early 2012 when the implementation efforts for BEST were launched, BEST has focused at the direction of its Board of Directors on existing business in Sonoma County as one of the primary strategies for driving job growth and business success. By growing our base of business, we can expand the economy, and at the same time identify the best prospects for business attraction.

In 2012 and again in 2013, BEST launched the 100 Companies in 100 Days project , and worked with a team of 22 volunteers from the business community as well as economic development professionals from throughout the county to implement the initiative. By meeting with companies and talking about opportunities and obstacles to growth, BEST identifies and qualifies business assistance requests that are then acted upon, clearing the way for job creation.

Throughout 2012 and to date in 2013, BEST and its economic development partners, including representatives from the EDB and the WIB have worked with 276 companies in business retention and expansion assistance, resulting in 680 assistance requests – 306 requests in 2012 and 374 requests in 2013.

In 2012, the EDB (Tim Ricard) conducted 82 interviews that were forwarded to BEST. However only 63 were unique, i.e. the other 19 were also independently interviewed by BEST. Of the 63, there were 36 businesses in our target clusters. We counted those 36 in our interview total of 169 but we did not count any jobs resulting from the 36 interviews.

In 2013, BEST received a list of 13 companies interviewed by Tim for business retention and expansion, seven of which BEST had met with in separate interviews. BEST's 2013 metrics as reported include only one business retention and expansion interview from the EDB. This was counted only because while BEST did not conduct the official BRE interview we followed up with this company and gathered business assistance requests which were then acted upon by BEST.

BEST counts job growth only from companies that have asked for and received assistance from BEST to resolve a problem or take advantage of an opportunity. Each new job that is created as a part of Sonoma County BEST's plan is estimated to support an additional .6 jobs in the county - this is defined as an "indirect" job.

The top requests for assistance were a) a need for a business to make a connection with another business, b) talent attraction, and c) marketing of Sonoma County. BEST then works to resolve these requests, often through referring to partners such as the EDB, the WIB, SRJC, and others.

After 18 months BEST can point to 1327 jobs that are the result of the work BEST has done on behalf of its investors and Sonoma County business to grow jobs. This includes both direct (830) and the indirect jobs (497) which are induced from

the creation of direct jobs.

Another key strategy of BEST is to focus on those target industries that offer the best opportunity for job growth. BEST has established industry groups in the advanced manufacturing sector as well as the specialty foods and food processing sector. Businesses come together to collaborate, discuss and resolve industry-wide issues. Industry groups provide value to businesses for sharing of best practices, gives opportunities to build partnerships and ways to expand their business.

The BEST Food Industry Group (FIG) identified 18 different topics for discussion, has met four times in 2013 (as of 8/29/13), and has worked together this year to do collaborative industry marketing at regional and out of area events to raise the awareness of the food industry in Sonoma County.

The BEST Tech Industry Group (TIG) has gathered to discuss the future of additive manufacturing, robotics, and explored resource sharing opportunities. Recently the TIG focused on supply chain commonalities, and identified opportunities for industry ecosystem expansion through high precision machining, 3D printing, and precision optics substrate suppliers.

In 2013, BEST has prepared five company-specific proposals resulting in one corporate move (from Palo Alto) to Petaluma. This company will initially provide 20 jobs and ultimately as many as 35. The City of Petaluma's economic development director, Ingrid Alverde, was a working partner in this example of regional economic development collaboration.

An important protocol for how leads are handled between cities and economic development professionals including the EDB and WIB in Sonoma County was developed by BEST together with its county-wide economic development committee which meets monthly to share ideas, updates and leads. The committee has also collaborated to create a list of key business messages for use in each of their communication pieces. An important point here is the expressed common need for regional marketing to promote Sonoma County as business -ready similar to the way Sonoma County Tourism promotes the area for tourism.

BEST has derived many of its currently active leads for attracting businesses to Sonoma County by attending meetings and conferences out of the region. These have included the Fancy Food Show in San Francisco, CALBIO in San Diego, the Natural Products Expo West in Anaheim, the Unified Wine Symposium in Sacramento, the Maker Faire in San Mateo and a seminar put on by 101 MFG in Newark. BEST has developed industry specific proposals for use at these events for the food industry, technology industry, and the bioscience industry.

BEST has helped specific entrepreneurs with finding resources to support their business growth. These companies range from Coval, a molecular coatings company in Petaluma to LithiumStart in Healdsburg. These resources range from mentoring offered by SCORE and the SBDC to incubator options including SOCO Nexus/iHUB and the Venture Greenhouse to angel investing and traditional financing from commercial banks.

BEST supports the region's Cradle to Career initiative and is collaborating with SCOE, the Community Foundation, SRJC, the Sonoma County Alliance and the SR Chamber on a project to help teachers understand the range of career opportunities in Sonoma County that are available to their students.

**Accomplishments and Objectives:**

- Since 2012, BEST has helped businesses add 1327 jobs to Sonoma County. In 2013 alone, BEST helped businesses add 486 jobs (304 direct plus 182 indirect) in Sonoma County. Jobs that were added by companies that BEST has

met with and assisted are counted after our work with the company.

- 276 business interviews (conducted by 22 volunteers from throughout the county in 2012 and 2013), 37 of which were done by the EDB.
- Active industry groups: Tech Industry Group; Food Industry Group and support for North Bay Bioscience Industry Group

## **GOALS 2013/2014**

Priority tactics of the BEST implementation plan as directed by the Board of Directors for BEST are to target specific industries, work with existing Sonoma County businesses to help them grow and expand, develop a marketing plan for attracting business as well as raising awareness within the County, support entrepreneurship programs, and to serve as a key resource for business recruitment and assistance in economic development

Key Goals and Strategies for BEST:

- Target industry clusters as identified by the EDB Innovation Action Council, with a focus on advanced manufacturing, food manufacturing and biosciences for 2013
- Launch second-annual BEST Business Retention and Expansion effort (“100 in 100”) in April 2013
- Identify business attraction prospects from supply chain discussions resulting from industry group work
- BEST has set a goal of 490 direct jobs for 2013 and has 304 booked as of August 29, 2013

At the August 22, 2013 BEST Board of Directors Retreat, the following were identified as priorities:

- Work to identify and create a state of “business readiness” to support attraction, retention and expansion
- Define and recruit those targeted, transformative industries for Sonoma County that build on our strengths and leverage our unique qualities
- Develop and implement a communications and marketing plan similar to the successful marketing actions of Sonoma County Tourism to raise internal and external awareness about business in Sonoma County and to support business attraction activity

BEST monitors its progress with a Board-approved dashboard that measures actuals to plan and in this way provides its Board with monthly metrics to track goal attainment.

## **Organizational Capacity**

- Board of Directors

The Sonoma County BEST Board of Directors members are:

Mike Purvis, Sutter Medical Center of Santa Rosa

Bobbi Beehler, Redwood Credit Union

Carl Campbell, Kaiser Permanente Medical Center

Pam Chanter, Vantreo Insurance Brokerage

Raymond D'Argenzio, D'Argenzio Winery

Blair Kellison, Traditional Medicinals

Anthy O'Brien, Top Speed Data

Bryce Pattison, Royal Petroleum

Bill Silver, Sonoma State University

Kevin Smith, Agilent Technologies

Supervisor David Rabbitt, County of Sonoma

Che Voigt, Crossover Ventures

Joshua Townsend, Pacific Gas & Electric

Supervisor Shirlee Zane, County of Sonoma

- BEST Staff

Executive Director, Carolyn Stark

Associate Director of Business Development, Brandon Jewell

Marketing and Information Coordinator, Bryan Bell (effective September 9, 2013)

Sonoma County BEST is also supported by the Santa Rosa Chamber administrative infrastructure

#### **Areas of Collaboration between Sonoma County BEST, the EDB and the WIB and others**

- BEST holds a monthly steering committee composed of Santa Rosa, Sebastopol, Sonoma, EDB, Rohnert Park, Cotati, Windsor, Petaluma and Healdsburg economic development professionals and the EDB and WIB for sharing of developments affecting the regional economy and mutual projects such as regional marketing. One of the items this group has accomplished is the establishment of a lead handling protocol to maximize coordination and communication about business attraction prospects.
- BEST assisted Supervisor Mike McGuire and the Town of Windsor in a retention effort for a business that is a major sales tax source for the town and 65 jobs.
- BEST collaborated with Petaluma on the attraction of a business from Silicon Valley resulting ultimately in 35 jobs.
- Sonoma County BEST made 22 referrals to the EDB for their Business Assistance Tools, and 12 for Foreign Trade Zone assistance. BEST also made 36 referrals to the WIB for the Subsidized Employment Program.
- BEST also collaborated with Petaluma on promoting their water agency's desire to build better relationships with food industry companies by having the director of the water and utilities department address the Food Industry Group .
- Met with the City of Cloverdale with Supervisor Mike McGuire, EDB Director Ben Stone, members of the Cloverdale

City Council and 30 Cloverdale businesses about economic development actions in Cloverdale.

- BEST attended the City of Santa Rosa City Council meeting on March 6, 2013 on economic development where BEST was named as an economic development partner.
- BEST is co-marketing with the City of Petaluma a targeted insert for the San Francisco Business Times.
- The BEST volunteer team consists of 22 volunteers from businesses, cities, the WIB, and the EDB.

**Prior Board Actions:**

3-15-11: Resolution commending the BEST program and expressing support.

5-24-11: Resolution for entering into a Memorandum of Understanding between the County and the Santa Rosa Chamber of Commerce to support the BEST Program.

9-25-12: Resolution accepting the BEST Annual Report 2012

**Strategic Plan Alignment:** Goal 2: Economic and Environmental Stewardship

The County’s support of the BEST Program demonstrates support and investment in jobs and workforce growth and encourages a diverse community economic base.

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 100,000	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 100,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 100,000</b>	<b>Total Sources</b>	<b>\$ 100,000</b>

**Narrative Explanation of Fiscal Impacts (If Required):**

On May 24, 2011, the County entered into a MOU providing \$100,000 per year to the BEST Program. To date, \$200,000 has been paid. Following approval of this Annual Report, as required by the MOU, the third installment of \$100,000 will be provided to the Program. These funds have been included in the Economic Development Board department budget through Advertising funds.

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

**Narrative Explanation of Staffing Impacts (If Required):**

None.

**Attachments:**

County/BEST MOU

**Related Items "On File" with the Clerk of the Board:**

None.

5/24/11  
#20  
EDB

**MEMORANDUM OF UNDERSTANDING**  
**Between**  
**THE COUNTY OF SONOMA and**  
**THE SANTA ROSA CHAMBER OF COMMERCE**  
**REGARDING FUNDING OF SONOMA COUNTY BEST PROGRAM**

This Memorandum of Understanding regarding Funding of Sonoma County BEST ("Building Economic Success Together") Program (hereinafter MOU) is entered into this 6th day of May 2011, by and between the Santa Rosa Chamber of Commerce, a non-profit corporation, (hereinafter CHAMBER), and the County of Sonoma, a political subdivision of the State of California (hereinafter COUNTY).

WITNESSETH

WHEREAS, COUNTY and CHAMBER wish to operate and fund a program to create jobs and further economic development within Sonoma County through job retention and creation, building a better business climate, and improving the job skills of the Sonoma County work force and providing business recruitment and related services;

NOW, THEREFORE, IT IS AGREED by the parties hereto as follows:

1. CHAMBER shall carry out an economic development, job creation, and business recruitment program (hereinafter PROGRAM) that may include, but need not be limited to supporting projects important to the region's economy, creation of a marketing plan, and supporting local entrepreneurship programs.
2. This MOU shall be effective from and including June 1, 2011 through May 31, 2014, unless terminated earlier as provided in Sections 11 and 12, below.
3. COUNTY shall allocate \$100,000 per year for PROGRAM expenses for the period of June 1, 2011 to May 31, 2014. COUNTY will evaluate the success of the PROGRAM before the end of this term and may at that time extend its participation in the PROGRAM for an additional two years. Any such extension must be evidenced by a writing signed by both parties.
4. CHAMBER will administer the program budget and will invoice COUNTY annually in the amount of \$100,000 per year, subject to the limitations set forth in Section 3 above.
5. CHAMBER will allocate two (2) seats on the PROGRAM's advisory board to be filled by members of the Sonoma County Board of Supervisors.
6. Quarterly written reports shall be provided by CHAMBER in a format approved by COUNTY's Economic Development Director, summarizing the activities of PROGRAM and progress on work programs or special projects. Reports will include the following:
  - a. Number and types of activities performed and how these activities were of direct benefit to the County.
  - b. Lists of leads delivered for all business parks, with breakout of leads for unincorporated area business parks.
  - c. Outcome of leads, e.g. how many new businesses relocated to Sonoma County, where they were recruited from, and how many associated jobs were brought in to Sonoma County overall, separately noting those located in the unincorporated areas and cities.

- d. List of new jobs created, by industry, company and payroll, both countywide, as well as a breakout for the unincorporated areas and cities and noting the total number of green jobs created.
  - e. Amount of sales and property tax generated by new jobs created using agreed-upon measurements.
  - f. Marketing activities, site visits, and technical assistance provided to businesses.
  - g. Financial statements indicating the purposes of which the County's funds were expended. Statements will include a detailed comparison of actual expenses and revenues against approved budget for overall BEST program
7. CHAMBER will provide an annual report of activities to the Board of Supervisors for each year this MOU is in effect. Annual reports will be coordinated thru the COUNTY's Economic Development Board.
8. CHAMBER will work with the COUNTY'S Workforce Investment Board (WIB) and Economic Development Board (EDB) staff. The teams will meet regularly to discuss issues critical to specific companies and to coordinate special projects and initiatives. With regard to economic development/workforce development policy and procedures, BEST's responsibilities are as follows:
  - a. Notify EDB and WIB immediately when aware that a company located in the unincorporated area is either considering relocation or expansion within or outside of the unincorporated area. The COUNTY recognizes that companies may approach BEST with confidential inquiries/requests, however it is the COUNTY's expectation that BEST will advise the company that it is in their best interest to provide the COUNTY with the first opportunity to meet the company's needs or propose solutions within the COUNTY. BEST will then assist the COUNTY in every way to meet the needs and interests of these companies within the COUNTY. If the COUNTY informs BEST it cannot meet the particular needs of the company, BEST will then undertake efforts to retain the company in the surrounding region.
  - b. Include the EDB/WIB and appropriate County officials in client meetings where issues relating to COUNTY permitting or other requirements are discussed.
  - c. Recognize the EDB/WIB staff's role in client projects in BEST annual and quarterly reports to the COUNTY.
  - d. Invite EDB/WIB staff, members of the the Board of Supervisors, CAO, etc. to ground-breaking or ribbon-cutting events, and request such invitations when clients host events.
9. CHAMBER will avoid duplicating services already provided by the COUNTY, and will use COUNTY services for BEST projects where appropriate, e.g. for workforce issues, consult with WIB about the availability of using WIB resources; for economic development, consult with the EDB regarding availability of using EDB resources.
10. CHAMBER agrees to accept all responsibility for loss or damage to any person or entity, including COUNTY, and to indemnify, hold harmless, and release COUNTY, its officers, agents, and employees, from and against any actions, claims, damages, liabilities, disabilities, or expenses, that may be asserted by any person or entity, including CHAMBER, that arise out of, pertain to, or relate to CHAMBER's performance or obligations under this Agreement. CHAMBER agrees to provide a complete defense for any claim or action brought against COUNTY based upon a claim relating to CHAMBER's performance or obligations under this Agreement. CHAMBER's obligations under this Section apply whether or not there is concurrent negligence on COUNTY's part, but to the extent required by law, excluding liability due to COUNTY's conduct. COUNTY shall have



the right to select its legal counsel at CHAMBER's expense, subject to CHAMBER's approval, which shall not be unreasonably withheld. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for CHAMBER or its agents under workers' compensation acts, disability benefits acts, or other employee benefit acts. This indemnity provision survives the Agreement.

11. The CHAMBER shall comply with all applicable federal, state, and local laws, rules, and regulations with regard to nondiscrimination in employment because of race, color, ancestry, national origin, religion, sex, marital status, age, medical condition, pregnancy, disability, sexual orientation or other prohibited basis. During the term of this MOU, CHAMBER shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain, insurance as described in Exhibit A.
12. Neither party hereto shall assign, sublet or transfer any interest in or duty under this MOU without written consent of the other, and no assignment shall be of any force or effect whatsoever unless and until the other party shall have so consented.
13. At any time and without cause, COUNTY shall have the right in its sole discretion to terminate this MOU by giving written notice to the CHAMBER thirty (30) days prior to the intended termination date. Upon such termination, CHAMBER shall return to COUNTY funds in an amount equal to (a) the amount of PROGRAM funding received by CHAMBER from COUNTY for the year of termination, minus (b) the product of (x) the amount of PROGRAM funding received from County in the year of termination times (y) the quotient of the number of days in the year prior to termination date date divided by 365.
14. The CHAMBER covenants that it presently has no interest and shall not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of its services hereunder. The CHAMBER further covenants that, in the performance of this contract, no person having any such interest shall be employed or be otherwise assigned to perform any task arising hereunder. At any time and without case, CHAMBER shall have the right in its sole discretion to terminate this MoU by giving written notice to the COUNTY ninety (90) days prior to the intended termination date.
15. In the event any party brings an action or proceeding for damages arising out of the performance of any other party under this MOU or to establish the right or remedy of any other party or parties, the prevailing party shall be entitled to recover reasonable attorney's fees and costs as a part of such action or proceeding. Any action to enforce the terms of this MOU or for the breach thereof shall be brought and tried in Santa Rosa, California.
16. Nothing contained in the MOU shall be construed to create and the parties do not intend to create any rights in third parties.
17. Notices shall be mailed to the parties at the following addresses:

COUNTY  
County of Sonoma  
Economic Development Board  
401 College Ave, Ste D  
Santa Rosa, CA 95401

CHAMBER  
Santa Rosa Chamber of Commerce  
637 First Street  
Santa Rosa, CA 95404

18. This MOU represents the entire and integrated agreement between COUNTY and CHAMBER and supersedes all prior negotiations, representation or agreements, either written or oral. This MOU may be modified or amended only by a subsequent written agreement signed by all parties.
19. The laws of the State of California shall govern the rights, obligations, duties and liabilities of the parties to this MOU and shall also govern the interpretation of this MOU.

20. The parties intend that CHAMBER, in performing the services specified herein, shall act as an independent contractor and shall control the work and the manner in which it is performed. CHAMBER is not to be considered an agent or employee of COUNTY and is not entitled to participate in any pension plan, worker's compensation plan, insurance, bonus, or similar benefits COUNTY provides its employees. In the event COUNTY exercises its right to terminate this MOU, CHAMBER expressly agrees that it shall have no recourse or right of appeal under rules, regulations, ordinances, or laws applicable to employees.
21. None of the funds paid to CHAMBER under this MOU shall be used for lobbying or for any partisan political activity, or to further the election or defeat of any candidate for public office.
22. CHAMBER agrees to make available for inspection and audit to representatives of COUNTY all books, financial records, program information, and other records pertaining to the PROGRAM and this MOU to maintain said records for a minimum of four (4) years.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and the day and year first above written.

Date: 5/17/11

**SANTA ROSA CHAMBER OF COMMERCE**

  
Jonathan Coe, Executive Director

Date: 5/24/11

**County of Sonoma**

  
Efren Carrillo, Chair, Board of Supervisors

Approved as to Form:

  
Steven S. Shupe  
Deputy County Counsel

**Exhibit A**  
**Insurance Requirements**

With respect to performance of work under this Agreement, CHAMBER shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain, insurance as described below.

A. Workers' Compensation Insurance. Workers' compensation insurance with statutory limits as required by the Labor Code of the State of California. Said policy shall be endorsed with the following specific language:

This policy shall not be cancelled or materially changed without first giving thirty (30) days' prior written notice to the Sonoma County Economic Development Board.

B. General Liability Insurance. Commercial general liability insurance covering bodily injury and property damage using an occurrence policy form, in an amount no less than Two Million Dollars (\$2,000,000) limit for each occurrence and Two Million Dollars (\$2,000,000) each for the general aggregate and the products/completed operations aggregate. Said commercial general liability insurance policy shall either be endorsed with the following specific language or contain equivalent language in the policy:

a. County of Sonoma, its officers and employees, is named as additional insured for all liability arising out of the on-going and completed operations by or on behalf of the named insured in the performance of the MOU re. Santa Rosa BEST Program between the COUNTY and the CHAMBER.

b. The inclusion of more than one insured shall not operate to impair the rights of one insured against another insured, and the coverage afforded shall apply as though separate policies had been issued to each insured, but the inclusion of more than one insured shall not operate to increase the limits of the company's liability.

c. The insurance provided herein is primary and non-contributory coverage to the COUNTY with respect to any insurance or self-insurance programs maintained by the COUNTY.

d. This policy shall not be cancelled or materially changed without first giving thirty (30) days prior written notice to the COUNTY.

C. Automobile Insurance. Automobile liability insurance covering bodily injury and property damage in an amount no less than One Million Dollars (\$1,000,000) combined single limit for each occurrence. Said insurance shall include coverage for owned, hired, and non-owned vehicles. Said policy shall be endorsed with the following language:

This policy shall not be cancelled or materially changed without first giving thirty (30) days prior written notice to the County of Sonoma.

D. Documentation. The following documentation shall be submitted to the COUNTY:

a. Properly executed Certificates of Insurance clearly evidencing all coverages and limits required above. Said Certificates shall be submitted prior to the execution of this Agreement. CHAMBER agrees to maintain current Certificates of Insurance evidencing the above-required coverages and limits on file with the COUNTY for the duration of this Agreement.

b. Copies of properly executed endorsements required above for each policy. Said endorsement copies shall be submitted prior to the execution of this Agreement. CHAMBER agrees to maintain current endorsements evidencing the above-specified requirements on file with the COUNTY for the duration of this Agreement.

c. Upon COUNTY'S written request, certified copies of the insurance policies. Said policy copies shall be submitted within thirty (30) days of COMMISSION'S request.

d. After the Agreement has been signed, signed Certificates of Insurance shall be submitted for any renewal or replacement of a policy that already exists, at least ten (10) days before expiration or other termination of the existing policy.

E. Policy Obligations. CHAMBER's indemnity and other obligations shall not be limited by the foregoing insurance requirements.



SONOMA COUNTY

**BEST**

*Building Economic Success Together*

REPORT TO THE  
**SONOMA COUNTY**  
**BOARD OF SUPERVISORS**

**2013**



Almost **1300** Jobs Added  
in **Sonoma County**  
Since **BEST** Began  
Implementation Work in **2012**



## OUTLINE OF PRESENTATION

- ◆ Investors and Board of Directors
- ◆ Volunteers and Partners
- ◆ Dashboard Metrics
- ◆ Job Growth
- ◆ Business Retention and Expansion
- ◆ Regional Collaboration
- ◆ Workforce
- ◆ Innovation
- ◆ Business Attraction
- ◆ Next Steps
- ◆ Appendix



## Platinum

County of Sonoma  
Comcast  
Henry Trione

Kaiser Permanente Medical Center  
Luther Burbank Savings  
Moss Adams LLP

Pacific Gas & Electric Co.  
Pure Luxury Transportation  
Redwood Credit Union

## Gold

Agilent Technologies, Inc.  
American AgCredit  
Bank of America Merrill Lynch  
Bank of Marin  
Clover Stornetta Farms, Inc.  
Coddling Investment  
Exchange Bank  
Fairmont Sonoma Mission Inn & Spa  
Finley Foundation (Ernest L. & Ruth W.)

Friedman's Home Improvement  
George Petersen Insurance Agency  
Leap Solutions  
Nelson Staffing  
North Bay Business Journal  
North Bay Biz Magazine  
Republic Services  
Sonoma Raceway  
Spring Lake Village

St. Joseph Health System  
Summit State Bank  
Sutter Medical Center of Santa Rosa  
The Press Democrat  
TLCD Architecture  
Traditional Medicinals  
Wells Fargo  
Wright Contracting

## Silver

Airport Business Center  
American River Bank  
Bear Republic Brewing  
Burr Pilger Mayer  
Carle, Mackie, Power & Ross LLP  
Club Source  
Dal Poggetto & Company LLP  
Firma Design Group

GoldMail  
Healdsburg Chamber of Commerce  
Hilton Sonoma Wine Country  
Hyatt Vineyard Creek Hotel & Spa  
Innovative Business Solutions, Inc.  
Linkenheimer CPAs and Advisors  
Mary's Pizza

Perry, Johnson, Anderson, Miller & Moskowitz LLP  
Pisenti & Brinker  
Simons & Woodard  
Snoopy's Home Ice  
Sonoma Bank  
Top Speed Data Communications  
Vantreo Insurance Brokerage

## Bronze

Accounting on Computers  
Alliance Redwoods Sonoma Canopy Tour  
AXIA Architects  
Boylan Point Agency  
Clement, Fitzpatrick & Kenworthy  
Direct Mailing Systems

Empire College School of Law & School of Business  
Environment Control  
Keegan and Coppin  
Merrill, Arnone & Jones LLP  
O'Brien Watters & Davis Law Firm

Point to Point  
Premier Digital Display  
Ron Allen Enterprises  
VeVa Communications  
Vinson Advertising





# BEST BOARD OF DIRECTORS



**Bobbi Beehler**  
Redwood Credit Union



**Blair Kellison (Vice Chair)**  
Traditional Medicinals



**David Rabbitt**  
County of Sonoma



**Che Voigt**  
Crossover Ventures



**Carl Campbell**  
Kaiser Permanente



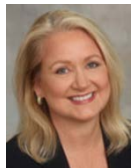
**Anthy O'Brien**  
Top Speed Data



**Bill Silver**  
SSU School of Business & Economics



**Shirlee Zane**  
County of Sonoma



**Pam Chanter**  
Vantreo Insurance Brokerage



**Bryce Pattison**  
Royal Petroleum Co.



**Kevin Smith**  
Agilent Technologies



**Raymond D'Argenzio**  
D'Argenzio Winery



**Mike Purvis (Chairman)**  
Sutter Medical Center of Santa Rosa



**Joshua Townsend**  
Pacific Gas & Electric Co.



# VOLUNTEERS AND PARTNERS

Economic Development is a Team Sport

**Albert Azcarate** | Wells Fargo Advisors

**Anthy O'Brien** | Top Speed Data

**Chet Laws** | Wells Fargo Insurance

**Christine Palmer** | Economic Development Board

**Dan Ancheta** | Bank of Marin

**Danielle Surdin-O'Leary** | City of Santa Rosa

**Ethan Brown** | Economic Development Board

**Gayle Lash** | Cotati Chamber of Commerce

**Greg Cho** | Morgan Stanley Wealth Management

**Ingrid Alverde** | City of Petaluma

**Jennifer LeBrett** | Healdsburg Chamber of Commerce

**June Michalowski** | Goodwill Redwood Empire

**Kelly Bass Seibel** | Santa Rosa Chamber of Commerce

**Kevin Thompson** | Town of Windsor

**Laurie Decker** | Sonoma Valley Economic Development

**Mark Mokelke** | Bank of America

**Michael Cook** | Firma Design Group

**Monica Pignataro** | Nelson Staffing

**Paul McKairnes** | Premier Digital Display

**Ryan Beach** | Sonoma Bank

**Sam Crump** | Crump and Associates

**Sonoma County Economic Development Board**

**Sonoma County Workforce Investment Board**

**Sherry Alderman** | Workforce Investment Board

**Steve Hinch** | Team Logic IT

**Tim Ricard** | Economic Development Board

**Veronica King** | Bank of Marin

**Wanda Tapia** | Latino Service Providers-Sonoma County



# 2013 DASHBOARD METRICS

Target Metrics	Current Q	YTD	YTD	Year End
	Actual	Plan	Actual	Plan
<b>1. Business Retention and Expansion</b>				
1.1 Direct job retain or added	268	300	268	415
1.2 BRE Interviews	107	100	107	100
1.3 Business Industry Groups	2	2	2	3
<b>2. Supportive Business Climate</b>				
2.1 Document how to certify a site as business ready	100%	100%	100%	100%
2.2 Communication milestone: doc business friendly key messages	100%	100%	100%	100%
2.3 Number of business ready sites	1	1	1	2
<b>3. Foster Innovative Business</b>				
3.1 Direct Jobs Added through Innovative Business	35	20	35	25
3.2 BRE Interviews	8	3	1	5
<b>4. Business Attraction</b>				
4.1 Direct Jobs Relocated	1	25	16	50
4.2 Active Qualified Leads in Pipeline	50	40	50	80
<b>5. World Class Workforce</b>				
5.1 BRE workforce report (Collect, define, company needs)				Q4
5.2 Relocation workforce requirements report				Q4
<b>6. Financials</b>				
6.1 Actual Net Expenses vs Net Budget (as of May, 2013)	168,251	159,864	168,251	364,585
6.2 Actual Fundraise vs Plan	10,000	25,000	10,000	50,000
6.3 A/R at Risk				
<b>Total Jobs</b>	<b>304</b>			



# JOB GROWTH

2012

Companies	Direct jobs	Total Direct + Indirect Jobs
Adaptability	6	9.6
Agilent Technologies, Inc.	25	40.0
American AgCredit	110	176.0
Amy's Kitchen	51	81.6
Ancient Oak Cellars	3	4.8
Bike Czar	2	3.2
Coval	3	4.8
Enphase	125	200.0
General Dynamics	70	112.0
La Tortilla Factory	21	33.6
Metier	17	27.2
PG&E	2	3.2
Pisenti & Brinker	3	4.8
Raydiance	10	16.0
Sonic.net	16	25.6
SPT	8	12.8
Straus Family	12	19.2
Team Logic	1	1.6
The Engine is RED	1	1.6
Traditional Medicinals	13	20.8
Wright Contracting	2	3.2

**Total Direct Jobs 501**

**Total Direct + Indirect Jobs 801**



# JOB GROWTH

## 2013

Companies	Direct Jobs	Total Direct + Indirect Jobs	Companies	Direct Jobs	Total Direct + Indirect Jobs
Amy's Kitchen	20	32	North Bay Brewery Tours	5	8
Architectual Plastics	3	4.8	North Bay Networking Group	1	1.6
ATP Tartaric	1	1.6	Parmatech Corporation	1	1.6
BIW connector systems	2	3.2	PBHS	5	8
Bodean	1	1.6	PNI Sensors	1	1.6
CamelBak	1	1.6	Price Pump	1	1.6
Chick-Fil-A	1	1.6	Rabobank	3	4.8
Core Brands	18	28.8	Raydiance	5	8
Coval	8	12.8	Redwood Hill Farms	2	3.2
Crop Mobster	1	1.6	Reltek, LLC	1	1.6
Cyan	29	46.4	ROI Pop	2	3.2
Direct Mailing Systems	1	1.6	Santa Rosa Community Health Centers	10	16
Dow Pharmaceutical Sciences	3	4.8	Small Precision Tools	8	12.8
Enphase	35	56	Smash Foods	1	1.6
GC Micro	2	3.2	Sonoma Brinery	5	8
GL Mezzetta, Inc.	4	6.4	Sonoma Raceway	1	1.6
Guayaki	1	1.6	Sonoma Technology	1	1.6
Idex Health & Science	14	22.4	Stage (Council on Aging)	1	1.6
Interiors Incorporated	2	3.2	Straus Family Creamery	26	41.6
Leap Solutions	1	1.6	VinoPRO Inc.	18	28.8
Lithiumstart	12	19.2	Visiting Angels	20	32
Max Machinery	2	3.2	WebVanta	1	1.6
Metier	10	16	Wells Fargo Advisors	11	17.6
Mike Hudson Distributing	1	1.6			
Nelson Staffing	1	1.6			

<b>Total Direct Jobs</b>	<b>304</b>	<b>Total Direct + Indirect Jobs</b>	<b>486</b>
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# BUSINESS RETENTION & EXPANSION

100 Companies in 100 Days

Nearly 80% of job growth comes from existing businesses. Because of this, the Board of Directors directed BEST to put business retention and expansion as a priority. In 2012 and 2013, BEST launched the 100 Companies in 100 Days project, and worked with a team of volunteers from the business community as well as economic development professionals from throughout the region to implement. By meeting with companies and talking about opportunities and obstacles to growth, BEST identifies and qualifies business assistance requests that are then acted upon, clearing the way for job creation.

## ◆ Top Requests for Assistance:

1. Business to Business Connections
2. Talent Attraction
3. Workforce / Training
4. Marketing Sonoma County

◆ BEST “100 in 100” teams met with 107 companies as of August 26, 2013

◆ 22 volunteers worked with BEST on business interview teams

◆ 374 requests for assistance were gathered from these interviews



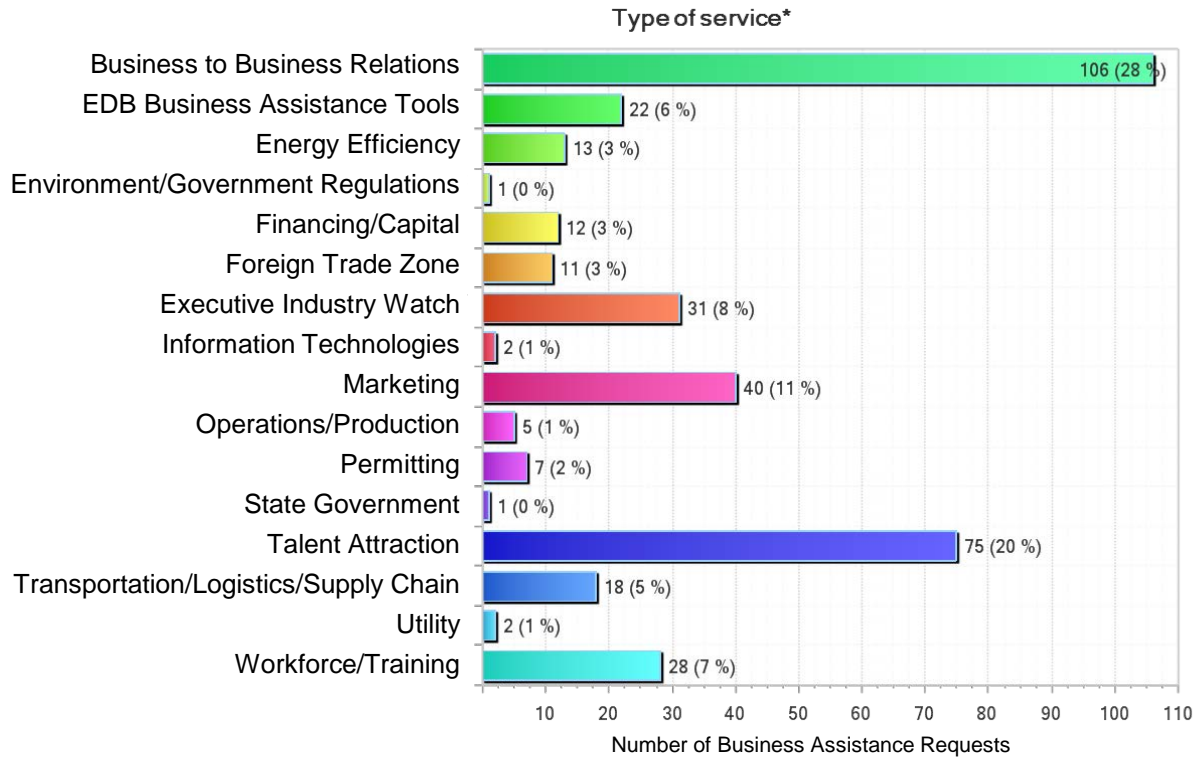
“I want to thank the BEST team, especially the 100 in 100 business retention volunteer team, for helping me reach so many Petaluma businesses. It certainly has made my job easier!”

Ingrid Alverde  
Economic Development Manager  
City of Petaluma



## 2013 BUSINESS ASSISTANCE REQUESTS

### Categorized by Response



Total Number of Business Assistance Requests: **374**

As of August 26, 2013



*FIG booth at the Santa Rosa Chamber's Business Showcase*

## BUSINESS RETENTION & EXPANSION

### Food Industry Group

Sonoma County has many thriving industries, and BEST is focused on those target industries that offer the best opportunity for economic growth. BEST has established industry groups in the advanced manufacturing sector as well as the specialty foods and food processing sector, and these groups are helping companies within these clusters collaborate to discuss and resolve industry-wide issues while learning best practices and building partnerships.



- ◆ The Food Industry Group identified 18 different topics for discussion including talent attraction, wastewater, and excess food waste
- ◆ FIG tours included Traditional Medicinals, Alvarado Street Bakery, Mike Hudson Distributing, and the Redwood Empire Food Bank
- ◆ BEST facilitates collaborative industry marketing at regional events to help market the food industry in Sonoma County





## BUSINESS RETENTION & EXPANSION

### Technology Industry Group

- ◆ The BEST Tech Industry Group (TIG) has gathered to discuss the future of 3D printing, robotics, supply chain opportunities, and resource sharing
- ◆ To address the ongoing need for talent with specific skillsets for the tech industry, BEST is working to host out-of-area talent attraction events
- ◆ The BEST Technology Industry Group is working with the SRJC to align a technician training group best suited for current business needs
- ◆ Working with municipalities to make requirements and processes clear for expansion
- ◆ Identifying supply chain opportunities for collaboration



*BEST with TIG members at Autodesk in San Francisco*



## BUSINESS RETENTION & EXPANSION

### Key Retention Work



- ◆ Assembled team to identify and address needs
- ◆ Connected biothermal consultants to Amy's Kitchen
- ◆ Arranged GoBiz meeting with Amy's regarding state incentives
- ◆ Engaged Amy's Kitchen in BEST Food Industry Group



- ◆ Involved Windsor city manager and staff
- ◆ Collaborated with PRMD and Windsor in evaluating options
- ◆ Arranged meetings with ATP executives and Supervisor Mike McGuire



# 2013 BUSINESS RETENTION & EXPANSION

## By Location

### Forestville

Kozlowski Farms

### Healdsburg

Free Run Winery Services  
Max Machinery  
Métier  
Sonoma Brinary  
Lithiumstart  
Pure Power Solutions

### Petaluma

Jerico Products  
Henderson Marine Supply, Inc.  
Mike Hudson Distributing  
AVRS  
Amy's Kitchen  
Alvarado Street Bakery  
Xandex  
Brooks Automation Polycold  
Intelysis  
Castle USA  
CamelBak  
Protofab  
Enphase  
Parmatech  
Sonoma Technology  
Securitas  
Raydiance  
White Industries  
C & P Microsystems  
Moose Boats  
Core Brands  
Labcon  
Coval Molecular Coating

Straus Family Creamery  
Petaluma Poultry  
Cowgirl Creamery  
Dow Pharmaceutical Sciences  
Small Precision Tools  
Ventek International  
Republic Services  
Firma Design Group  
Cyan

### Rohnert Park

Lemo-USA  
North Bay Brewery Tours  
Direct Mailing Systems  
Local Marketing 2.0  
Golden Pacific Systems  
IDEX Health & Science  
Ruthy's Real Meals  
North Bay Networking Group  
Oliver's Market

### Santa Rosa

American River Bank  
P&L Specialties  
Cookie Take A Bite  
Smash Foods  
Wells Fargo , North Coast Regional  
Commercial Banking Office  
Rabobank  
CEPEC  
Lescure Engineers  
Wells Fargo Advisors  
Council on Aging (Stage)  
PCAS Nanosyn LLC

Thermal Technologies  
Stantec  
NearSpace  
Alcaltel Lucent  
BKF Engineers  
Wyatt Irrigation  
ROI Pop  
Veale Outdoor/ Vealue Investment  
Properties  
Indigenous Designs  
Visiting Angels  
America On Bus and Beyond LLC  
Reltek  
Interiors Incorporated  
I-Quest  
Vista Broadband  
Bodean  
North Bay Electric Auto Association  
KJ Communications  
VinoPRO Inc.  
Stephan Professional Recruiting  
JDSU  
Icore International  
Hydrofarm  
BIW connector systems  
Alhambra  
CHick-fil-A  
Santa Rosa Community Health Centers  
CAFE  
LEAP Solutions  
Parkpoint Health Clubs  
Osseon Therapeutics; Inc.  
Nelson Staffing

Kaiser Permanente Medical  
Center  
Friedman's Home Improvement  
Filtration Group  
PBHS

### Sebastapol

Webvanta  
Gourmet Mushrooms, Inc.  
Crop Mobster  
Guayaki  
Make Magazine  
Redwood Hill Farm and Creamery  
Manzana

### Sonoma

Price Pump  
Sonoma Gourmet  
Sonoma Creamery  
Sonoma Raceway  
Krave Jerky

### Windsor

American Tartaric Products



# 2013 BUSINESS RETENTION & EXPANSION

## By Supervisorial District

### District 5 (19)

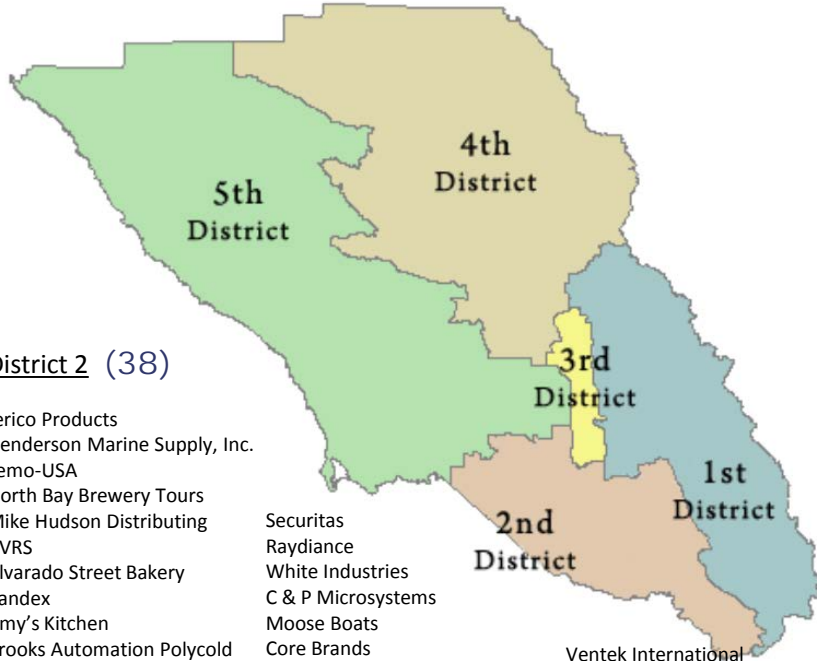
- Kozlowski Farms
- BKF Engineers
- Indigenous Designs
- Reltek
- Interiors Incorporated
- Bodean
- VinoPRO Inc.
- JDSU
- BIW connector systems
- Alhambra
- Parkpoint Health Clubs
- Osseon Therapeutics; Inc.
- Webvanta
- Gourmet Mushrooms, Inc.
- Crop Mobster
- Guayaki
- Make Magazine
- Redwood Hill Farm and Creamery
- Manzana

### District 2 (38)

- Jerico Products
- Henderson Marine Supply, Inc.
- Lemo-USA
- North Bay Brewery Tours
- Mike Hudson Distributing
- AVRS
- Alvarado Street Bakery
- Xandex
- Amy's Kitchen
- Brooks Automation Polycold
- Intelysis
- Castle USA
- CamelBak
- Prototfab
- Enphase
- Parmatech
- Sonoma Technology

- Securitas
- Raydiance
- White Industries
- C & P Microsystems
- Moose Boats
- Core Brands
- Labcon
- Coval Molecular Coating
- Straus Family Creamery
- Petaluma Poultry
- Cowgirl Creamery
- Dow Pharmaceutical Sciences
- Small Precision Tools

- Ventek International
- Republic Services
- Firma Design Group
- Direct Mailing Systems
- IDEX Health & Science
- Ruthy's Real Meals
- North Bay Networking Group
- Cyan



### District 4 (18)

- Metier
- Sonoma Brinery
- Lithiumstart
- Pure Power Solutions
- Free Run Winery Services
- Max Machinery
- P&L Specialties
- Lescure Engineers
- PCAS Nanosyn LLC
- Thermal Technologies
- Stantec
- Icore International
- Santa Rosa Community Health Centers
- Nelson Staffing
- Kaiser Permanente Medical Center
- Filtration Group
- PBHS
- ATP Tartaric

### District 1 (6)

- Hydrofarm
- Price Pump
- Sonoma Gourmet
- Sonoma Creamery
- Sonoma Raceway
- Krave Jerky

### District 3 (26)

- Local Marketing 2.0
- Golden Pacific Systems
- Oliver's Market
- American River Bank
- Cookie Take A Bite
- Smash Foods
- Wells Fargo
- Rabobank
- CEPEC
- Wells Fargo Advisors
- Council on Aging (Stage)
- NearSpace
- Wyatt Irrigation
- ROI Pop
- Veale Outdoor/ Vealue Investment Properties
- Visiting Angels
- America On Bus and Beyond LLC
- I-Quest
- Vista Broadband
- North Bay Electric Auto Association
- KJ Communications
- Stephan Professional Recruiting
- Chick-fil-A
- CAFE
- LEAP Solutions
- Friedman's Home Improvement

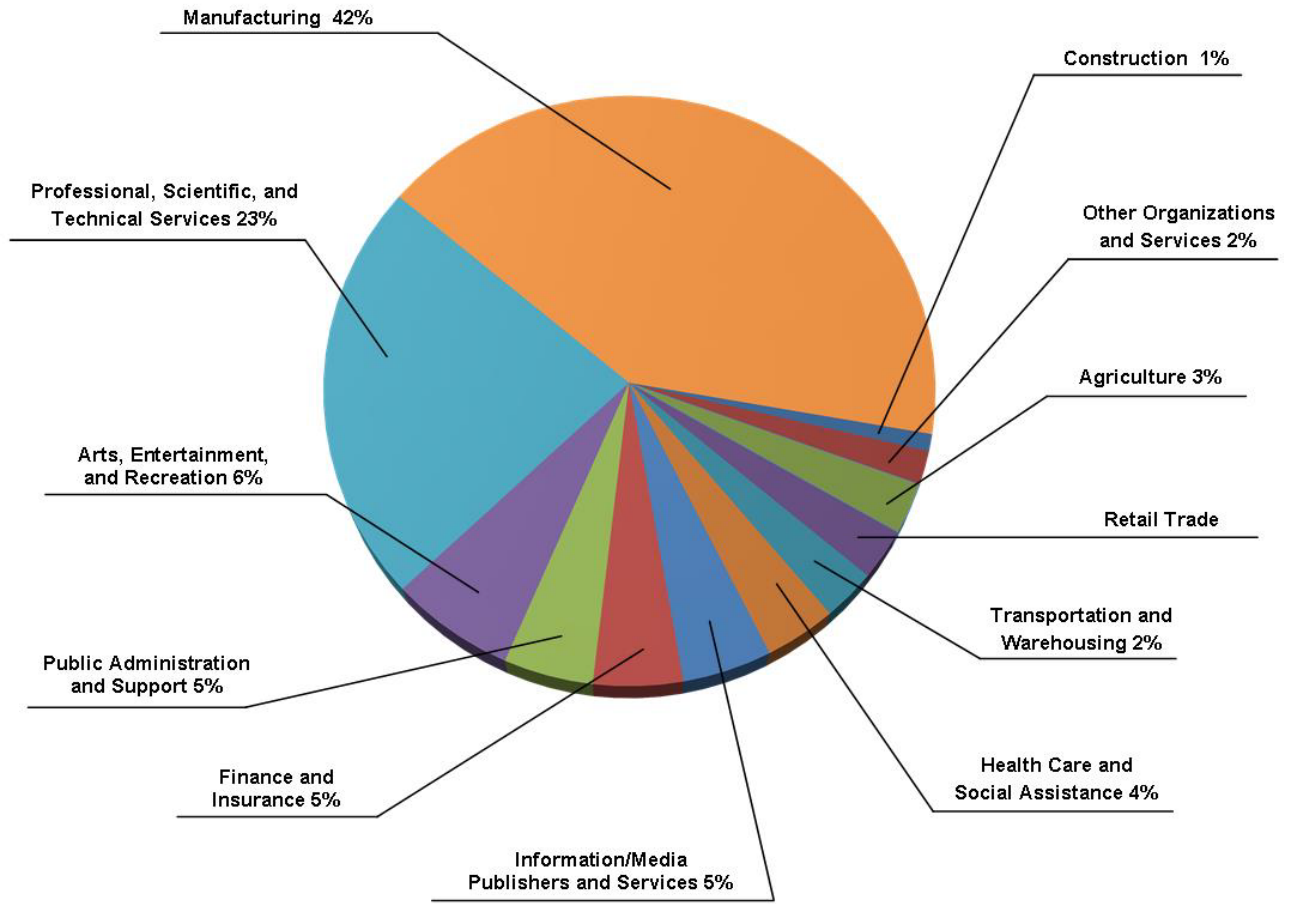


# 2013 BUSINESS RETENTION & EXPANSION

## By Industry

Manufacturing: **42%**

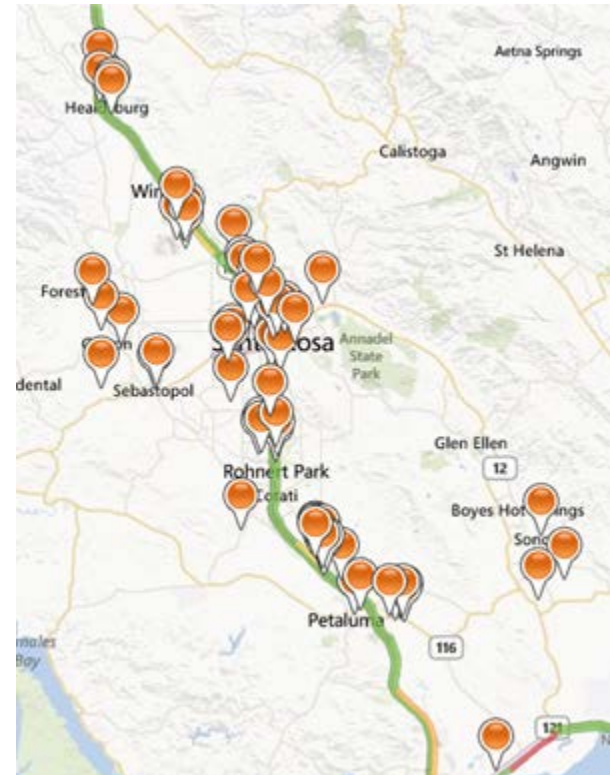
Professional, Scientific and Technical Service: **23%**





# BUSINESS CLIMATE / Regional Collaboration

- ◆ Monthly economic development meetings with regional economic development professionals
- ◆ Business attraction lead handling protocol
- ◆ Sonoma County Marketing Alliance
- ◆ Sonoma County Alliance: Governors Office for Economic Development and Business Investment Services
- ◆ Referrals to partners at the Economic Development Board and the Workforce Investment Board



Map of Business Retention and Expansion Company Locations



“Goodwill Redwood Empire has been a partner with BEST to successfully promote Sonoma County economic growth through the new hire wage reimbursement opportunity.”

June Michalowski  
Job Developer  
Goodwill Redwood Empire



# WORKFORCE / TALENT ATTRACTION



- ◆ Collaborating on a proposal with SCOE, Community Foundation, SRJC and SR Chamber in support of the Cradle to Career Initiative
- ◆ Working with Tomorrow's Leaders Today for high school internships
- ◆ Planning talent attraction events in San Francisco Bay Area
- ◆ Promoting workforce programs such as the Mike Hauser Algebra Academy and the Workforce Held Employee English Learning (WHEEL) Program
- ◆ SRJC and SSU are active members of the BEST industry groups



"BEST has helped promote the WHEEL program a number of qualified businesses. We have already had about half a dozen companies participate in the WHEEL program by either scheduling a class or providing other resources that benefit their employees. This program, as well as YPN and the Mike Hauser Algebra Academy, have gained significant traction due to BEST's efforts."

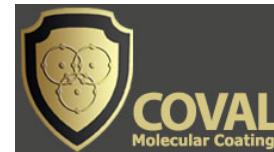
Kelly Bass Seibel  
Workforce Development  
Santa Rosa Chamber of Commerce

**BEST** helps innovative companies and entrepreneurs connect to people and organizations that incubate, mentor and support small business growth.

- ◆ SCORE
- ◆ SOCO Nexus
- ◆ Sonoma State University
- ◆ North Bay Angels
- ◆ Sprout Incubation
- ◆ Share Exchange
- ◆ Venture Greenhouse
- ◆ Work Petaluma
- ◆ Sonoma Small Business Development Center



## INNOVATION







# BUSINESS ATTRACTION

## Company Proposals

- Lucasfilm
- Anato.me
- G. L. Mezzetta
- Kuka Robotics
- Healdsburg (hotel)
- World Centric

## Out of Area

## Conferences & Prospecting

- Fancy Food Show • San Francisco
- CALBIO • San Diego
- Natural Products Expo West • Anaheim
- Unified Wine Symposium • Sacramento
- North Coast Wine Industry Expo • Santa Rosa
- Maker Faire • San Mateo
- 101 MFG • Newark



## Industry Specific Proposals

- Food Industry
- Technology Industry
- Bioscience Industry

BEST worked with the BEST regional economic development committee to create a “Lead Protocol” for handling business attraction leads.



## BUSINESS ATTRACTION

### Key Business Messages

### “Why Sonoma County”

- ◆ Quality of life
- ◆ Cost of doing business
- ◆ Proximity to global center for innovation
- ◆ Education
- ◆ Workforce development
- ◆ Safety and security
- ◆ Healthy community
- ◆ Financial resources
- ◆ Connected network of economic development





## NEXT STEPS

### Looking Forward



- ◆ Our target clusters must be transformative industries that build on our strengths and **leverage the unique attributes** of Sonoma County.
- ◆ We must **create a state of “business readiness”** to support attraction, retention and expansion.
- ◆ Develop and **implement a marketing plan** to raise internal and external awareness about business in Sonoma County to help create, communicate and support this state of business readiness.
- ◆ Continue to **focus on Business Retention, Expansion and Attraction** as our primary goals, and integrate support for innovation and talent attraction throughout that work.
- ◆ **Leverage the success of the BEST BRE methodology** into everything we do.



## APPENDIX

**Business to Business Relations:** Businesses requesting B2B or O2O connections, interest in being part of an industry group, and/or wishing to participate in future BEST Business Connection trips.

**EDB Business Assistance Tools:** The Sonoma County Economic Development Board provides free tools to assist in starting and growing a business in Sonoma County. These tools are designed to help businesses in four key areas: 1) access to industry trends, 2) market demographics, 3) site selection and 4) reaching new markets. Referrals are given directly to the EDB.

**Energy Efficiency:** Partnering with PG&E and The Energy Alliance Association (TEAA), businesses are given the opportunity to receive free energy audits that may help a business save energy and money.

**Environment/Government Regulations:** Issues relating to environmental or government regulations that may be slowing or preventing business growth or expansion. BEST assists with these issues on a case-by-case basis.

**Financing/Capital:** Business that have identified projected growing are often seeking capital to fund the expansion. If requested, BEST offers a number of connections to banks, sources for SBA loans, and investors depending on the needs of the business.

**Foreign Trade Zone:** Since 1995 the Economic Development Board has been working with the Port of San Francisco to obtain a more competitive position and subsidize job growth by deferring, reducing, or eliminating customs duties paid on imported goods by importers, distributors, manufacturers and processors. Requests are fulfilled by connecting the company to the EDB for more detailed information.

**Executive Industry Watch:** Executive Industry Watch members have agreed to be a point of contact for new or attracting business prospects that are interested in speaking to someone that conducts similar business in Sonoma County. The new business benefits by getting expert advice about doing business in the region. And both parties benefit by making valuable business connections.



## APPENDIX

Continued

**Information Technologies:** Issues with information technologies such as communications infrastructure and broadband internet.

**Marketing:** Businesses that have expressed interest in receiving marketing assistance from BEST and/or interested in participating in BEST's Sonoma County business marketing campaign.

**Operations/Production:** Businesses that want to increase productivity, cost efficiencies and profits by focusing on altering strategy, people, and process.

**Permitting:** Requests for assistance with permitting issues that may be preventing growth or expansion.

**State Government:** Request for assistance with government policy that may be hindering business growth such as healthcare, wages, and taxes.

**Talent Attraction:** Assistance from BEST in talent attraction of specific talent and/or interest in utilizing the Workforce Investment Board's Subsidized Employment Program to save cost on new hires.

**Transportation/Logistics/Supply Chain:** Companies that agree to release details of their supply chain logistics for possibility of collaboration, to increase efficiency or to identify suppliers as business attraction prospects.

**Utility:** Hindering challenges stemming from various utility issues such as water, electricity, gas, and sewage as well as overall issues with metering said utilities.

**Workforce/Training:** Interested in improving existing or future workforce through a variety of workforce and training programs such as the WHEEL (Workforce Held Employee English Learning) Program and the Mike Hauser Algebra Academy and networking organizations such as the Young Professionals Network and North Bay Networking Group.



# Business Attraction

## Key Business Messages

### “Why Sonoma County”

- ◆ **Quality of life** in Sonoma County is by far the biggest reason for starting businesses and staying here. The region provides the perfect balance between living and working. Sonoma County offers many choices for lifestyle and recreation, and is rated as a premier tourism destination for that reason. Once people are here, they do not want to leave.
- ◆ The **cost of doing business** is lower here than in other parts of the San Francisco Bay Area. From high tech to hospitality, Sonoma County is home to many flourishing industries. The cost of doing business is 93% of the national average, which is 25%% below the rest of the Bay Area.
- ◆ The North Bay is located in the same region as one of the world’s greatest centers for innovation and business investment, yet we are just far enough away to preserve our quality of life, especially with shorter commuting times to work.
- ◆ Sonoma County residents value **education**. The region is home to ten National Board of Education Blue Ribbon K-12 schools. Thirty one percent of the population has a college degree, higher than California’s average of 27% and the U.S. rate of 25%.
- ◆ The region is committed to **workforce development**, and through a new initiative called “Cradle to Career,” is working to make sure Sonoma County has the workforce of the future that is important to economic vitality.
- ◆ The feeling of **safety and security** is key to living a stress-free life. The crime rate in Sonoma County is 57% below the state average.
- ◆ The region has been named one of the **healthiest places in the country**, with three top rated hospitals.
- ◆ Sonoma County has access to **financial resources** that are important strategic advisors to growing companies. Between the dozens of banks, credit unions, and SBA lenders, businesses find that the area is rich with alternative financing options such as angel investors, investment banking, crowd funding and others.
- ◆ Sonoma County offers a **connected network of economic development** professionals facilitated by BEST to help companies navigate the process of relocation and expansion.



## County of Sonoma Agenda Item Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 23**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Auditor-Controller-Treasurer-Tax Collector

**Staff Name and Phone Number:**

Cathy Patton 565-2073

**Supervisorial District(s):**

District 4

**Title:** Windsor Mobile Country Club Bond Financing

### **Recommended Actions:**

Conduct a public hearing and adopt a resolution approving the issuance of tax exempt bonds by the California Municipal Finance Authority, in an aggregate principal amount not to exceed \$30,000,000 to benefit Resident Owned Parks. The issuance of the proposed bonds will not be an obligation of the County.

### **Executive Summary:**

Resident Owned Parks (ROP) is a California nonprofit public benefit corporation that owns and operates nine mobile home parks including the Windsor Mobile Country Club located in the Town of Windsor. ROP is based in Sacramento and its purpose is to manage mobile home parks in order to preserve affordable housing for low income households and to reduce the burden of government.

ROP has requested that the California Municipal Finance Authority (CMFA) participate in the issuance of the tax exempt bonds in one or more series in an aggregate principal amount not to exceed \$30,000,000. The proceeds of the Bonds will be used for the purpose of refunding certain indebtedness of the CMFA and ROP incurred in July of 2008 to finance the acquisition by ROP, and the establishment by ROP of certain reserves for a 336 space mobile home park known as Windsor Mobile Country Club, which Project is owned and operated by ROP and located within the County of Sonoma.

The CMFA is a joint powers agency created to promote economic, cultural and community development, through the financing of economic development and charitable activities throughout California. To date, over 175 municipalities, including the County of Sonoma have become members of CMFA. In order to initiate a financing, the member participant of the CMFA in which the proposed facilities will be located must (i) conduct a public hearing and (ii) approve the Authority's issuance of indebtedness. Therefore, although the CMFA will be the issuer of the obligation for the Applicant, the financing cannot proceed without the County of Sonoma's approval of the financing.

The purpose of the public hearing is to satisfy Federal Internal Revenue Service requirement of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA), that as a condition to issuing bonds, the approval of the elected governmental offices of the jurisdiction where the facility is located be obtained following a public hearing. The hearing allows the public an opportunity to review and make comments regarding the proposed tax exempt financing for the project.

The Board of Supervisors has been requested to hold the hearing for the Windsor Mobile Country Club located in the Town of Windsor. The Board has conducted similar hearings for entities in Sonoma County, with the most recent being for Progress Foundation in February 2013.

The Board’s approval of the financing does not in any way pledge the credit or revenues of the County to the financing. County Counsel and Jones Day (counsel for the Authority) have reviewed the financing and agree that it does not pledge County credit or revenues.

Related Documents prepared by Paul Thimmig of Quint & Thimmig.

**Prior Board Actions:**

The Board of Supervisors held similar TEFRA hearings for other financings with the most recent being in February 2013. The Board has conducted many other TEFRA hearings in the past.

**Strategic Plan Alignment**      Goal 1: Safe, Healthy, and Caring Community

Windsor Mobile Country Club is a mobile home park that provides affordable housing for low income persons in Sonoma County.

**Fiscal Summary - FY 13-14**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$		\$
Add Appropriations Reqd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>

**Narrative Explanation of Fiscal Impacts (If Required):**



<b>Staffing Impacts</b>			
<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)
<b>Narrative Explanation of Staffing Impacts (If Required):</b>			
<b>Attachments:</b>			
Resolution of the Board of Supervisors			
<b>Related Items “On File” with the Clerk of the Board:</b>			
<ul style="list-style-type: none"> <li>1) TEFRA Hearing Notice</li> <li>2) Deed of Trust</li> <li>3) Indenture of Trust</li> <li>4) Loan Agreement</li> </ul>			



# County of Sonoma

## State of California

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Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

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4/5 Vote Required

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### **Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Approving The Issuance Of Bonds By The California Municipal Finance Authority For Resident Owned Parks, Inc., With Respect To The Refinancing of Windsor Mobile Country Club**

**Whereas**, Residents Owned Parks, Inc. a California nonprofit public benefit corporation (the "Corporation") has requested that the California Municipal Finance Authority (the "Authority") issue one or more series of revenue bonds in an aggregate principal amount not to exceed \$30,000,000 (the "Bonds"), and lend the proceeds of the Bonds to the Corporation for the purpose of refunding certain indebtedness of the Authority and the Corporation incurred in July of 2008 to finance the acquisition by the Corporation of, and the establishment by the Corporation of certain reserves for, a 336 space mobile home park known as Windsor Mobile Country Club (the "Project") located at 8109 Conde Lane in the Town of Windsor, California, which Project is owned and operated by the Corporation; and

**Whereas**, Section 147(f) of the Internal Revenue Code of 1986 (the "Code") requires that an "applicable elected representative" with respect to the Project approve the issuance of the Bonds after a public hearing has been held with respect to the refinancing of the Project; and

**Whereas**, the Board of Supervisors (the "Board of Supervisors") of the County of Sonoma (the "County") is the elected legislative body of the County and is an applicable elected representative with respect to the approval of the issuance of the Bonds under Section 147(f) of the Code; and

**Whereas**, the Authority has requested that the Board of Supervisors approve the issuance of the Bonds by the Authority in order to satisfy the public approval requirement of Section 147(f) of the Code and the requirements of Section 4 of the Joint Exercise of Powers Agreement, dated as of January 1, 2004 (the "Agreement"), that created the Authority, among certain local agencies, including the County; and

**Whereas**, pursuant to Section 147(f) of the Code, the Board of Supervisors has, following notice duly given, held a public hearing regarding the issuance of the Bonds at which all those interested in speaking with respect to the refinancing of the Project were heard, and now desires to approve the issuance of the Bonds by the Authority.

Resolution #

Date:

Page 2

**Now, Therefore, Be It Resolved** by the Board of Supervisors as follows:

1. The Board of Supervisors hereby approves the issuance of the Bonds by the Authority. It is the purpose and intent of the Board of Supervisors that this Resolution constitute approval of the issuance of the Bonds by the Authority for the purposes of (a) Section 147(f) of the Code, by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, in accordance with said Section 147(f) and (b) Section 4 of the Agreement.
2. The payment of the principal, prepayment premium, if any, and purchase price of and interest on the Bonds shall be solely the responsibility of the Corporation. The Bonds shall not constitute a debt or obligation of the County.
3. The adoption of this Resolution shall not obligate the County or any department thereof to (i) provide any financing to acquire or improve the Project; (ii) approve any application or request for or take any other action in connection with any planning approval, permit or other action necessary for the operation of the Project; (iii) make any contribution or advance any funds whatsoever to the Authority; or (iv) take any further action with respect to the Authority or its membership therein.
4. The officers of the County are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this Resolution and the financing transaction approved hereby.
5. This Resolution shall take effect from and after the date of its passage and adoption.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



# County of Sonoma Agenda Item Summary Report

**Agenda Item Number: 24**

(This Section for use by Clerk of the Board Only.)

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**To:** Board of Directors, Sonoma County Water Agency

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** No Vote Required

**Department or Agency Name(s):** Sonoma County Water Agency

**Staff Name and Phone Number:**

Brad Sherwood / 547-1927

**Supervisory District(s):**

All Districts

**Title:** Water Agency Community Survey Results

## **Recommended Actions:**

Receive a staff presentation on the findings from the 2013 Water Agency Community Survey.

## **Executive Summary:**

This presentation summarizes the results of the telephone survey of Sonoma County voters conducted April 21 through 28, 2013, on behalf of the Sonoma County Water Agency (Water Agency) by EMC Market and Opinion Research Services (Consultant). The survey was the fifth iteration of the community research conducted on behalf of the Water Agency once every two years by the Consultant. The survey was undertaken to understand and track opinions over time about: local issues; the Water Agency and its functions; awareness of water supply; water conservation efforts and willingness to participate in water conservation behaviors; opinions about recycled water; and, ratings of water quality. In addition, the survey was designed to help develop message themes for communications materials and inform the Water Agency's strategy for encouraging water conservation.

## **KEY FINDINGS**

Key findings from the recently completed study include the following:

1. Overall optimism is on the rise in Sonoma County with decreased intensity of concern about all issues – the community appears to be 'happier';
2. Ratings of the Water Agency are improving overall and in specific responsibility areas;
3. Concern about water supply continues to be fairly low even though it has been a dry year, but self-reported use of water conserving actions is up;
4. The survey results find there is no difference in the perception of the terms "water conservation" and "water-use efficiency";
5. Use of recycled water continues to be a popular idea; and,
6. The vast majority say they drink a lot of water and there is little concern about water quality.

## **METHODOLOGY**

These results are based on a telephone survey of 609 randomly selected registered voters in Sonoma County. Interviews were conducted April 21-28, 2013, in both English and Spanish by trained professional interviewers. The margin of error is plus or minus 4.0 percentage points at the 95 percent confidence level.

**Prior Board Actions:**

Board approved agreements for Bi-Annual Water Conservation and Public Information Surveys between the Sonoma County Water Agency and EMC Research in 2003, 2007, 2009, 2011, and 2013.

**Strategic Plan Alignment**      Goal 4: Civic Services and Engagement

This survey supports Goal 4 in that it provides information related to Water Agency community outreach projects that support critical water resource goals and missions.

Water Agency Organizational Goals and Strategies, Goal 3: Increase outreach to community and employees.

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ -0-	Water Agency Gen Fund	\$ -0-
Add Appropriations Req'd.	\$ -0-	State/Federal	\$ -0-
	\$	Fees/Other	\$ -0-
	\$	Use of Fund Balance	\$ -0-
	\$	Contingencies	\$ -0-
	\$		\$
<b>Total Expenditure</b>	<b>\$ -0-</b>	<b>Total Sources</b>	<b>\$ -0-</b>

**Narrative Explanation of Fiscal Impacts (If Required):**

None.

**Staffing Impacts**

Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)

**Narrative Explanation of Staffing Impacts (If Required):**

None.

**Attachments:**

Executive Summary (A1)

**Related Items "On File" with the Clerk of the Board:**

2013 Water Agency Community Survey (1 Copy)

# Biennial Sonoma County Community Survey

## *Executive Summary Presentation of Results*

Prepared for  
Sonoma County Water Agency



May 2013

### **EMC Research, Inc.**

Ruth Bernstein  
436 14th Street, Suite 820  
Oakland, CA 94612  
(510) 844-0680  
EMC #13-4858

# Methodology

- Telephone survey
- April 21-28, 2013
- Random sample of 609 Sonoma County registered voters
- Trained, professional Interviewers in English and Spanish
- Margin of error  $\pm 4.0\%$
- When applicable, results compared with previous countywide voter surveys for SCWA:
  - April 2011, n=600 MoE  $\pm 4.0\%$ , EMC 11-4426
  - April 2009, n=600 MoE  $\pm 4.0\%$ , EMC 09-4074
  - April 2007, n=600, MoE  $\pm 4.0\%$ , EMC 07-3633
  - September 2003, n=612, MoE  $\pm 4.0\%$ , EMC 03-2851

*As with any opinion research, the release of selected figures from this report without the analysis that explains their meaning would be damaging to EMC. Therefore, EMC reserves the right to correct any misleading release of this data in any medium through the release of correct data or analysis.*

*Please note that due to rounding, percentages may not add up to exactly 100%*

# Key Findings

- ▶ Overall optimism is on the rise in Sonoma with decreased intensity of concern about all issues – the community just appears to be happier;
- ▶ Ratings of SCWA are improving overall and in specific responsibility areas;
- ▶ Concern about water supply continues to be fairly low even though it has been a dry year, but self-reported use of water conserving actions is up;
- ▶ The survey results find there is no difference in the terms “water conservation” and “water-use efficiency”;
- ▶ Use of recycled water continues to be a popular idea;
- ▶ The vast majority say they drink a lot of water and there is little concern about water quality.

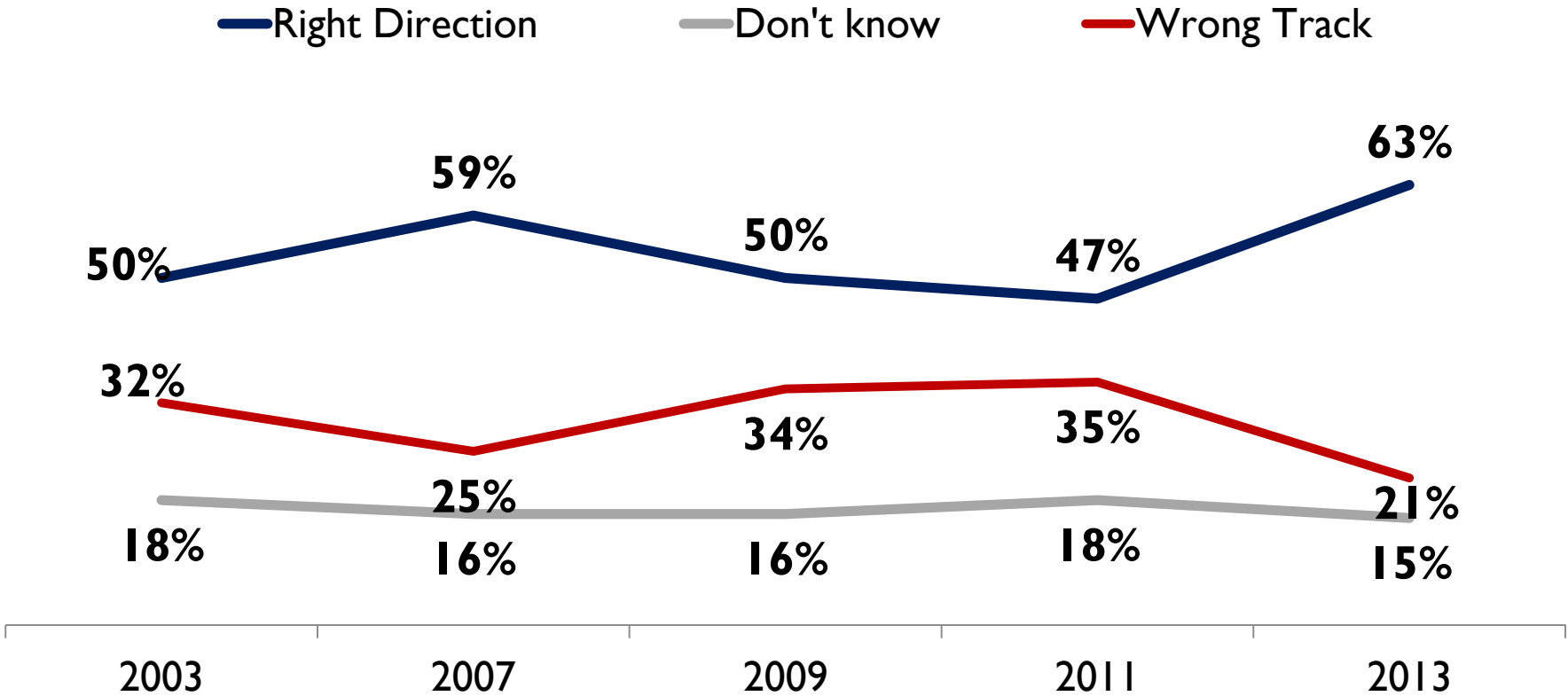


## **Issue Environment**

Overall optimism is on the rise in Sonoma with decreased intensity of concern about all issues- the community just appears to be happier.

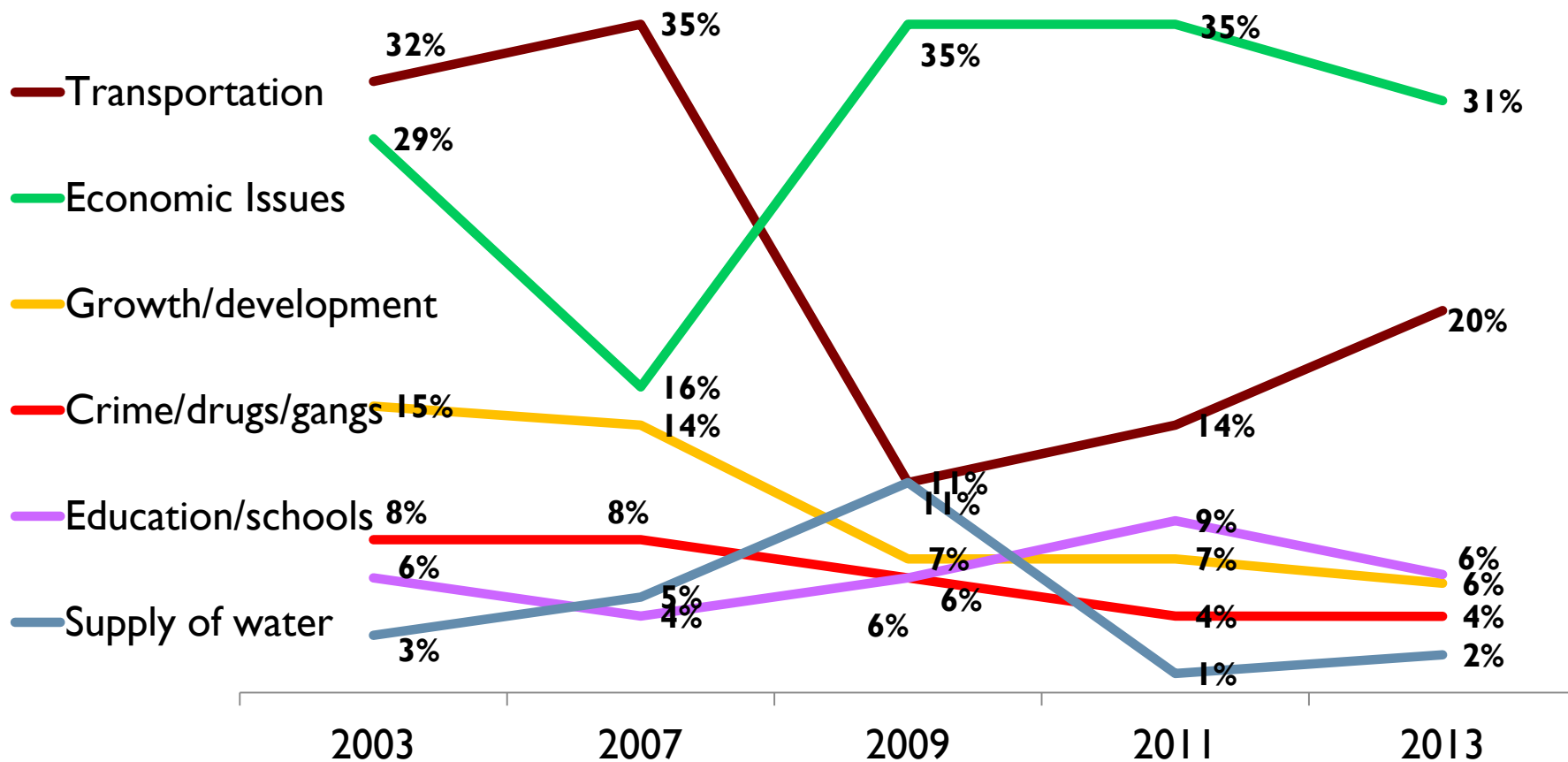
# Optimism is on the rise in Sonoma County.

*Do you think things in Sonoma County are generally going in the right direction, or do you feel that things are pretty seriously off on the wrong track? (Q4)*



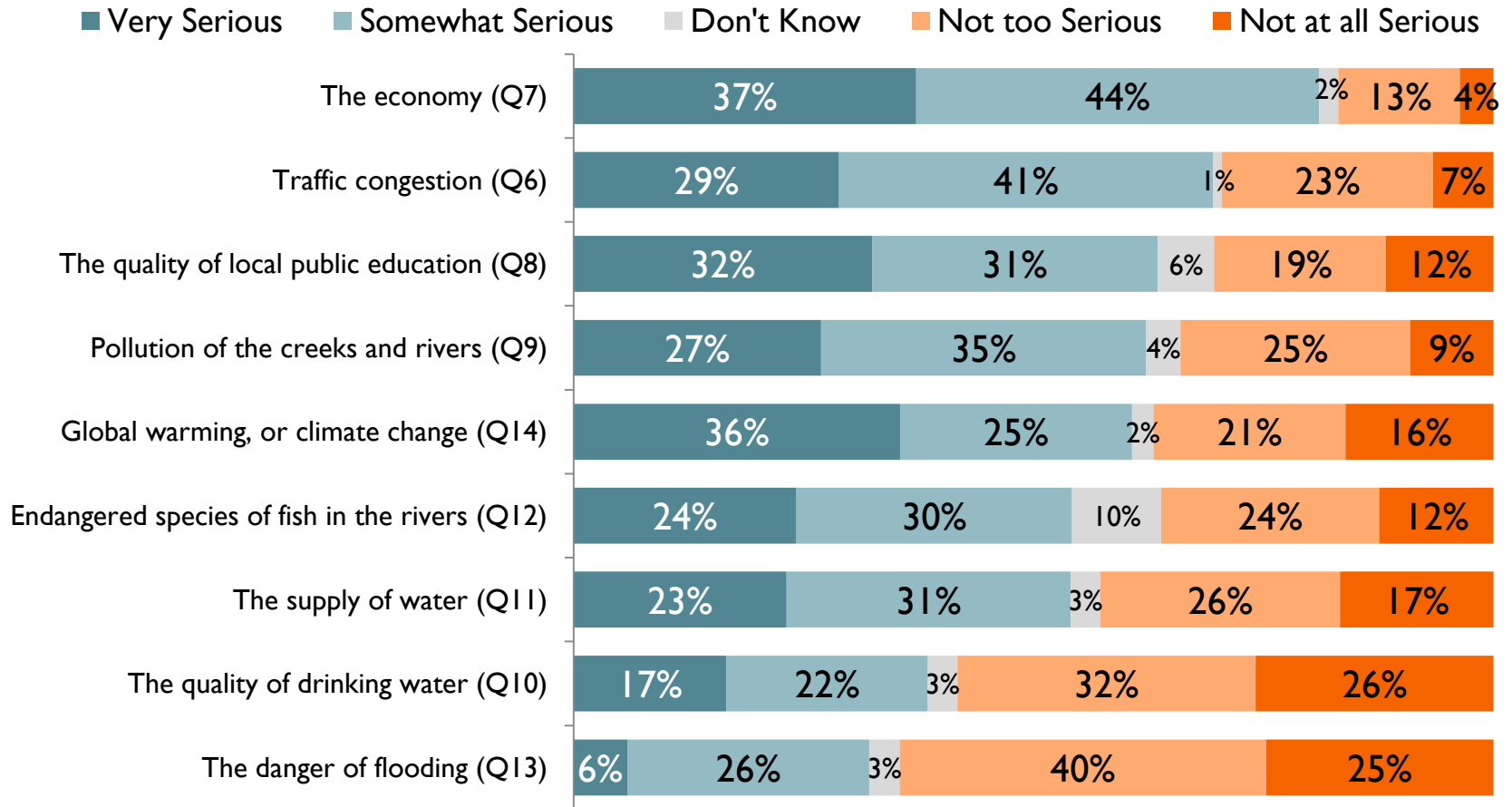
# Economic issues are still the top mentioned problem but traffic is on the rise.

What is the most important problem facing Sonoma County today? (Q5)



# The economy and traffic are more concerning than water issues, but a majority worry about the rivers, water supply, and global warming.

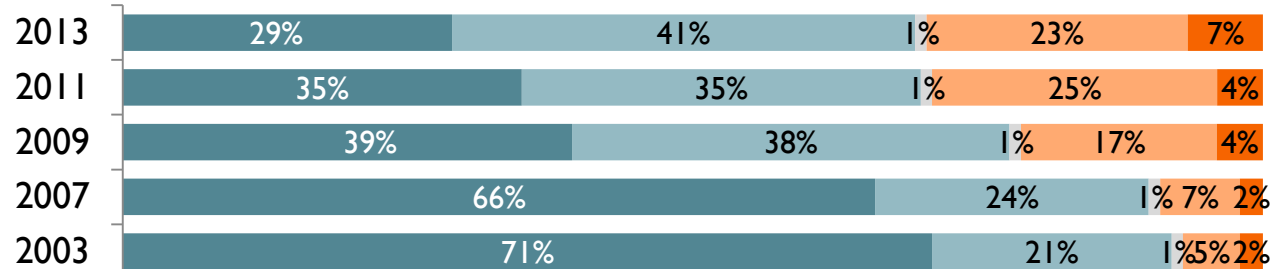
Please tell me if you feel each of the following is a very serious problem facing Sonoma County, a somewhat serious problem, a not too serious problem or not a very serious problem at all in this area. (Q6-17)



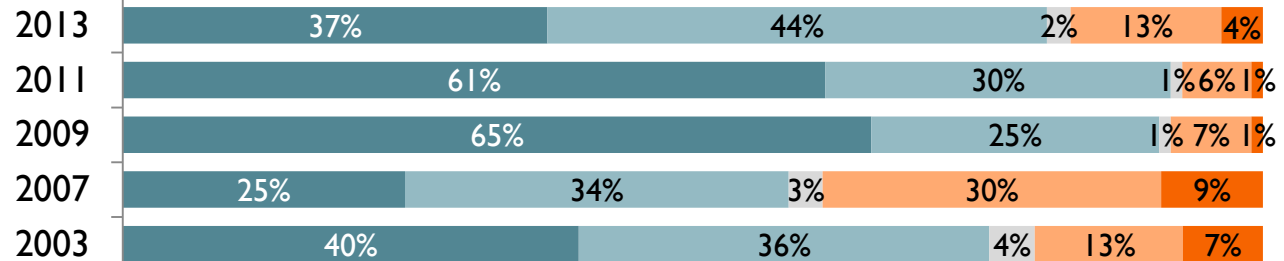
# Intensity of concern about the economy is down significantly.

■ Very Serious   ■ Somewhat Serious   ■ Don't Know   ■ Not too Serious   ■ Not at all Serious

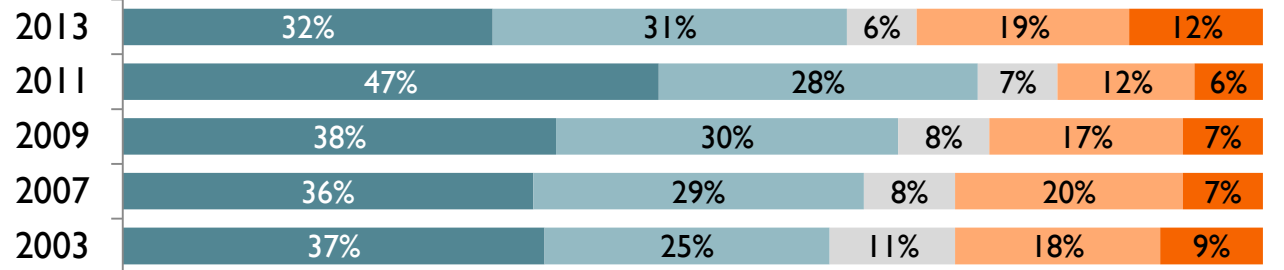
Traffic Congestion (Q6)



The Economy (Q7)



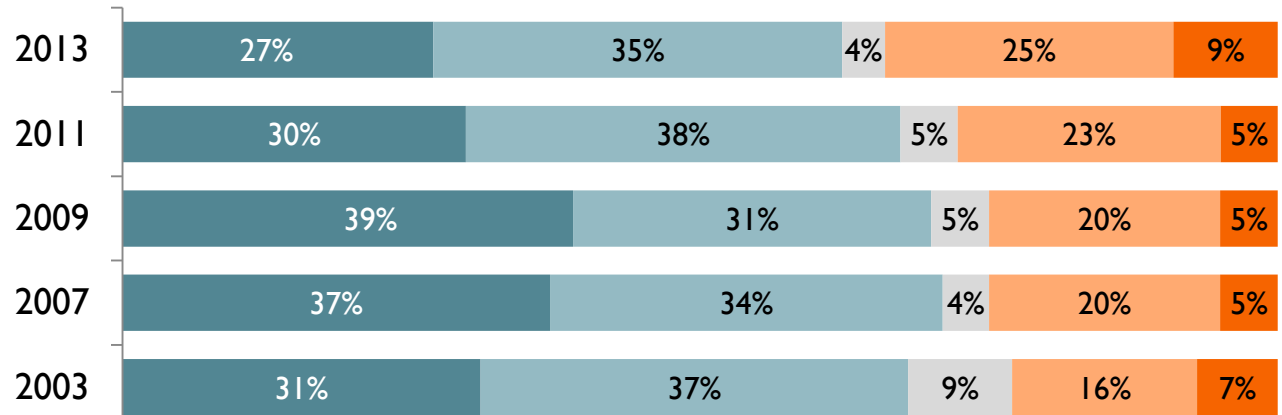
The Quality of Local Public Education (Q8)



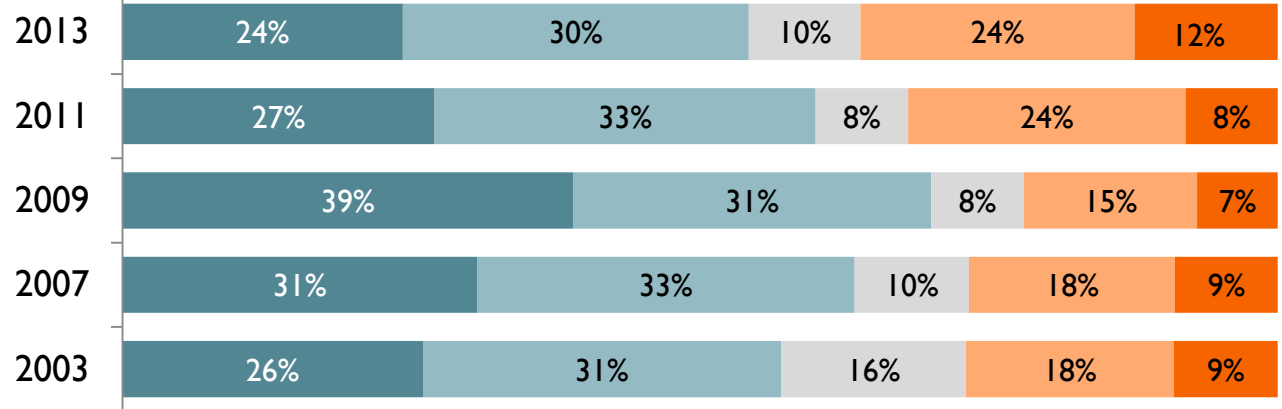
# Concern about river pollution and endangered fish remain high, but intensity is down.

■ Very Serious   ■ Somewhat Serious   ■ Don't Know   ■ Not too Serious   ■ Not at all Serious

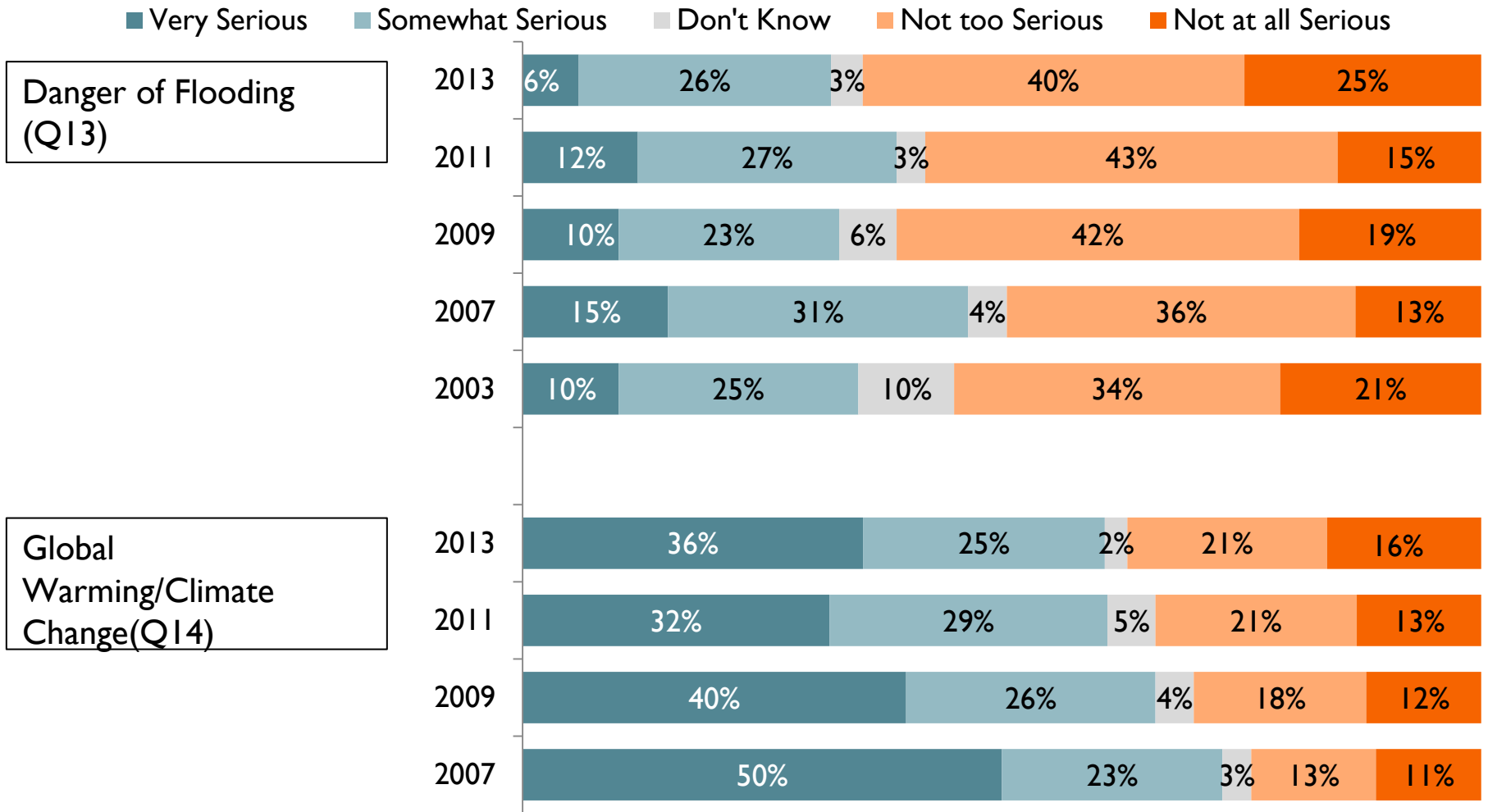
Pollution of Creeks & Rivers(Q9)



Endangered species of fish in the rivers (Q12)



# Although most are concerned about global warming, Sonoma is becoming more divided on the issue.



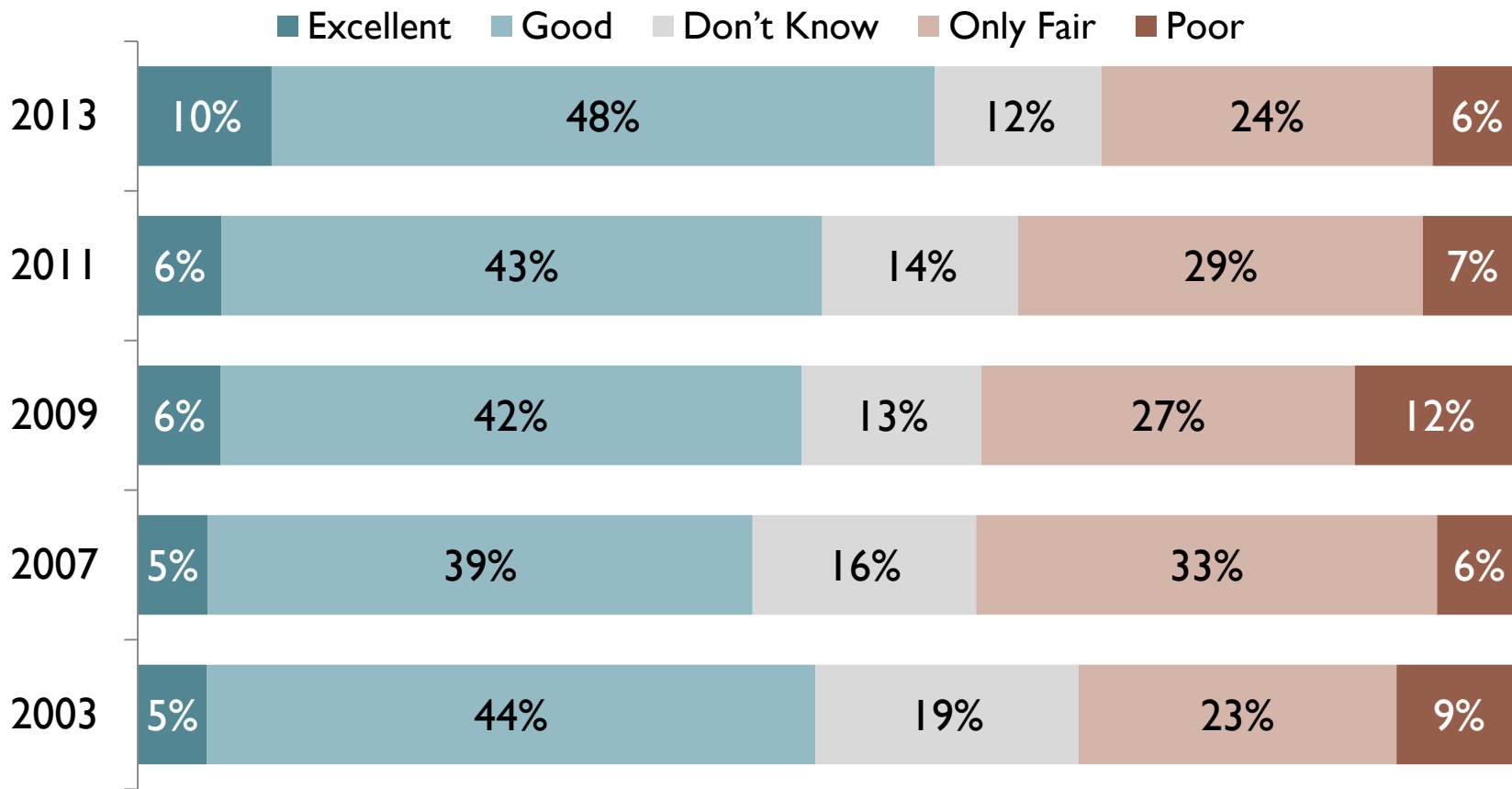
## **Opinions of Sonoma County Water Agency**

Ratings of SCWA are improving overall and in specific responsibility areas.



# Sonoma County Water Agency's job performance rating has improved.

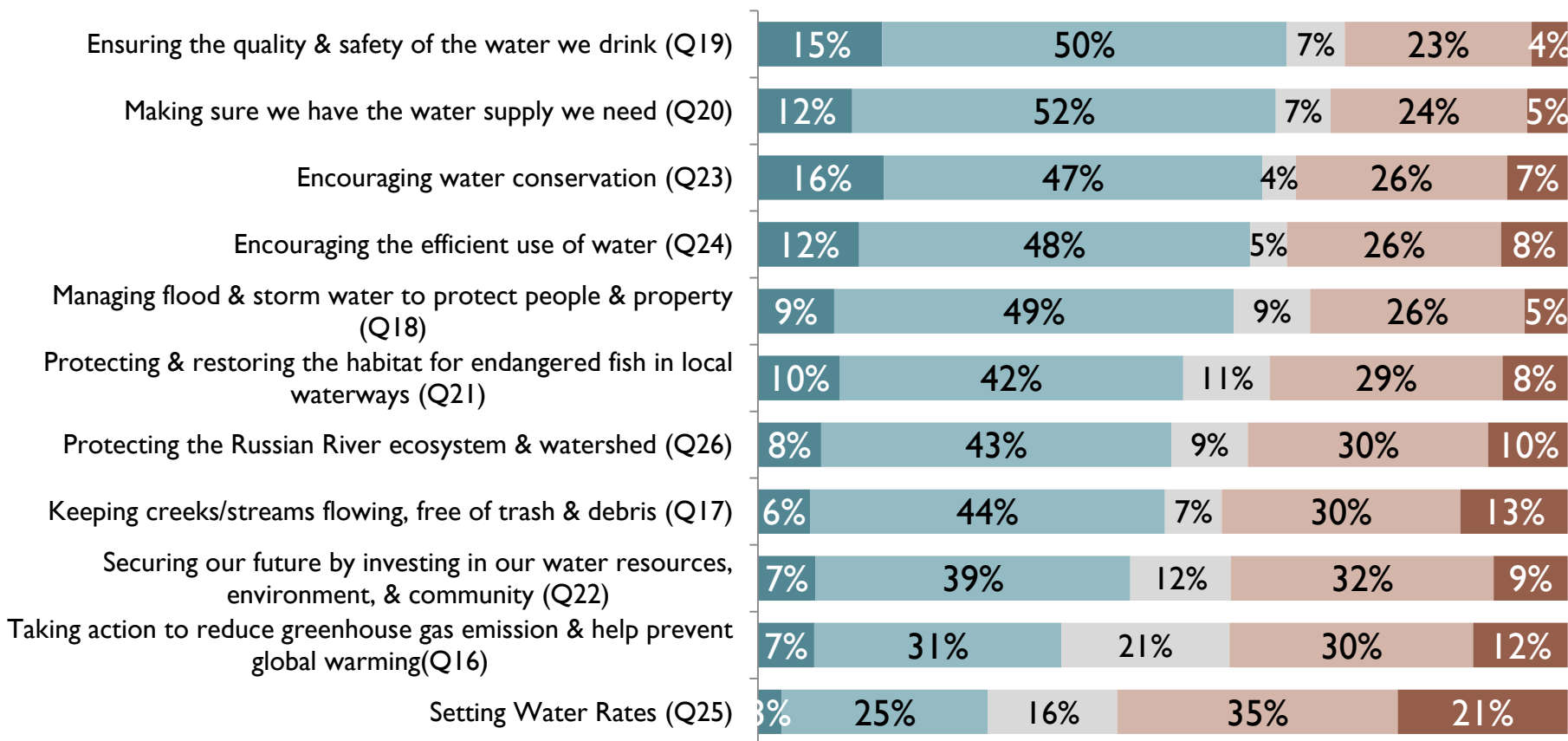
Using a scale of excellent, good, only fair or poor, please rate the overall job the Sonoma County Water Agency is doing. (Q15)



# SCWA ratings are positive in most areas.

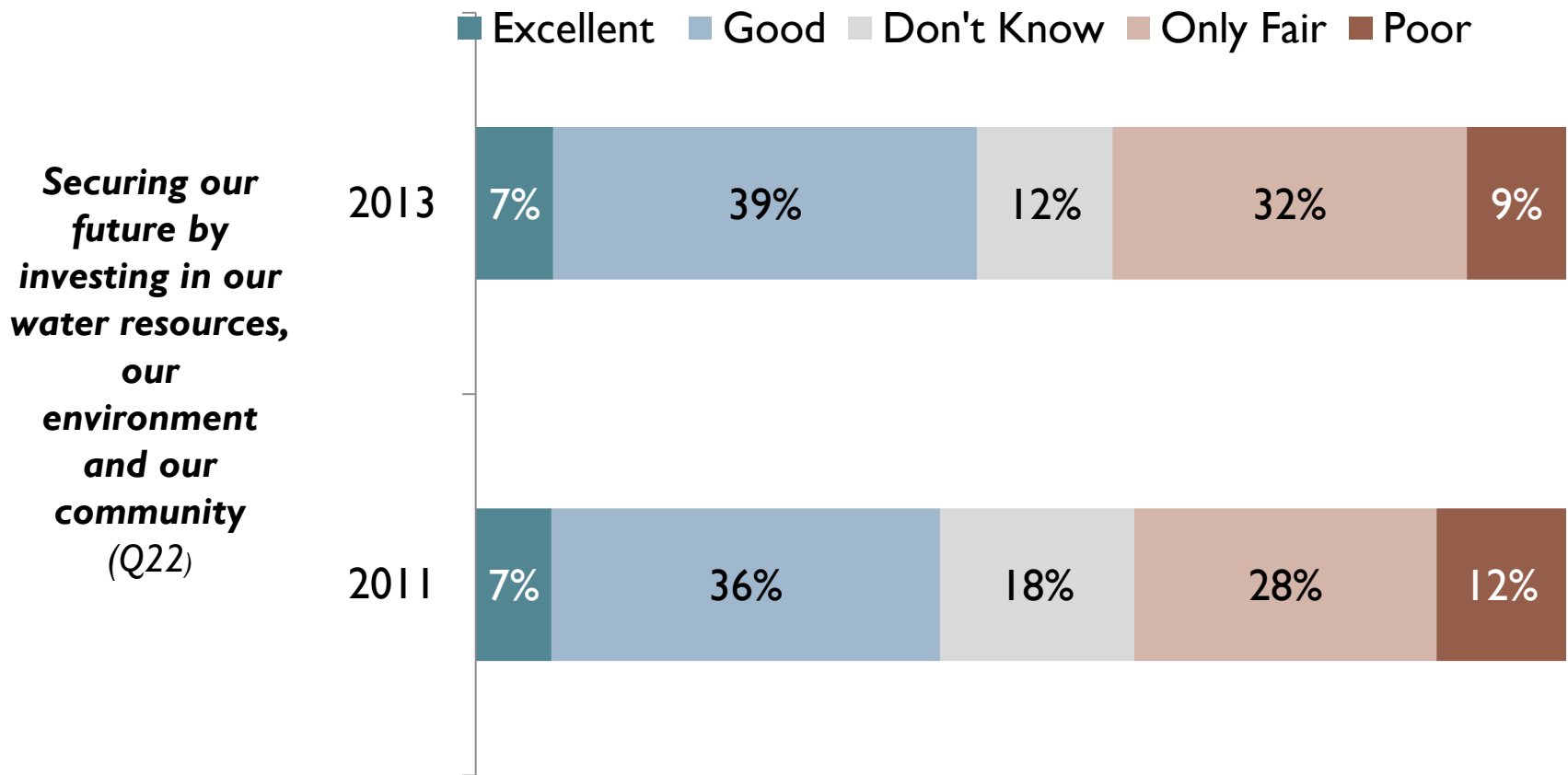
Using a scale of excellent, good, only fair or poor, please rate the overall job the Sonoma County Water Agency is doing on each of the following responsibilities. (Q16-26)

■ Excellent ■ Good ■ Don't Know ■ Only Fair ■ Poor



# Voters are divided about the Agency's job fulfilling its mission statement.

Using a scale of excellent, good, only fair or poor, please rate the overall job the Sonoma County Water Agency is doing on each of the following responsibilities...

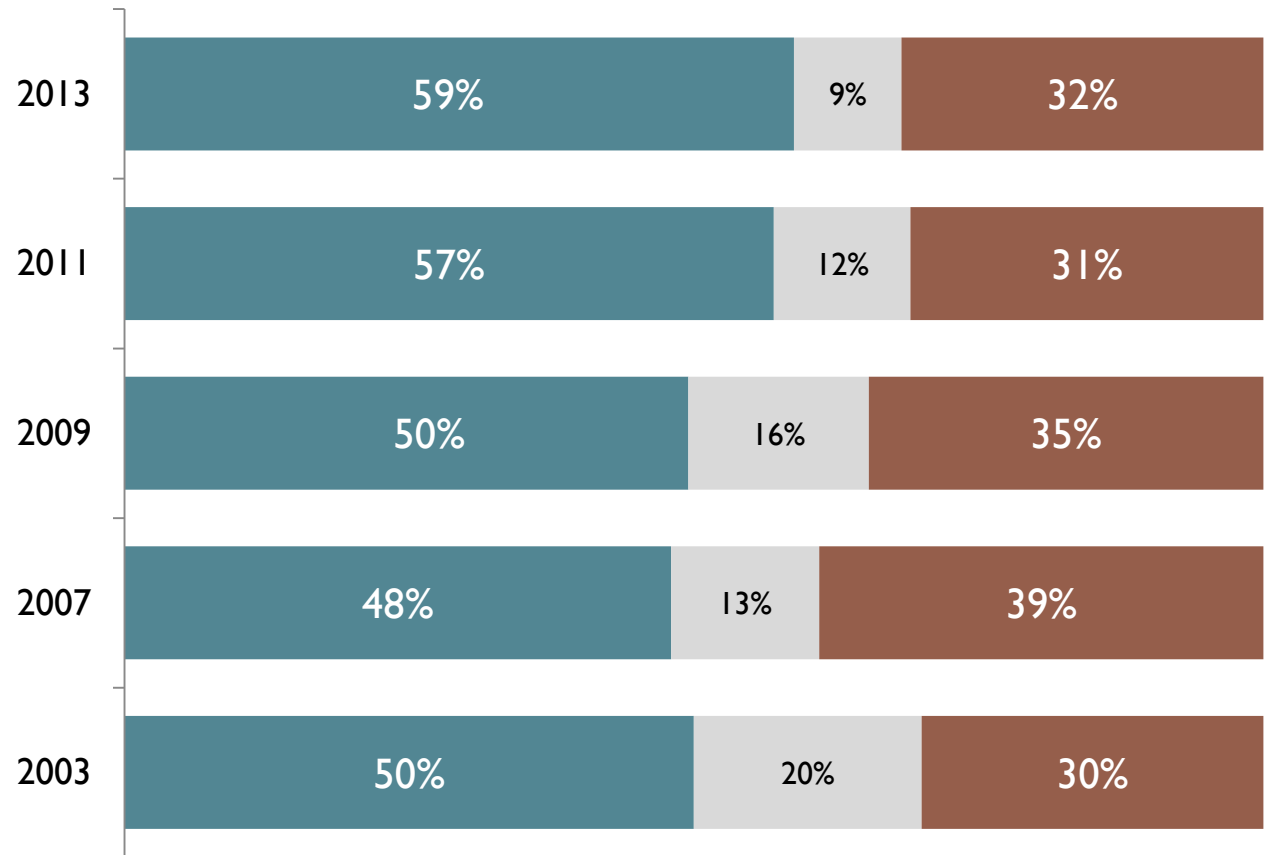


# Rating of flood management remains positive.

Using a scale of excellent, good, only fair or poor, please rate the overall job the Sonoma County Water Agency is doing on each of the following responsibilities. (Q16-26)

■ Excellent/Good   ■ Don't Know   ■ Only Fair/Poor

Managing flood & storm water to protect people and property (Q18)

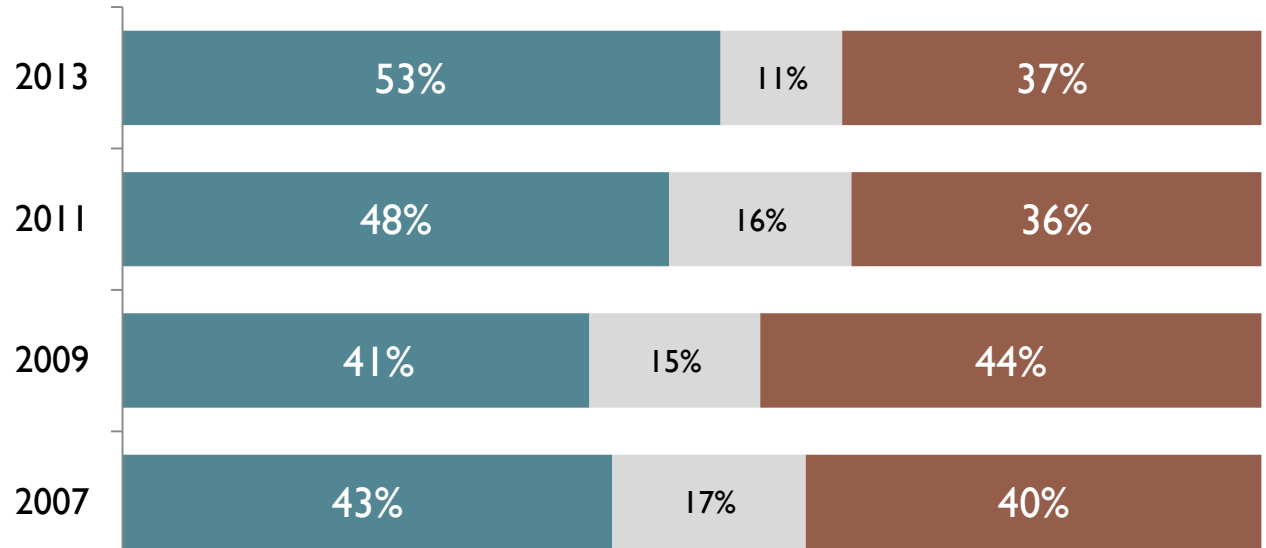


# Ratings of habitat protection have improved slightly.

Using a scale of excellent, good, only fair or poor, please rate the overall job the Sonoma County Water Agency is doing on each of the following responsibilities. (Q16-26)

■ Excellent/Good   ■ Don't Know   ■ Only Fair/Poor

Protecting & restoring the habitat of endangered fish in local waterways (Q21)



Protecting the Russian River ecosystem & watershed(Q26)

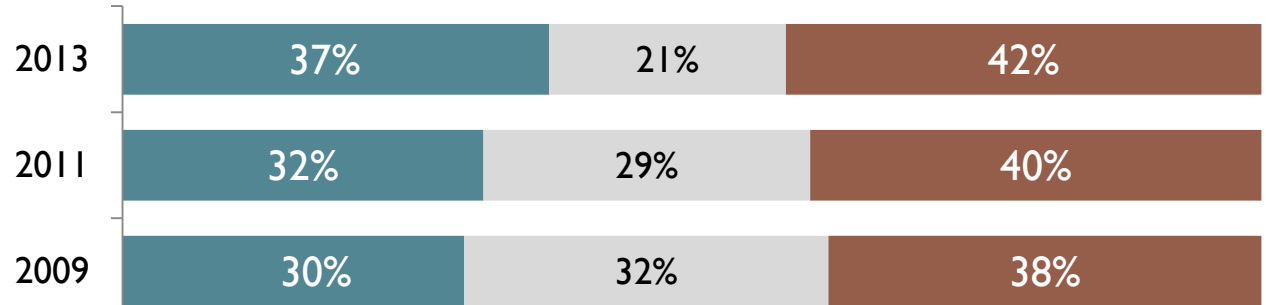


# SCWA could do more to raise awareness of global warming efforts.

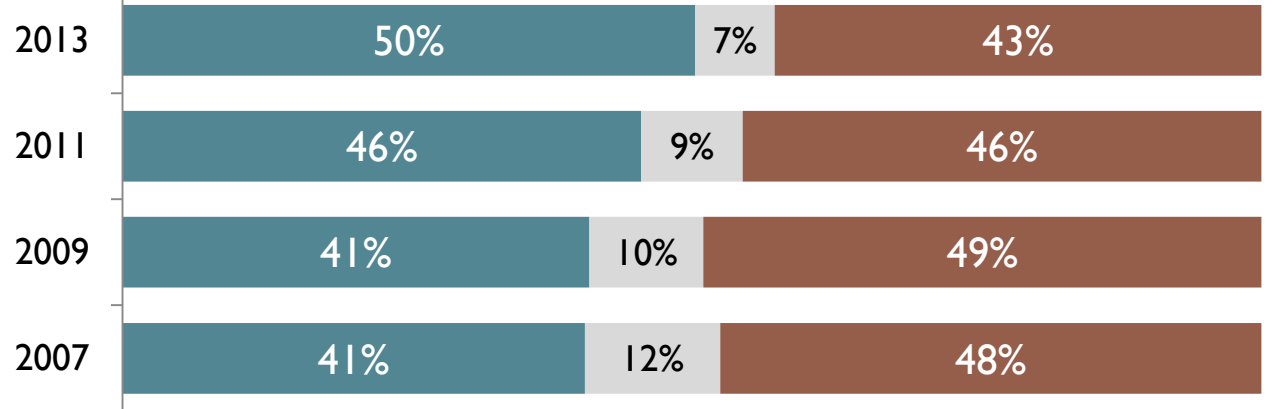
Using a scale of excellent, good, only fair or poor, please rate the overall job the Sonoma County Water Agency is doing on each of the following responsibilities. (Q16-26)

■ Excellent/Good    ■ Don't Know    ■ Only Fair/Poor

Taking actions to reduce greenhouse gas emissions and help prevent global warming (Q16)



Keeping creeks and streams flowing, and free of trash and debris (Q17)



## **Water Supply & Conservation**

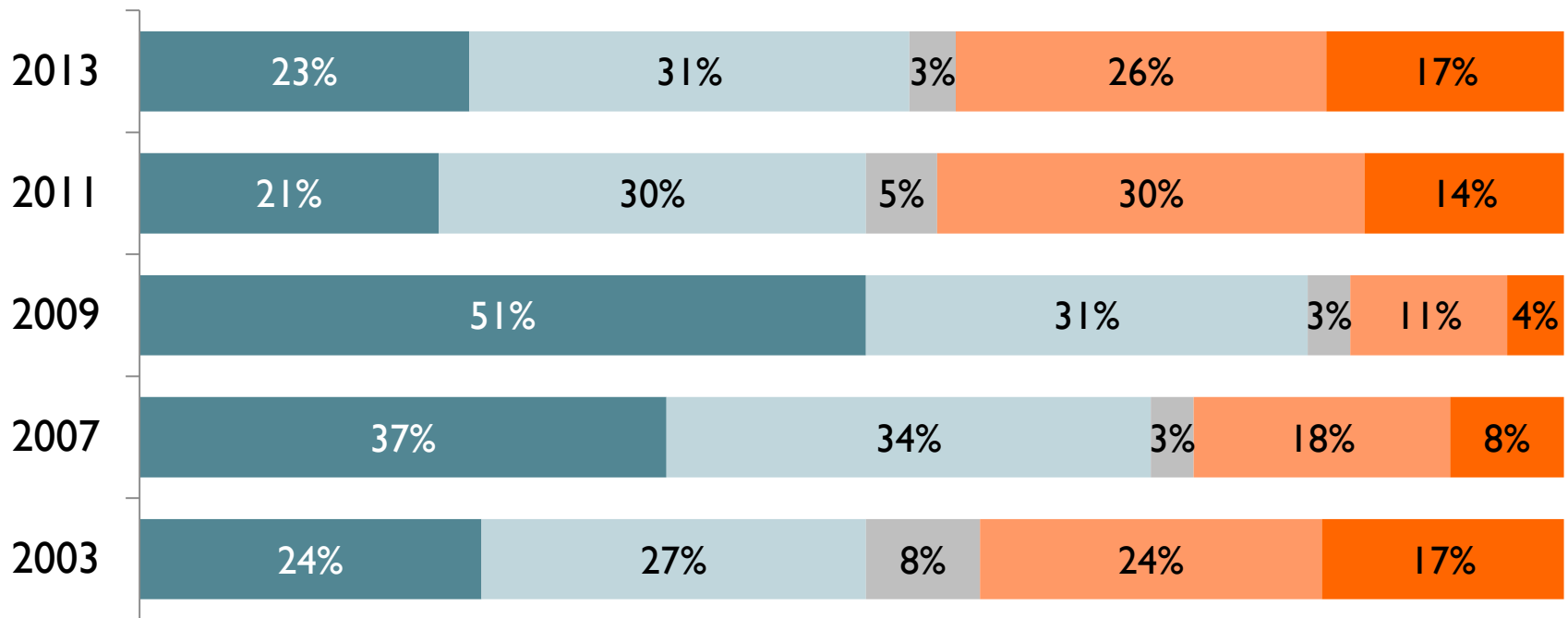
Concern about water supply continues to be fairly low even though it has been a dry year, but self-reported use of water conserving actions is up.

# Although it is a dry year, concern about water supply is far short of drought year attitudes.

Please tell me if you feel each of the following is a very serious problem facing Sonoma County, a somewhat serious problem, a not too serious problem or not a very serious problem at all in this area...

## ► Supply of Water (Q11)

■ Very Serious ■ Somewhat Serious ■ Don't Know ■ Not too Serious ■ Not at all Serious



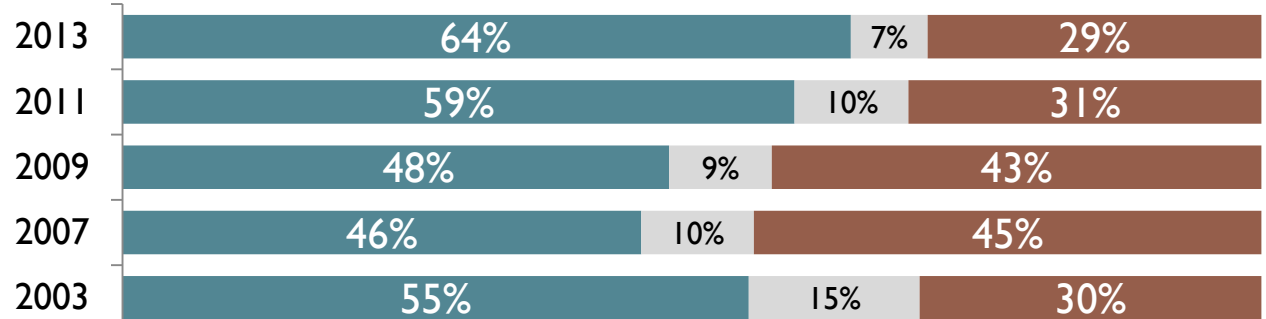


# Ratings of SCWA's water supply performance are at an all-time high.

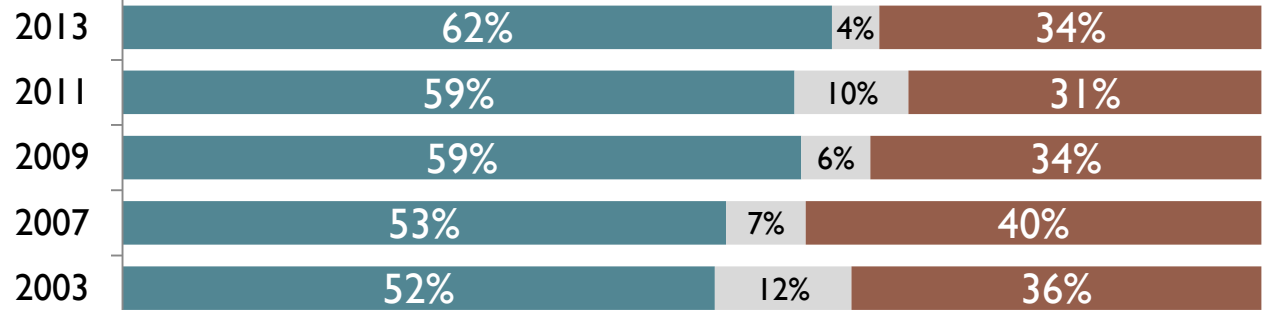
Using a scale of excellent, good, only fair or poor, please rate the overall job the Sonoma County Water Agency is doing on each of the following responsibilities. (Q16-26)

■ Excellent/Good   ■ Don't Know   ■ Only Fair/Poor

Making sure we have the water supply we need (Q20)



Encouraging water conservation(Q23)

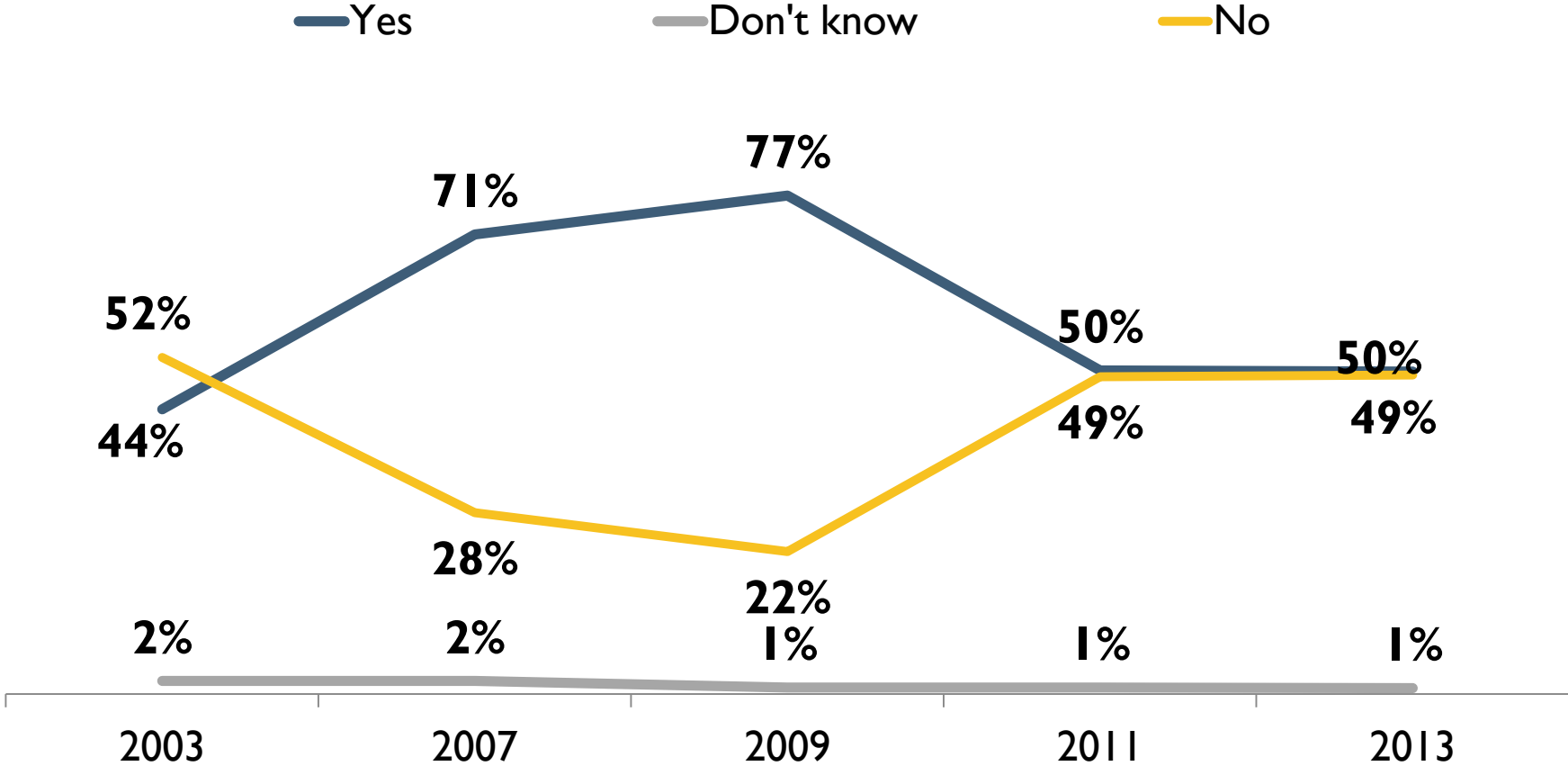


Encouraging the efficient use of water(Q24)



# Awareness of water conservation messaging is still down from the 2009 peak.

Do you recall seeing or hearing anything recently about water conservation? (Q27)

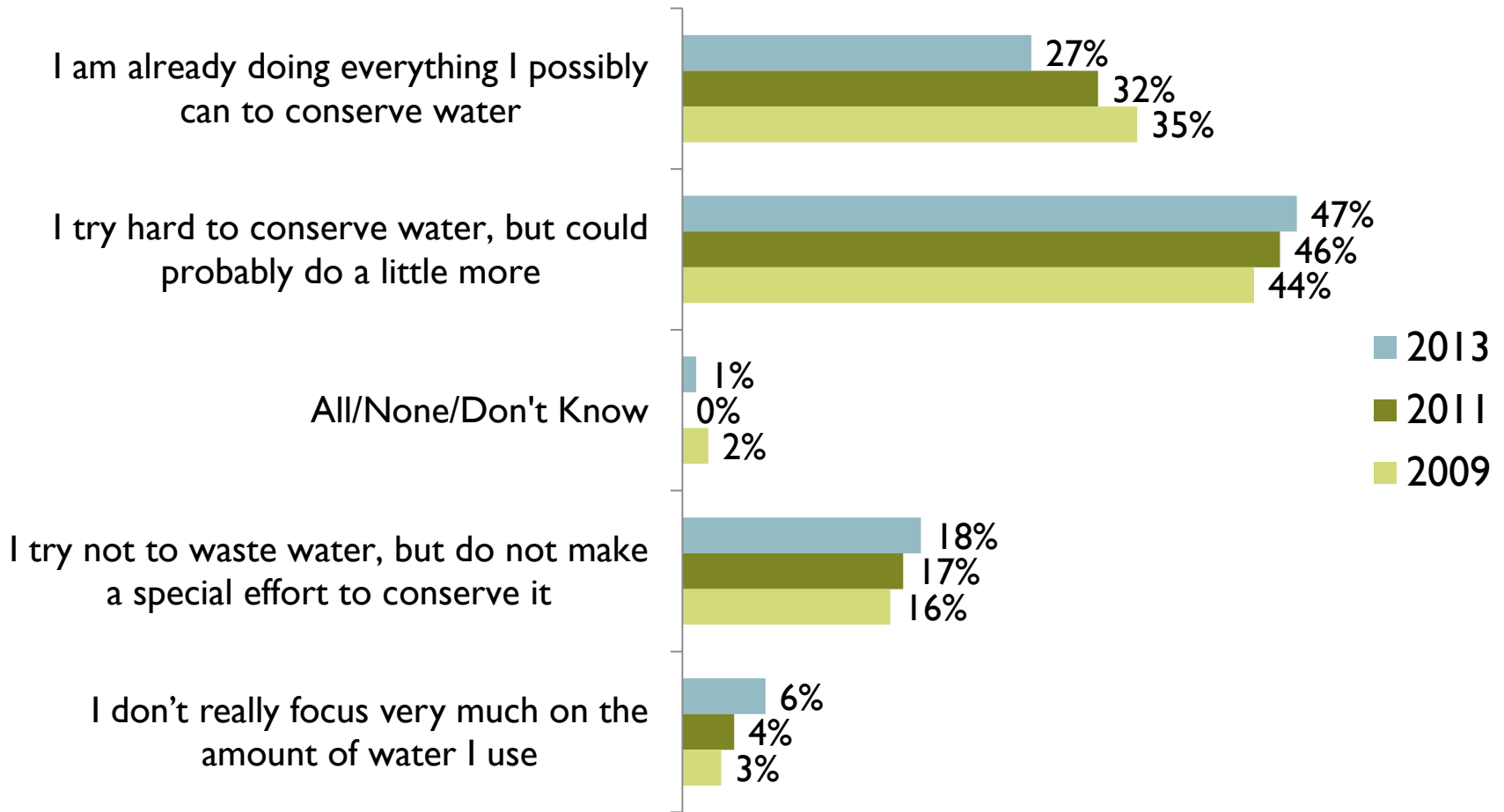


# A significant percentage remember conservation messaging, but not specifics.

What do you remember hearing or seeing? (Q28)	2003	2007	2009	2011	2013
Use water sparingly	17%	16%	26%	19%	25%
Flyer/Billboard/Newspaper, TV, or Radio Ad	15%	18%	11%	16%	15%
Take lawns out/replace with plants	-	-	-	2%	8%
Water conservation tips	15%	21%	6%	6%	5%
Water bill ad/mailings	10%	5%	2%	4%	5%
Reduce landscape watering/putting sprinkler on timer	4%	1%	3%	6%	4%
Water rates are going up	-	-	-	7%	3%
Low water supply	7%	16%	12%	2%	2%
Trash in creeks	-	-	-	1%	1%
Take shorter showers during day/night	1%	1%	-	3%	1%
Water saving/low flow devices	7%	6%	0%	2%	1%
We aren't in a drought anymore/water supplies are full	-	-	-	5%	1%
Conserve water even if it has been raining	-	-	-	3%	-
Teaching conservation at school	-	-	-	3%	-
Fines/Extra charges for water usage	-	-	5%	1%	-
Low flush toilets ad	4%	1%	0%	1%	-
Mandatory water conservation/ 15%-25% cutbacks	-	-	18%	0%	-
Other	21%	11%	12%	9%	-
Don't Know/Don't Remember	3%	4%	4%	9%	30%

# Self-reported conservation effort is falling slightly but 47% recognize they can do more.

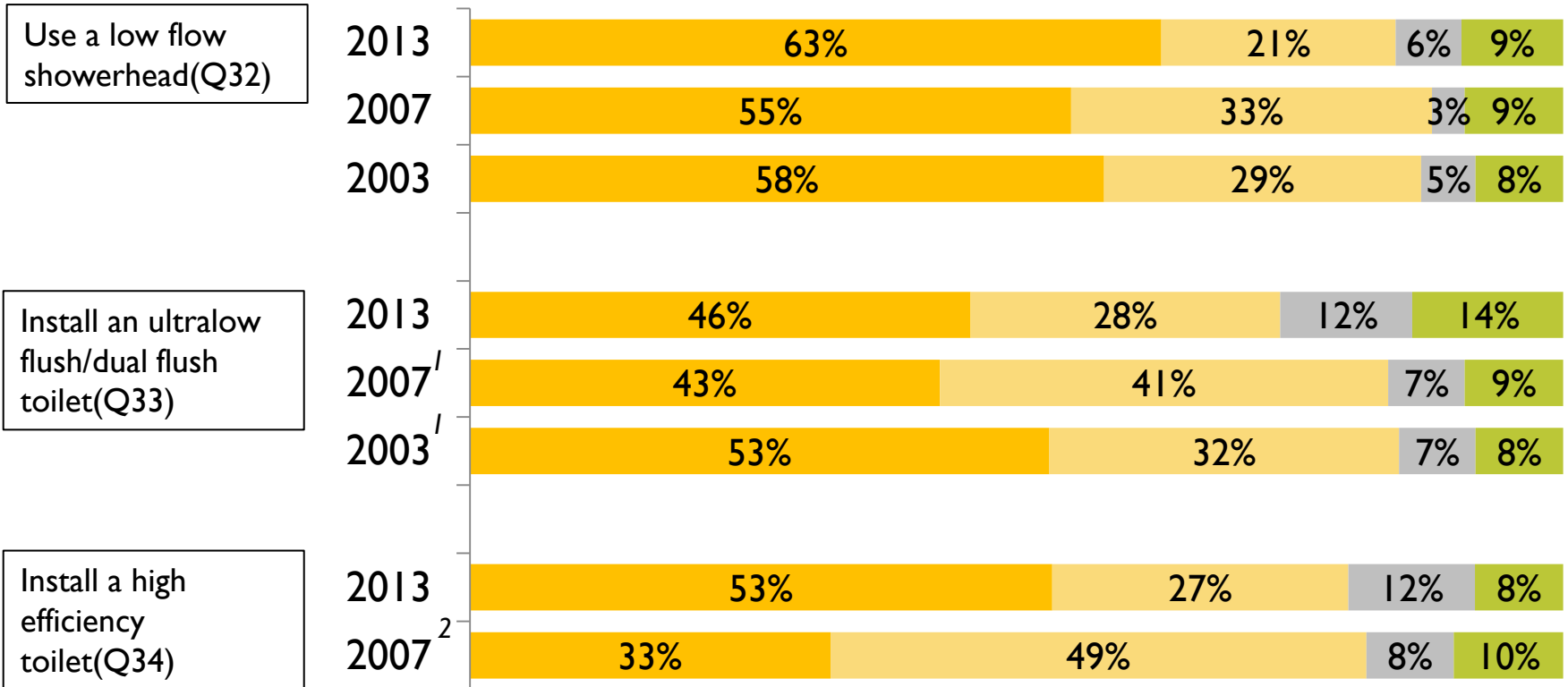
Which of the following statements best describes your current efforts to reduce your water use: (Q29)



# Around half of households think they have a high efficiency or ultra low flush toilet.

Would you be willing or unwilling to do any of the following? (Q32-43)

■ Do Now ■ Willing ■ Don't Know/NA ■ Unwilling



<sup>1</sup> Use an ultra-low flush toilet.

<sup>2</sup> Install a high efficiency toilet; which have been on the market since 2005.

# Self-reported use of a front loader is up but disinterest is up as well.

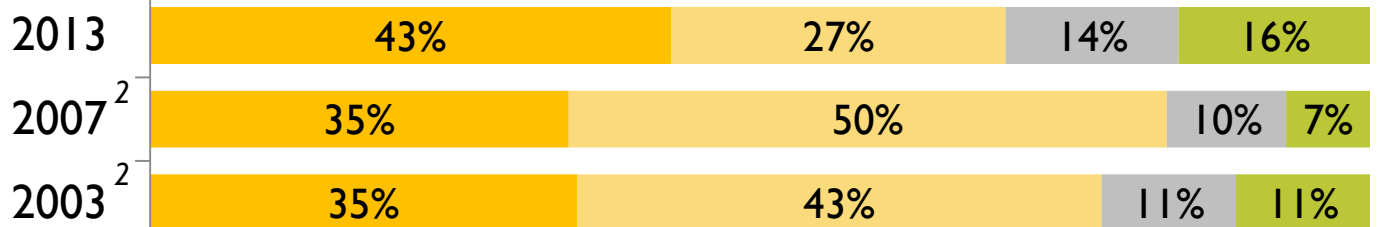
Would you be willing or unwilling to do any of the following? (Q32-43)

■ Do Now ■ Willing ■ Don't Know/NA ■ Unwilling

Fix toilet/faucet leaks within one or two days(Q35)



Install a low water use, front loading washing machine(Q36)



Only run dishwasher/washing machine if load is completely full (Q37)

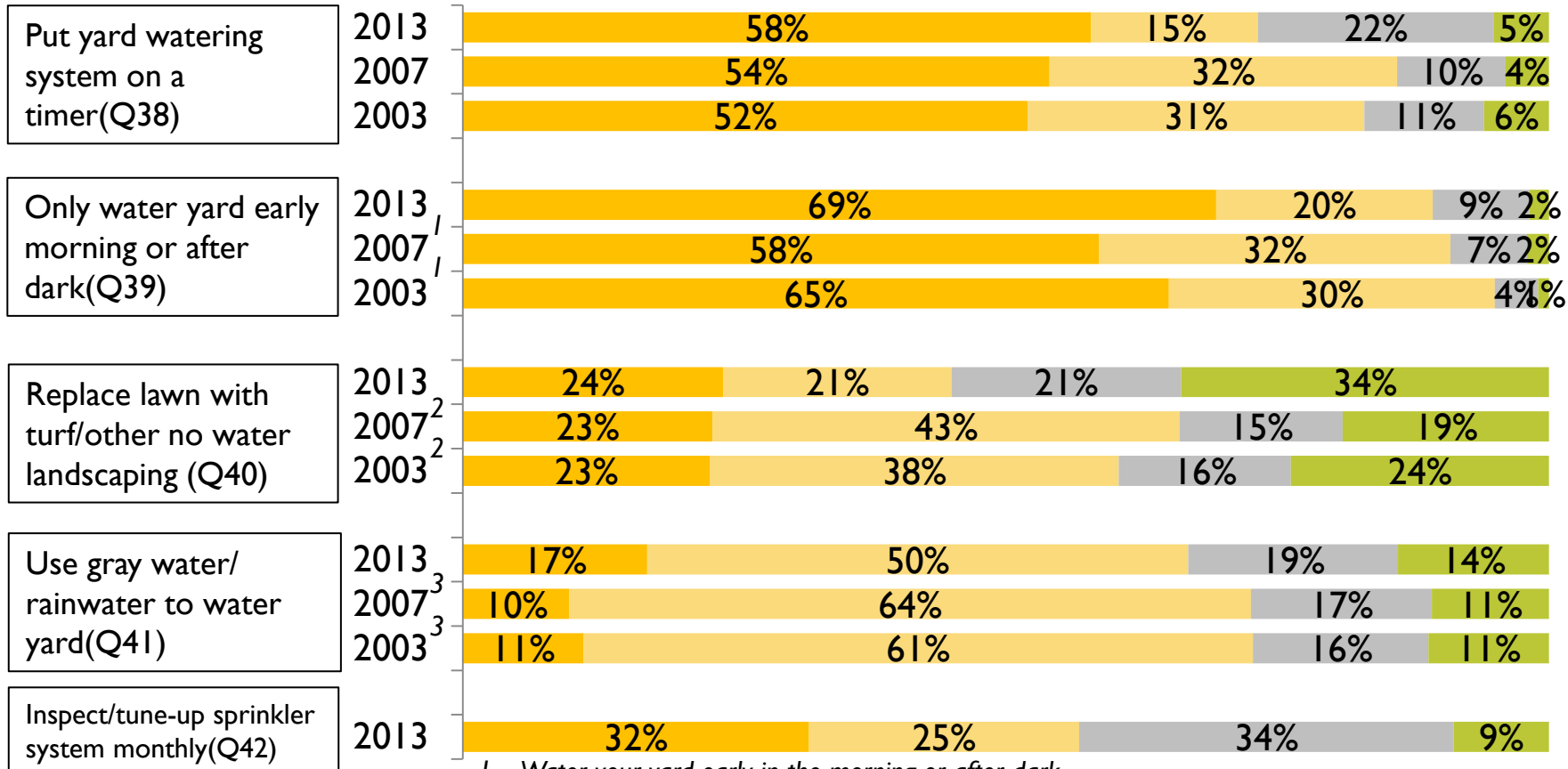


<sup>1</sup> Fix toilet and faucet leaks promptly.  
<sup>2</sup> Install a low water use washing machine.

# Among those with yards, self-reported conservation efforts are up significantly, but willingness to replace lawn is down.

Would you be willing or unwilling to do any of the following? [If Q30=Yes, have a yard or garden (n=522)]

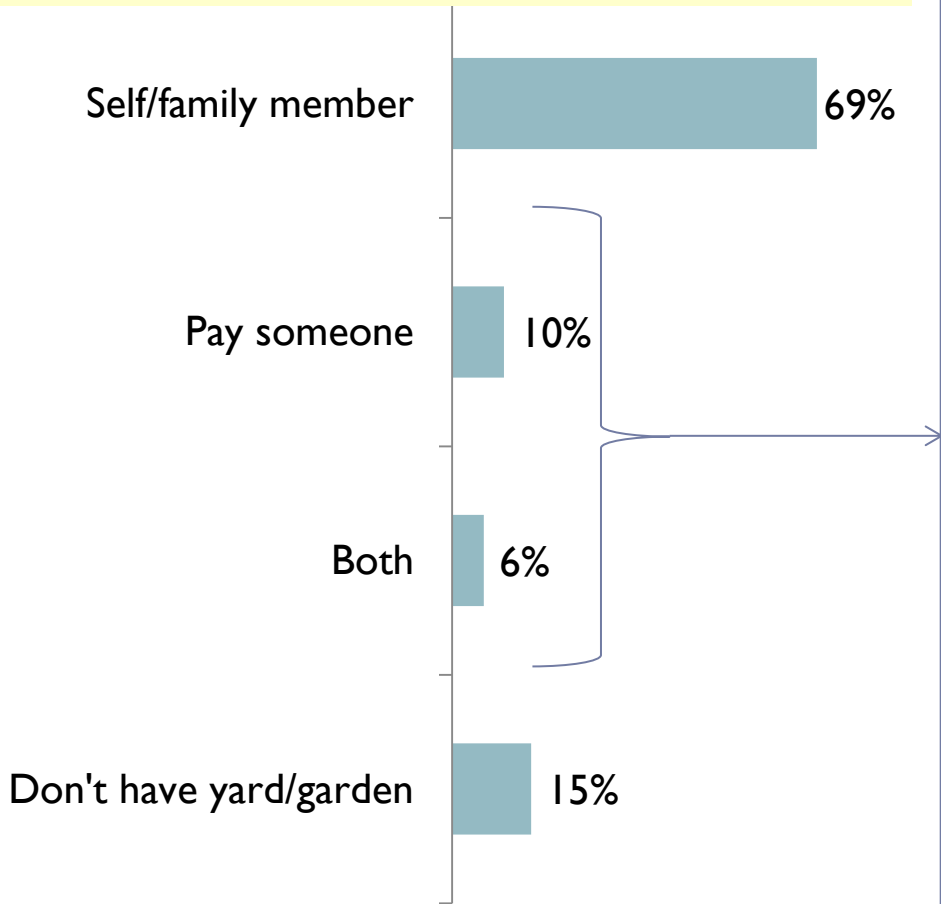
■ Do Now ■ Willing ■ Don't Know/NA ■ Unwilling



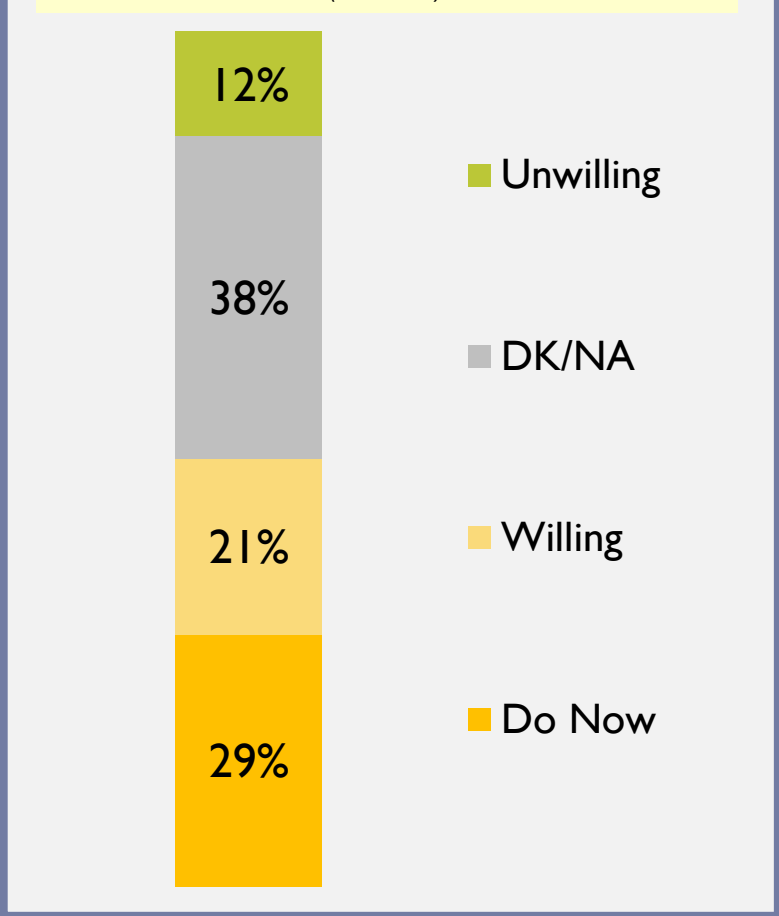
- 1 Water your yard early in the morning or after dark.
- 2 Replace your lawn with water conserving landscaping.
- 3 Use recycled water to water your yard.

Of those with a yard, most do their own yard work. Among those who hire, there is some interest in a QWE landscaper.

Do you or does someone in your family do most of the yard work or do you pay someone to take care of your yard?: (Q31)



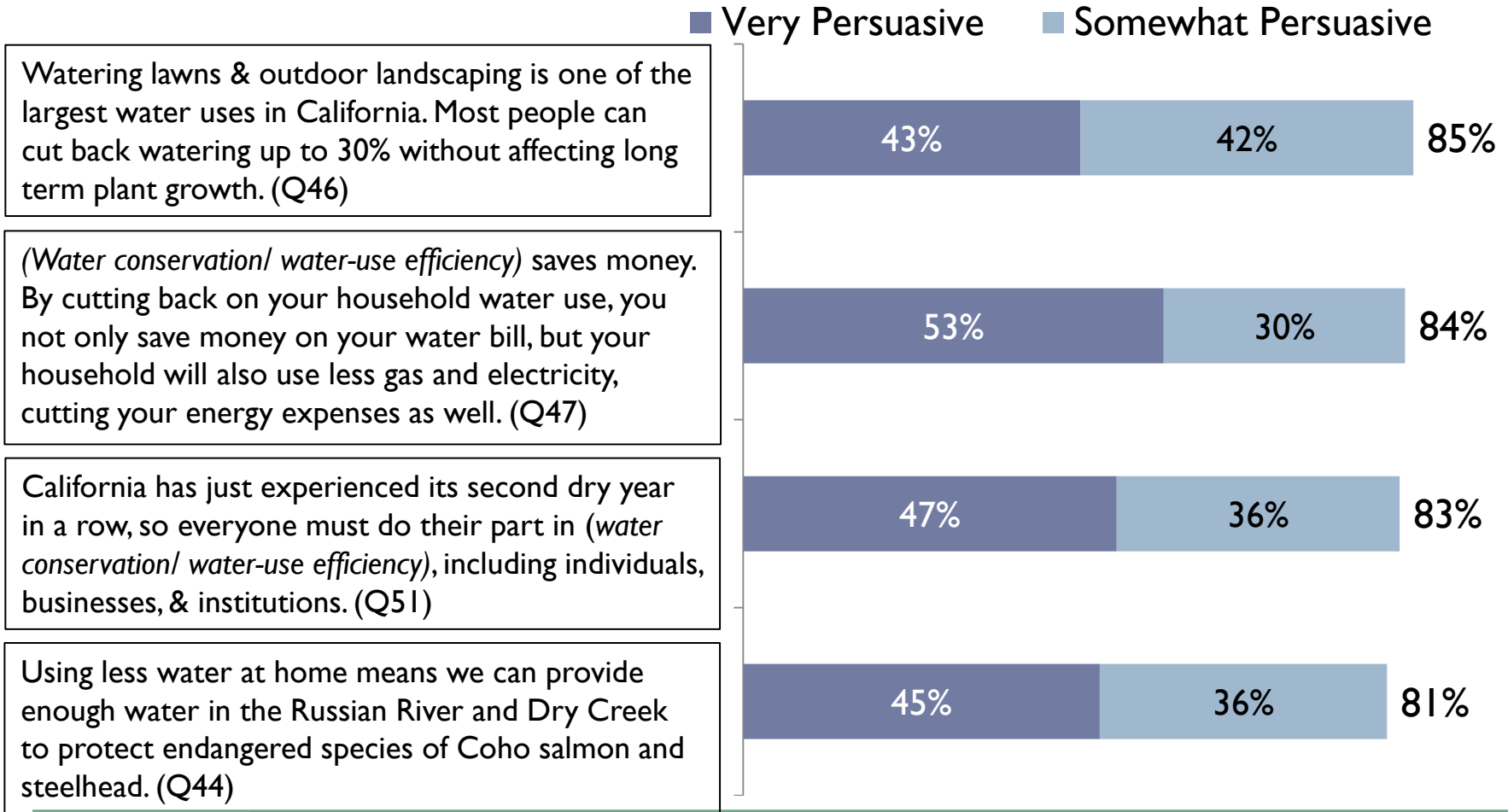
Would you be willing or unwilling to... Use a qualified water efficient landscaper(Q43) (n=100)





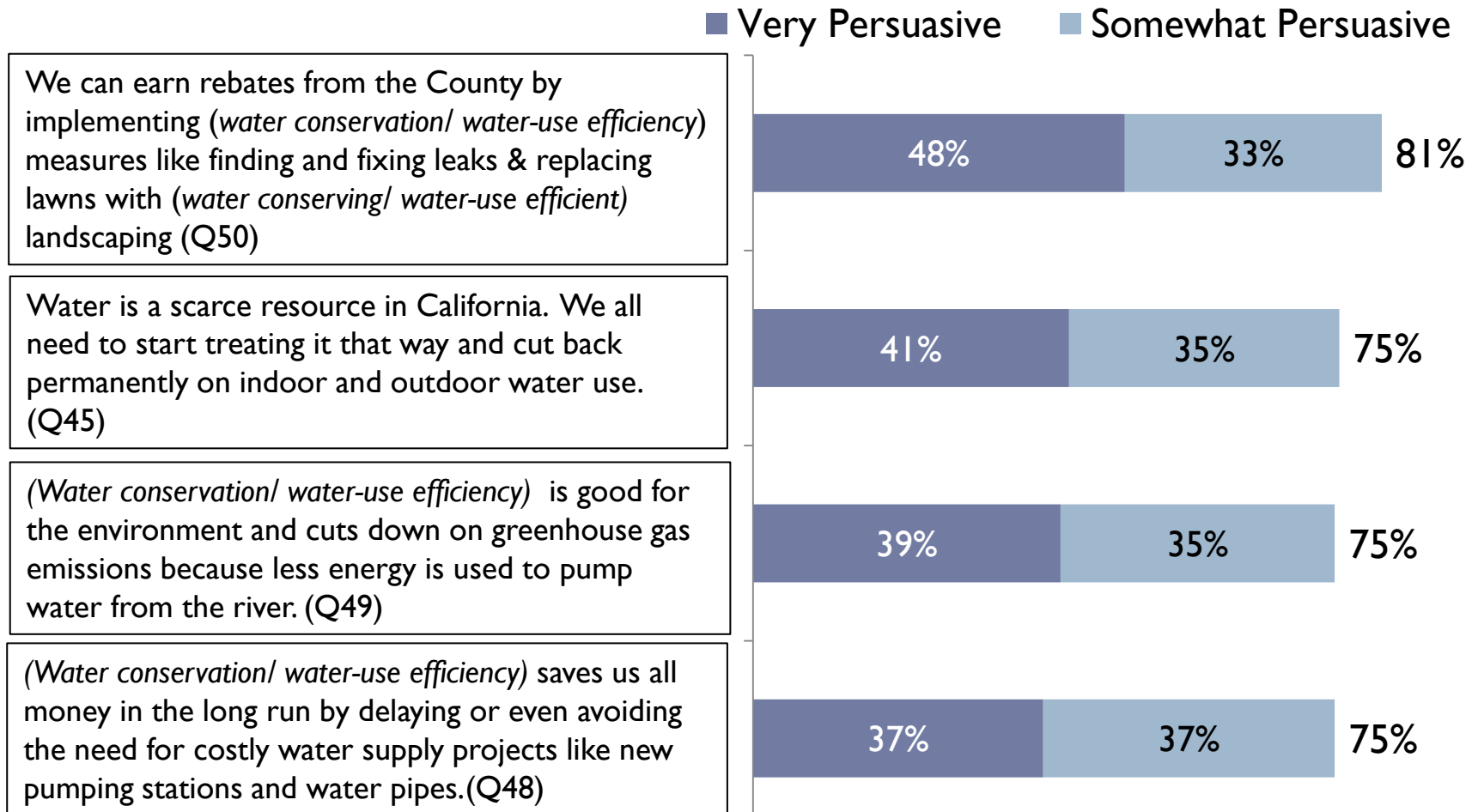
# Reducing watering without long term negative impact, saving \$, and shared responsibility are persuasive conservation messages.

Please tell me if you think that information is very persuasive, somewhat persuasive, not very persuasive, or not at all a persuasive reason for people to reduce their water usage. (Q44-51)



# Other messages are also highly persuasive.

Please tell me if you think that information is very persuasive, somewhat persuasive, not very persuasive, or not at all a persuasive reason for people to reduce their water usage. (Q44-51)

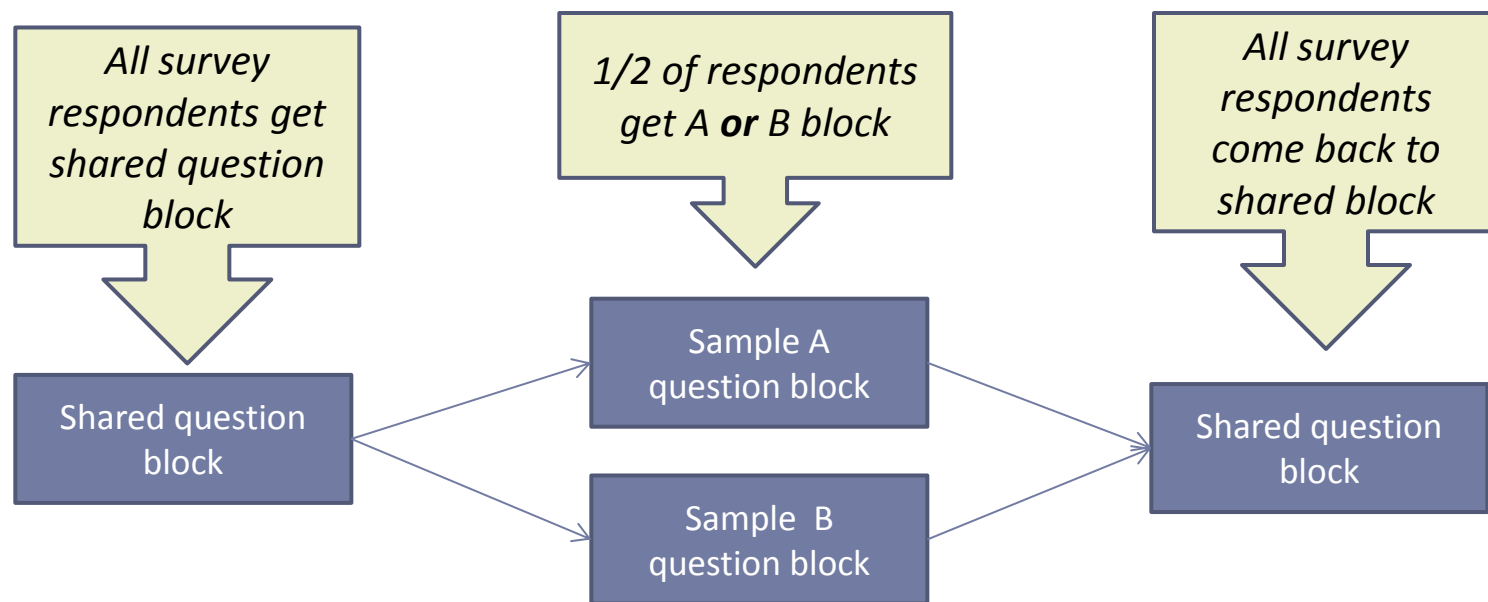


## **Water Conservation v. Water Use Efficiency**

The survey results find there is no difference in the terms “water conservation” and “water-use efficiency”.

# Split-Sample Survey Design

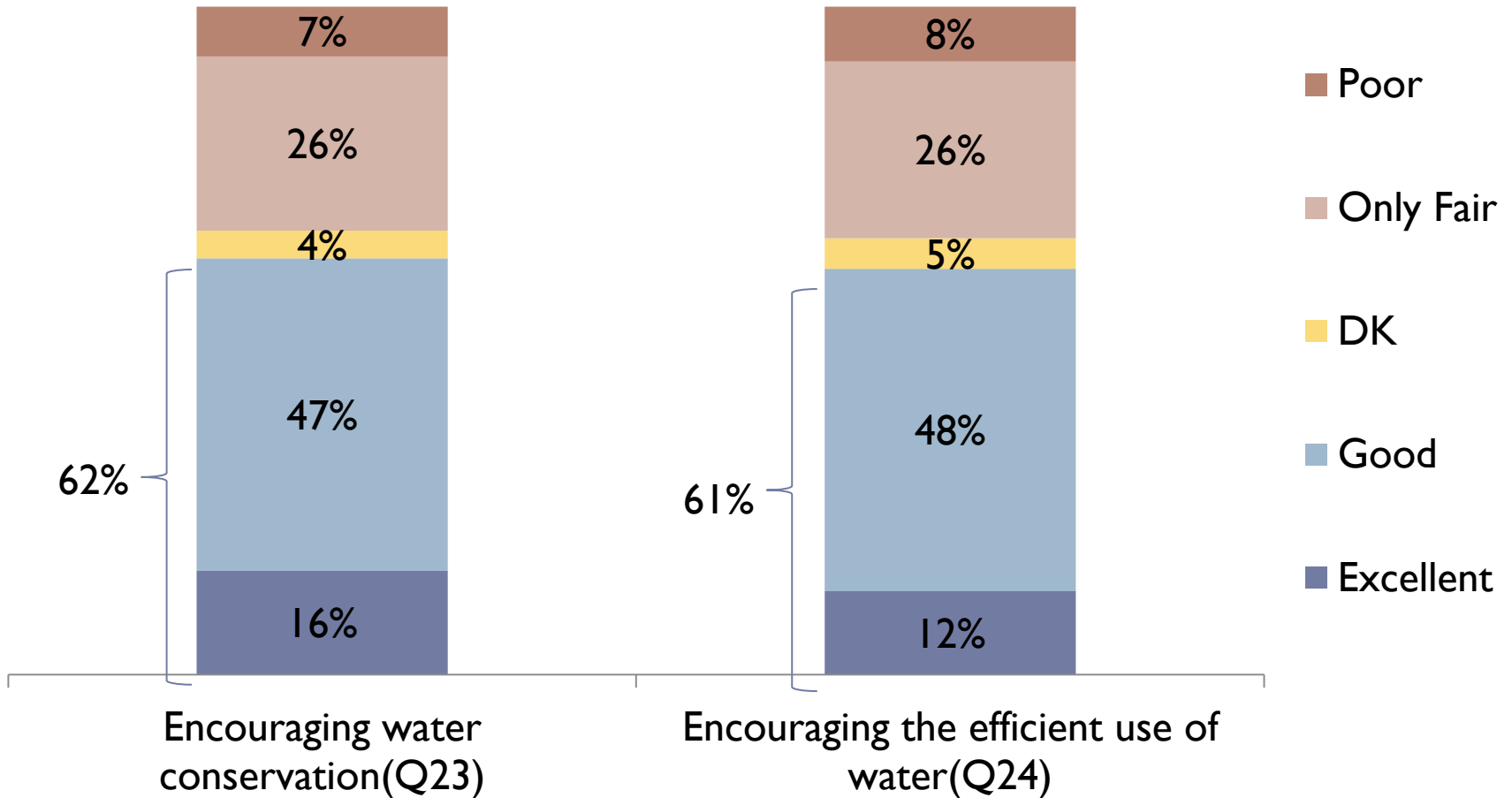
- ▶ Bias-free evaluation of similar terminology sometimes necessitates consideration of employing a split-sample methodology, where the survey sample is split into smaller groups, each representative of the whole survey universe, and asked about a single term.



- ▶ For this survey, we used a split-sample survey design to independently measure opinion about two terms: water conservation (Sample A) and water-use efficiency (Sample B).

# SCWA is rated the same on encouraging “water conservation” and encouraging “efficient use of water”.

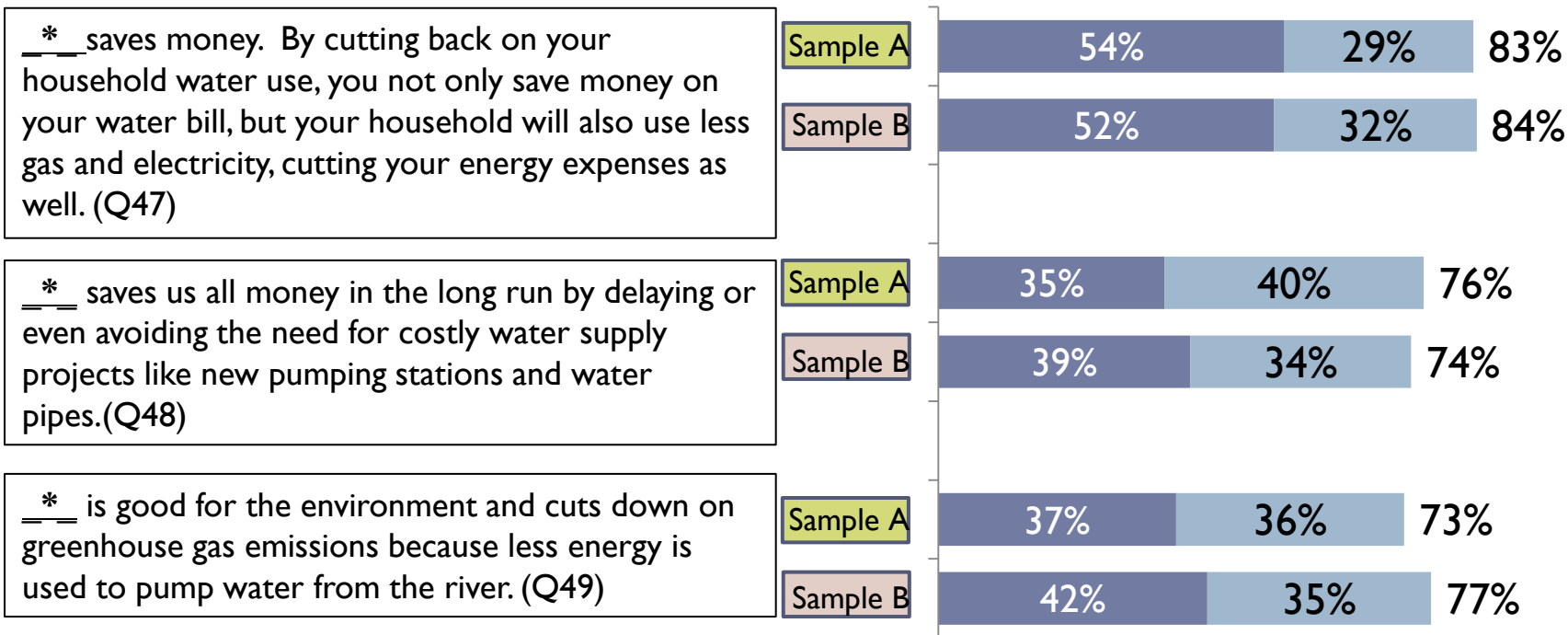
Using a scale of excellent, good, only fair or poor, please rate the overall job the Sonoma County Water Agency is doing on each of the following responsibilities. ..



# Messages using one term are no more persuasive than messages that use the other.

Please tell me if you think that information is very persuasive, somewhat persuasive, not very persuasive, or not at all a persuasive reason for people to reduce their water usage. (Q44-51)

■ Very Persuasive    ■ Somewhat Persuasive



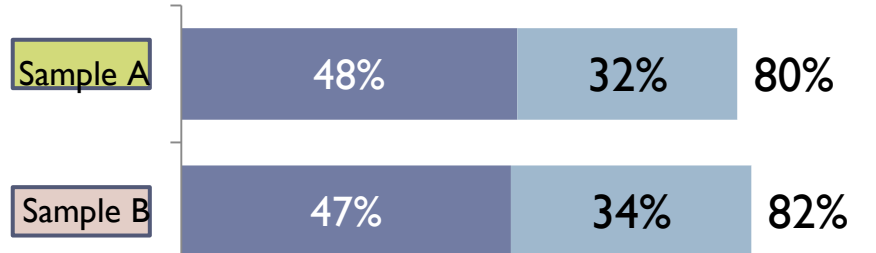
	Sample A	Sample B
*	<u>Water conservation</u>	<u>Water-use efficiency</u>

# Messages consistently test the same regardless of term inserted.

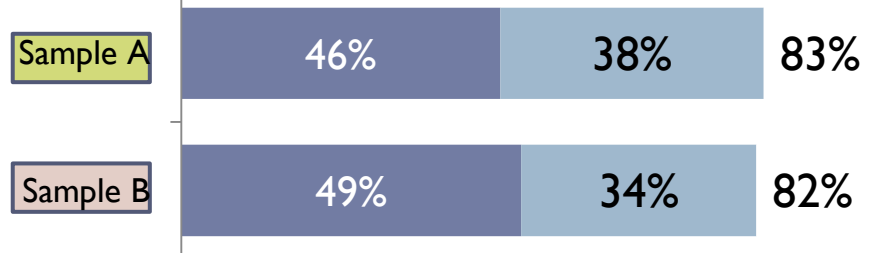
Please tell me if you think that information is very persuasive, somewhat persuasive, not very persuasive, or not at all a persuasive reason for people to reduce their water usage. (Q44-51)

■ Very Persuasive    ■ Somewhat Persuasive

We can earn rebates from the County by implementing   \* measures like finding and fixing leaks & replacing lawns with   \* landscaping (Q50)



California has just experienced its second dry year in a row, so everyone must do their part in   \*, including individuals, businesses, & institutions. (Q51)

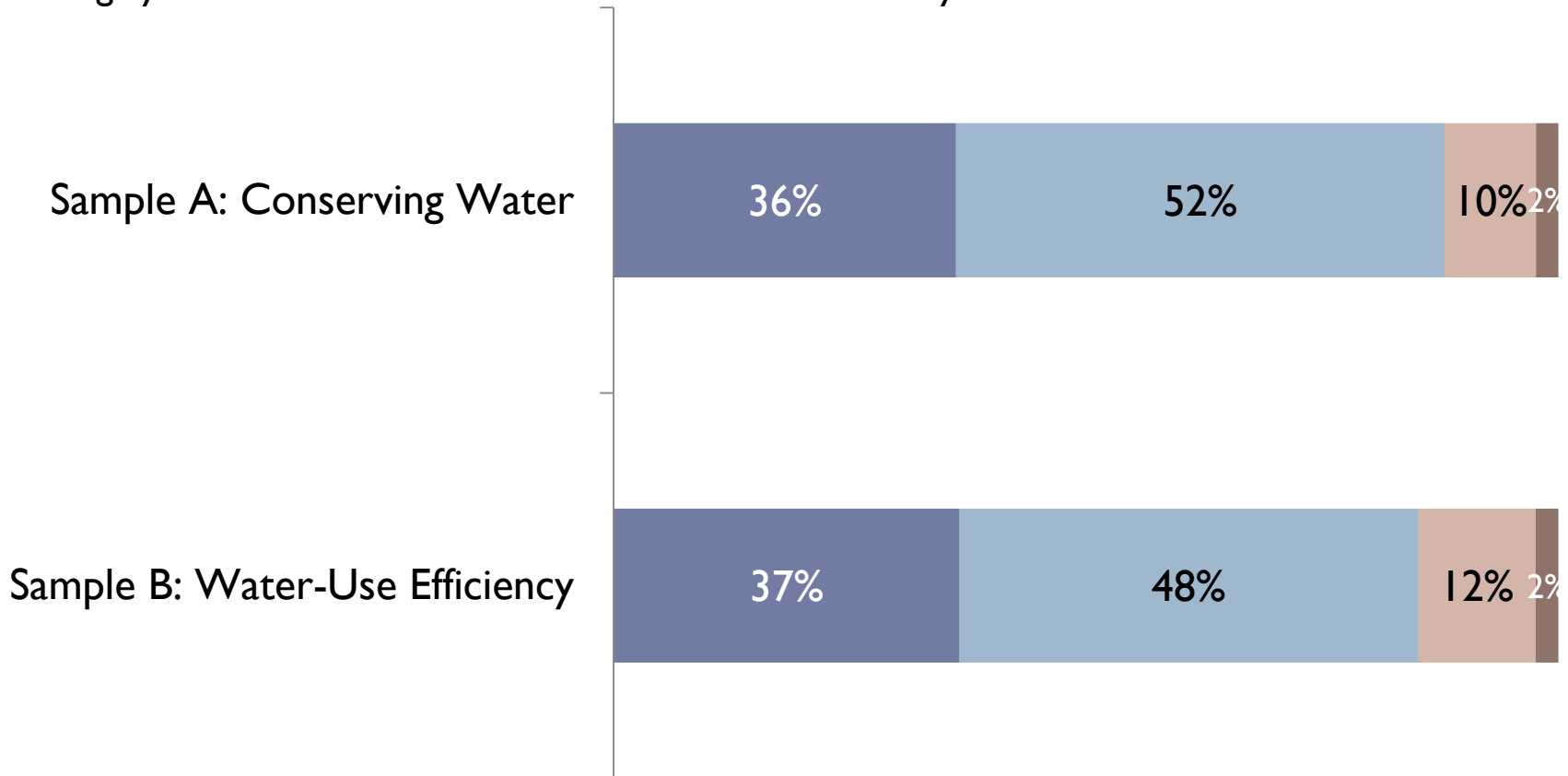


	Sample A	Sample B
*	<u>Water conservation</u>	<u>Water-use efficiency</u>

# When Q47-Q51 are combined there is essentially no difference between the terms.

Combined responses to messages comparing “conserving water” v. “water-use efficiency” (Q47-Q51)...

■ Highly Persuasive ■ Somewhat Persuasive ■ Not Very Persuasive ■ Not at All Persuasive



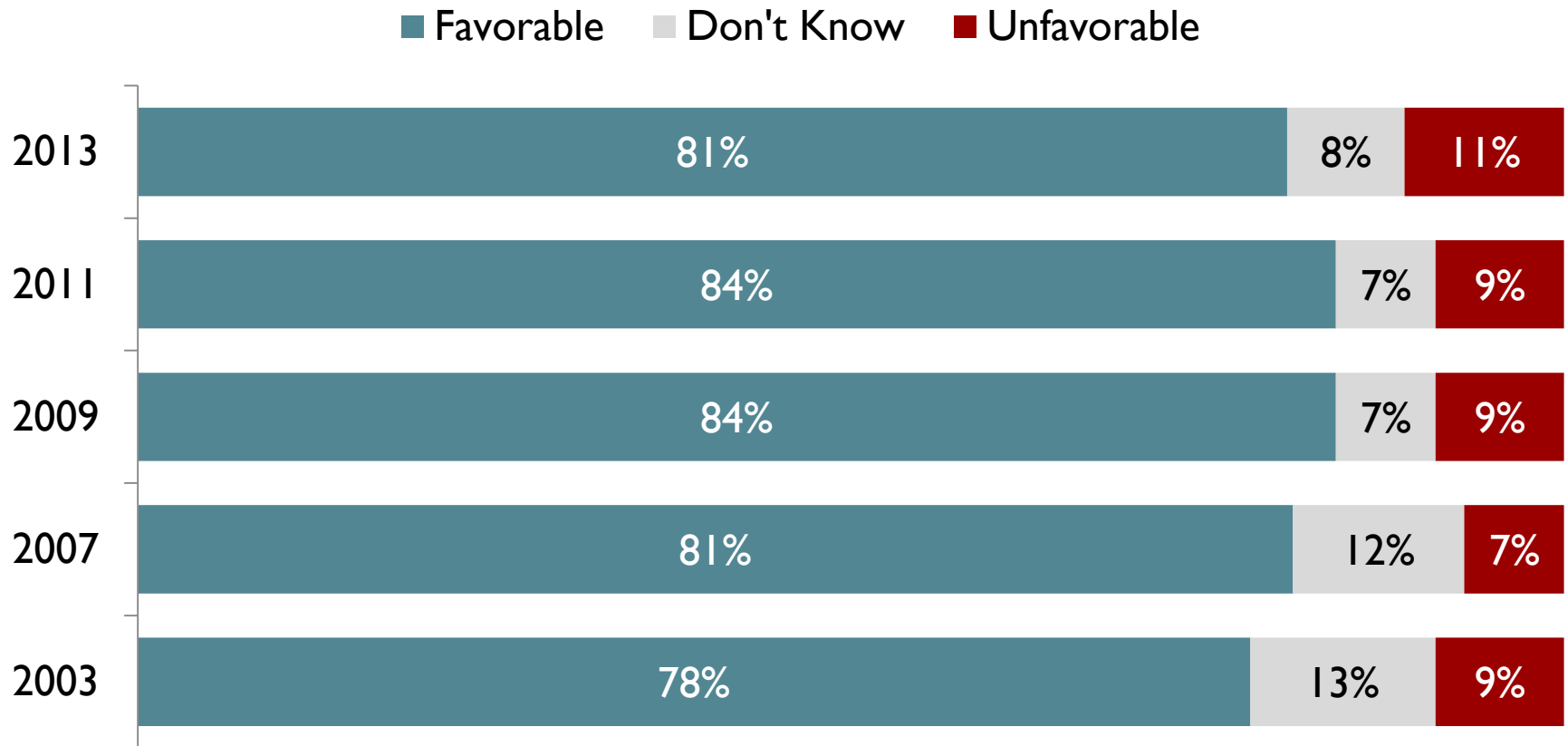


## **Recycled Water**

Use of recycled water continues to be a popular idea.

# Opinions of recycled water remain overwhelmingly favorable.

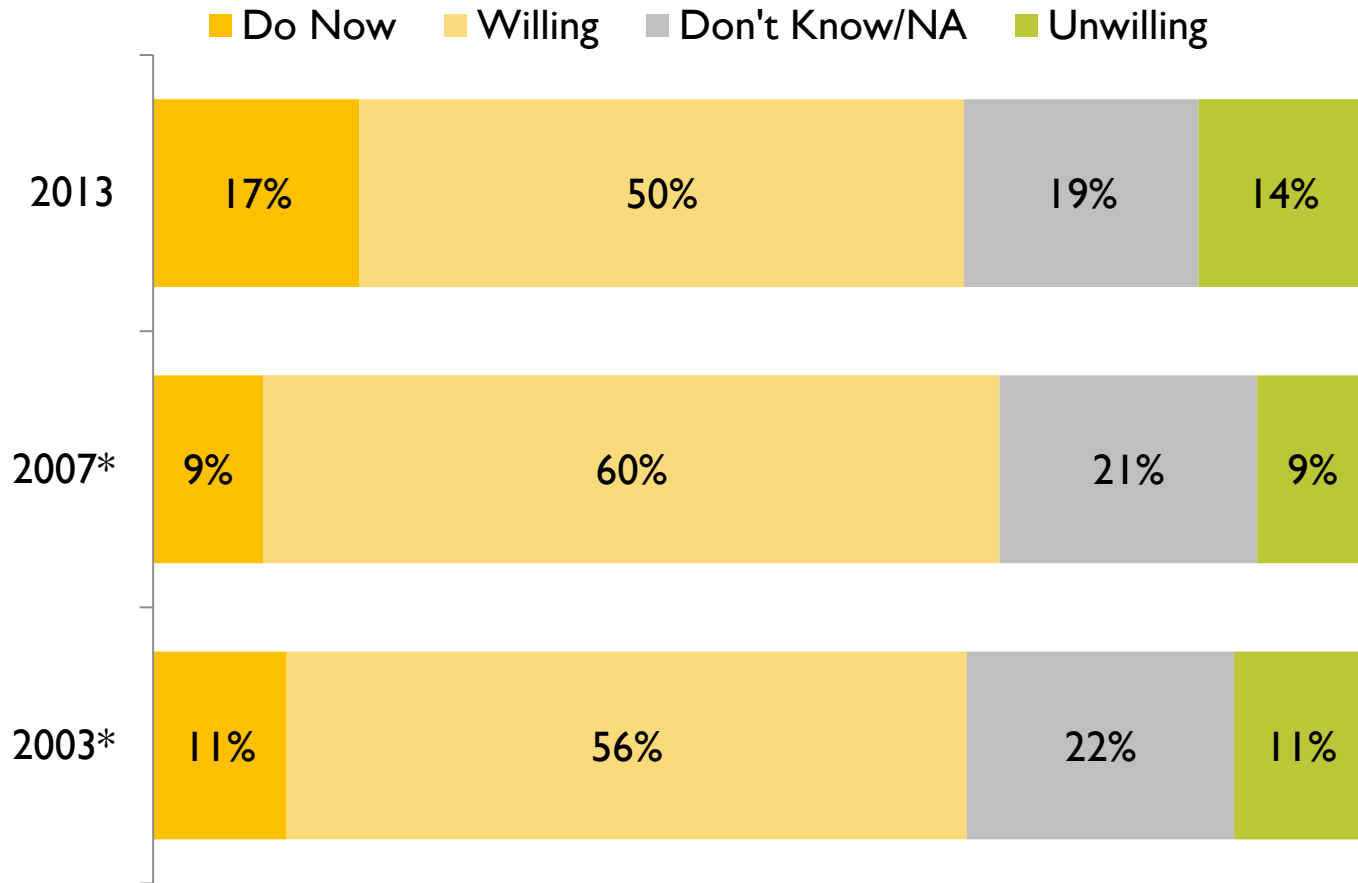
*Do you have a favorable or unfavorable opinion of recycled water use? (Q52)*



# Willingness to use gray water/rainwater to water yard remains high.

Would you be willing or unwilling to do any of the following? [If Q30=Yes, have a yard or garden (n=522)]

Use gray water/  
rainwater to  
water  
yard(Q41)



\*Use recycled water to water your yard.

## **Drinking Water**

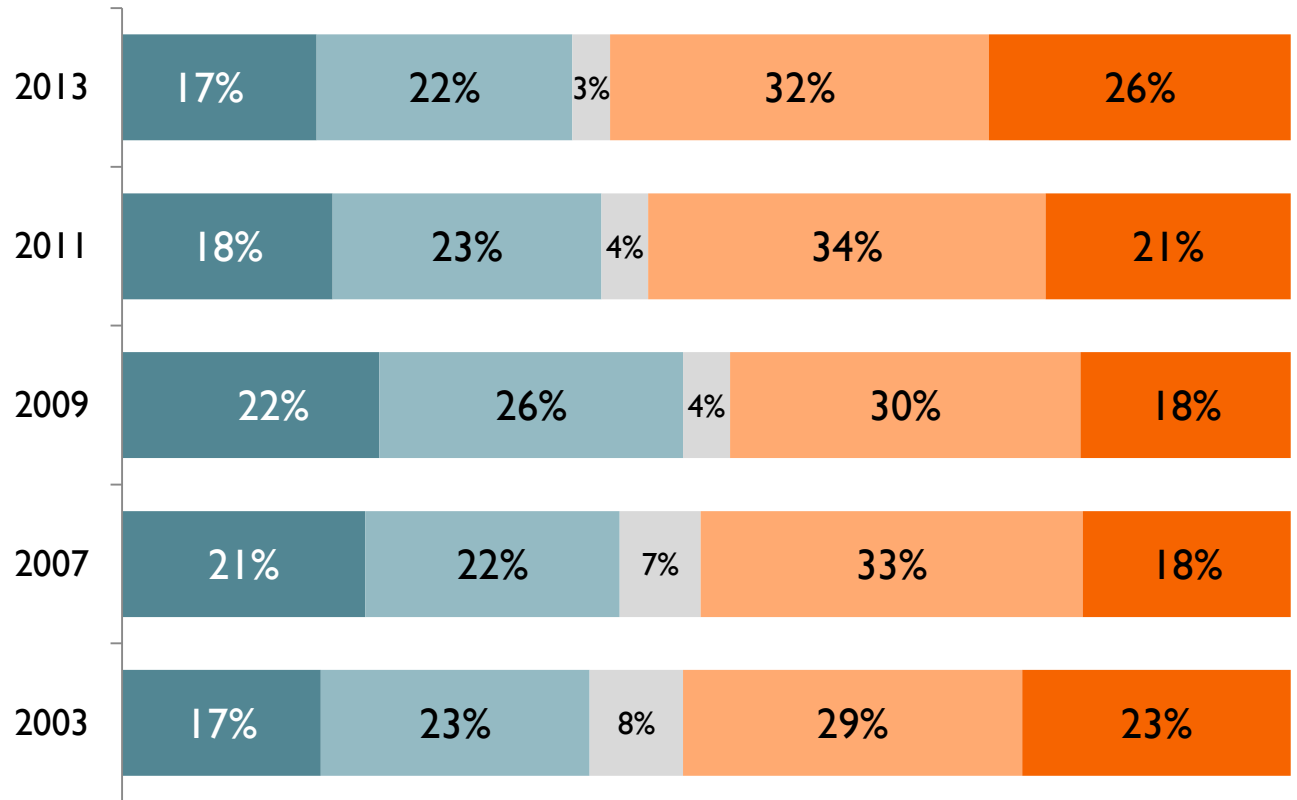
The vast majority say they drink a lot of water and there is little concern about water quality.

# A majority are not concerned about drinking water quality.

Please tell me if you feel each of the following is a very serious problem facing Sonoma County, a somewhat serious problem, a not too serious problem or not a very serious problem at all in this area. (Q6-17)

■ Very Serious   ■ Somewhat Serious   ■ Don't Know   ■ Not too Serious   ■ Not at all Serious

Quality of Drinking Water(Q10)

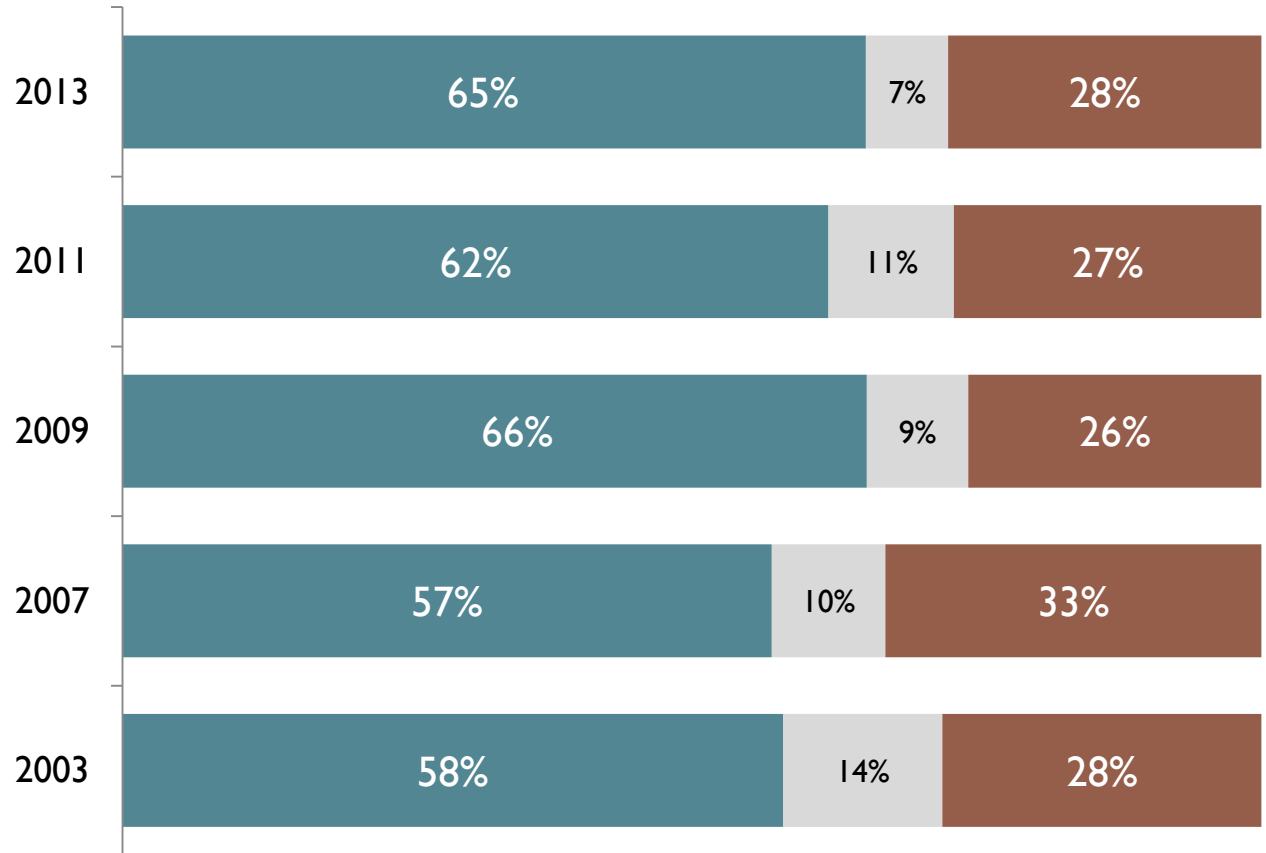


# SCWA has consistently received strong ratings on ensuring safe, quality drinking water.

Using a scale of excellent, good, only fair or poor, please rate the overall job the Sonoma County Water Agency is doing on each of the following responsibilities. (Q16-26)

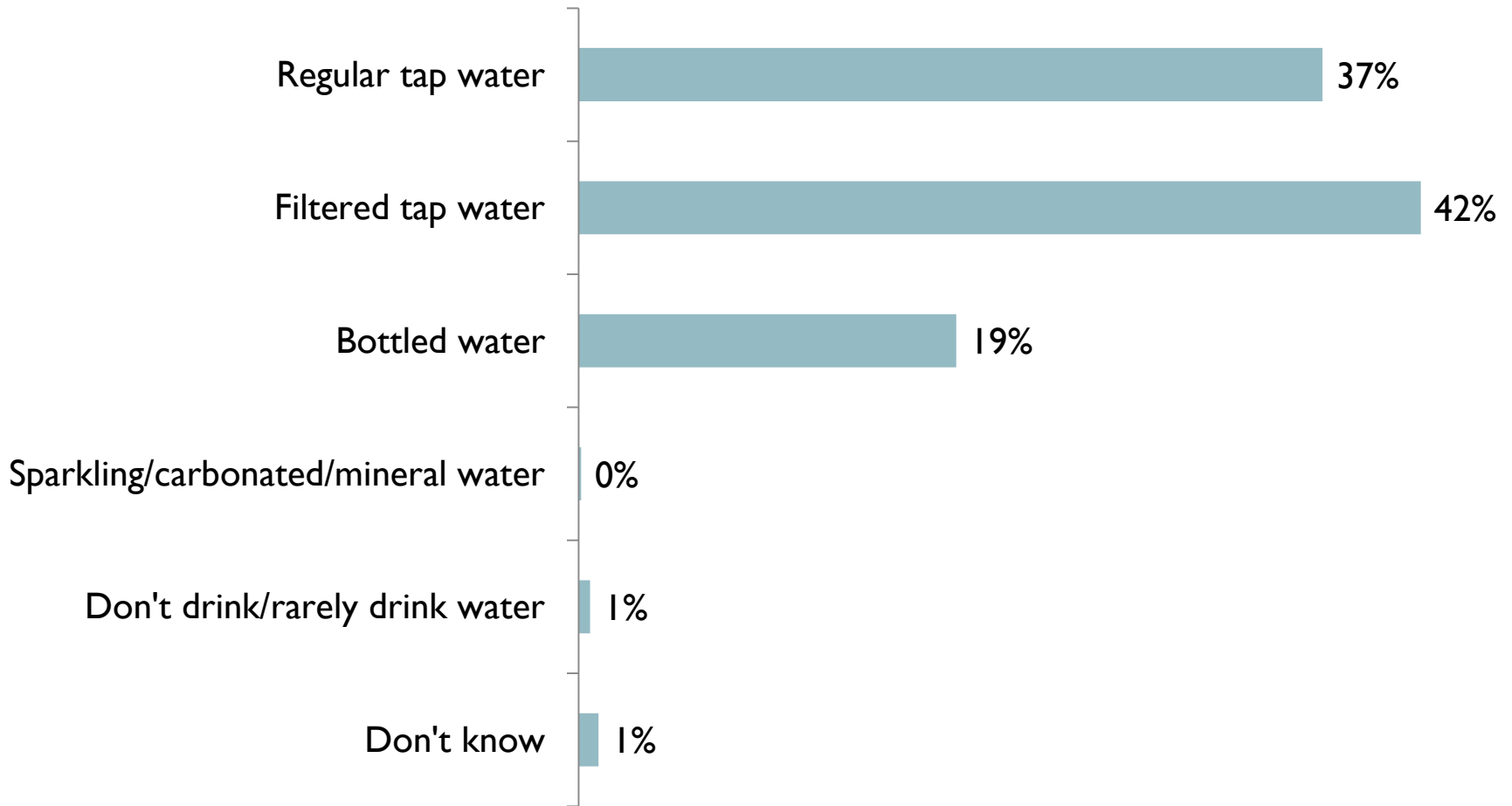
■ Excellent/Good   ■ Don't Know   ■ Only Fair/Poor

Ensuring the quality and safety of the water we drink (Q19)



Although concerns about water quality are fairly low, 42% filter their tap water and 19% drink bottled water.

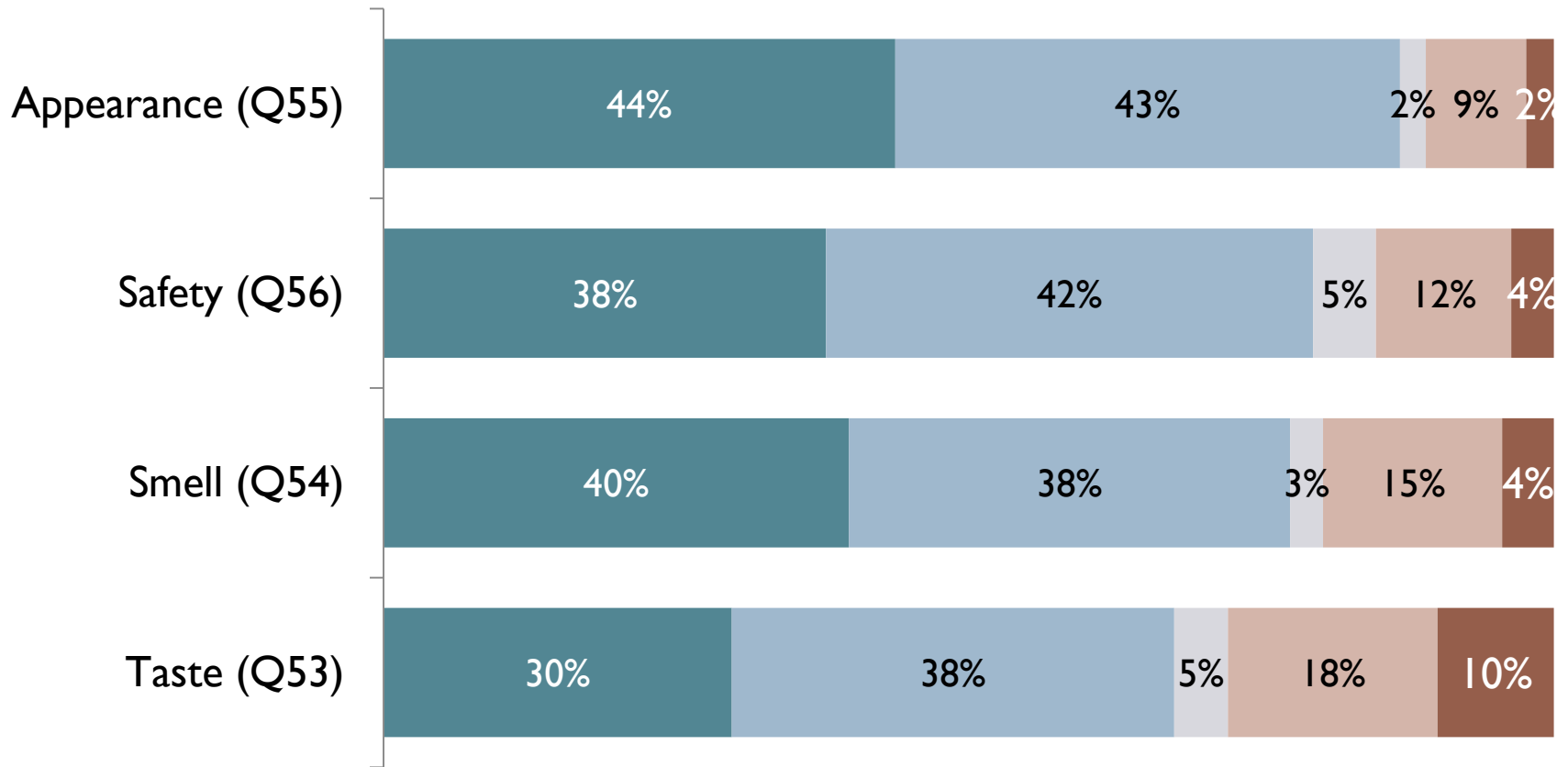
What kind of water do you most often use for drinking in your home?(Q57)



# Drinking water safety is rated highly, but many appear to be less satisfied with taste.

How would you rate the following aspects of the tap water, as excellent, good, fair, or poor?(Q53-56)

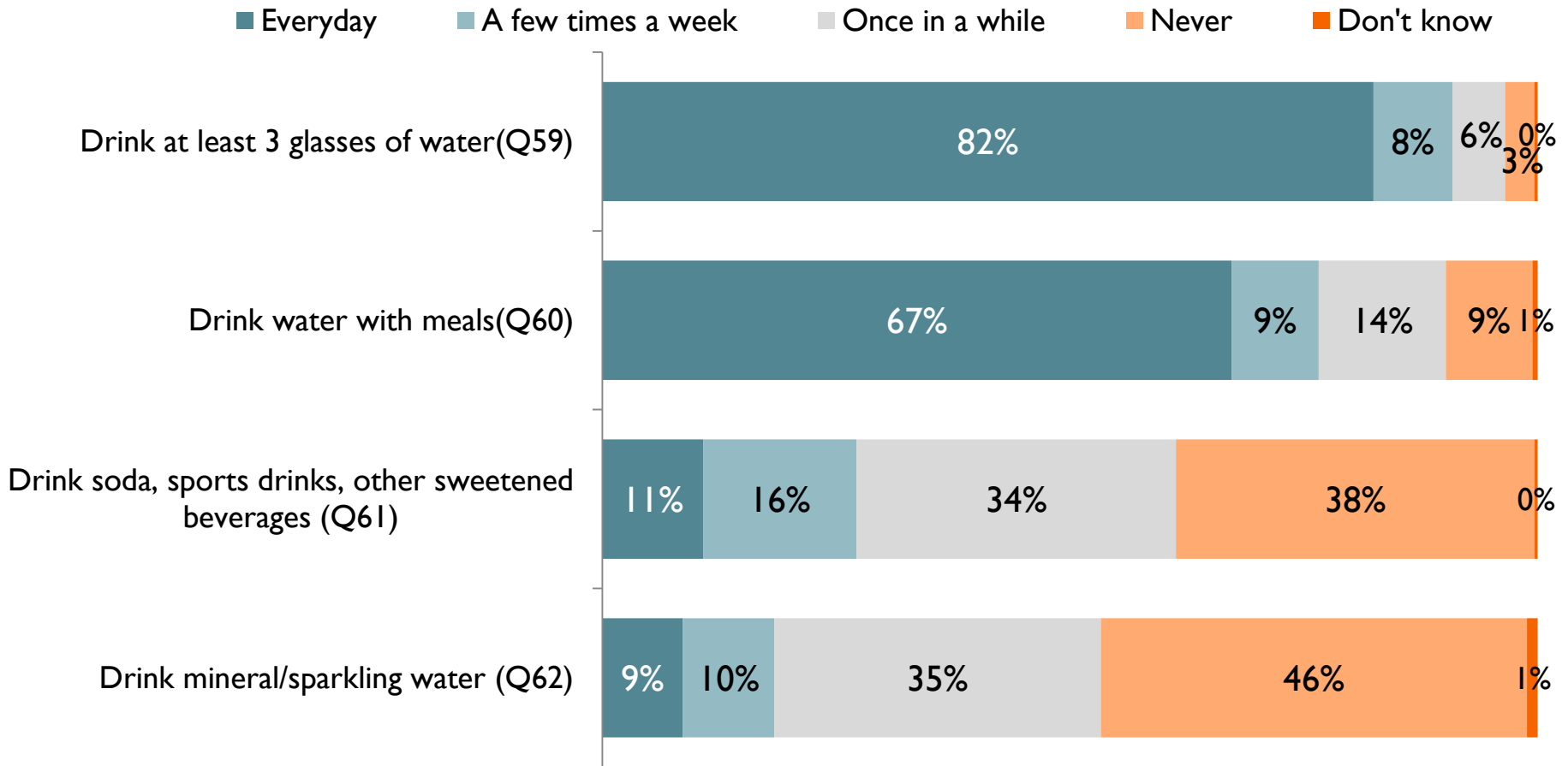
■ Excellent ■ Good ■ Don't Know ■ Fair ■ Poor





# Almost all say they drink a lot of water and avoid sweetened drinks.

How often do you do each of the following? (Q59-62)



# Biennial Sonoma County Community Survey

*Summary Presentation of Results*

Prepared for  
Sonoma County Water Agency



## **EMC Research, Inc.**

Ruth Bernstein  
436 14th Street, Suite 820  
Oakland, CA 94612  
(510) 844-0680  
EMC #13-4858

# Methodology

- Telephone survey
- April 21-28, 2013
- Random sample of 609 Sonoma County registered voters
- Trained, professional Interviewers in English and Spanish
- Margin of error  $\pm 4.0\%$
- When applicable, results compared with previous countywide voter surveys  
Conducted in 2003, 2007, 2009 and 2011

*As with any opinion research, the release of selected figures from this report without the analysis that explains their meaning would be damaging to EMC. Therefore, EMC reserves the right to correct any misleading release of this data in any medium through the release of correct data or analysis.*

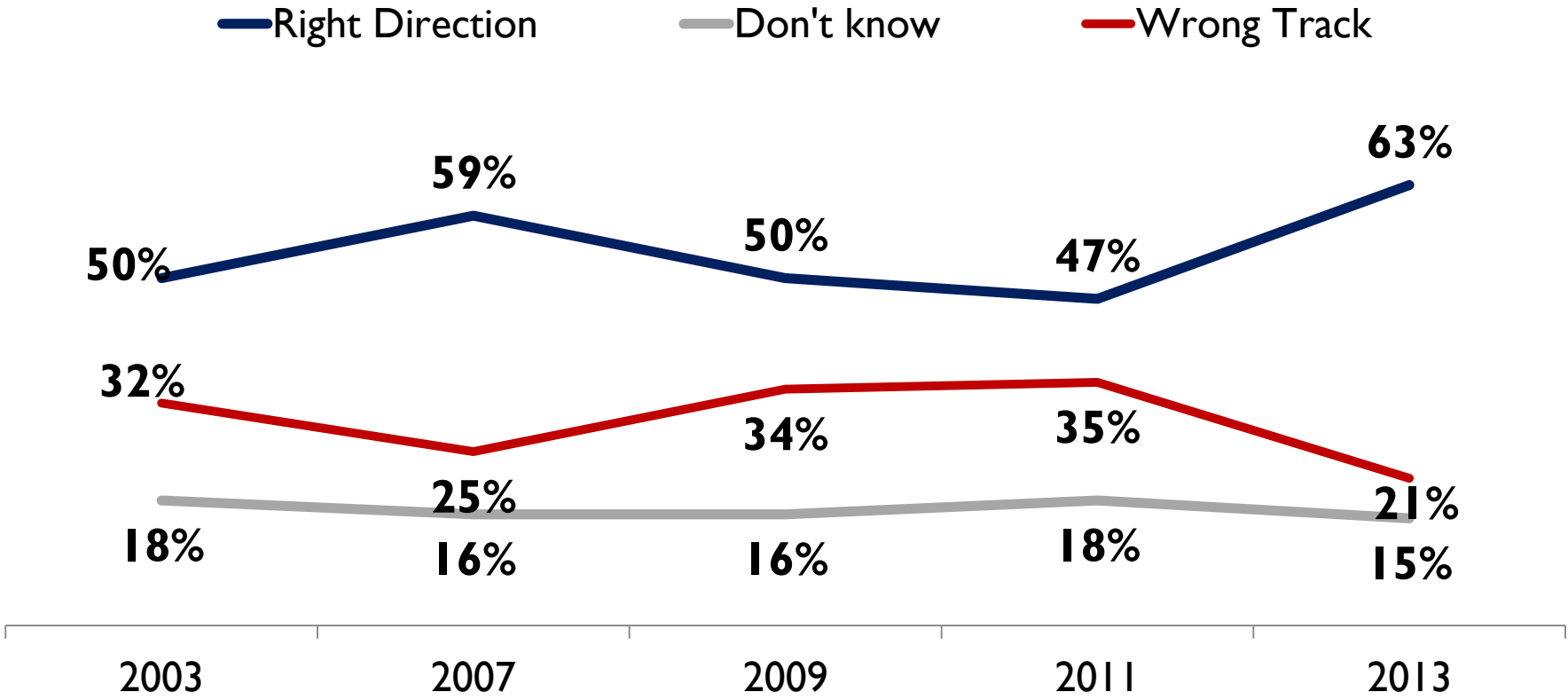
*Please note that due to rounding, percentages may not add up to exactly 100%*

## **Issue Environment**

Overall optimism is on the rise in Sonoma with decreased intensity of concern about all issues- the community just appears to be happier.

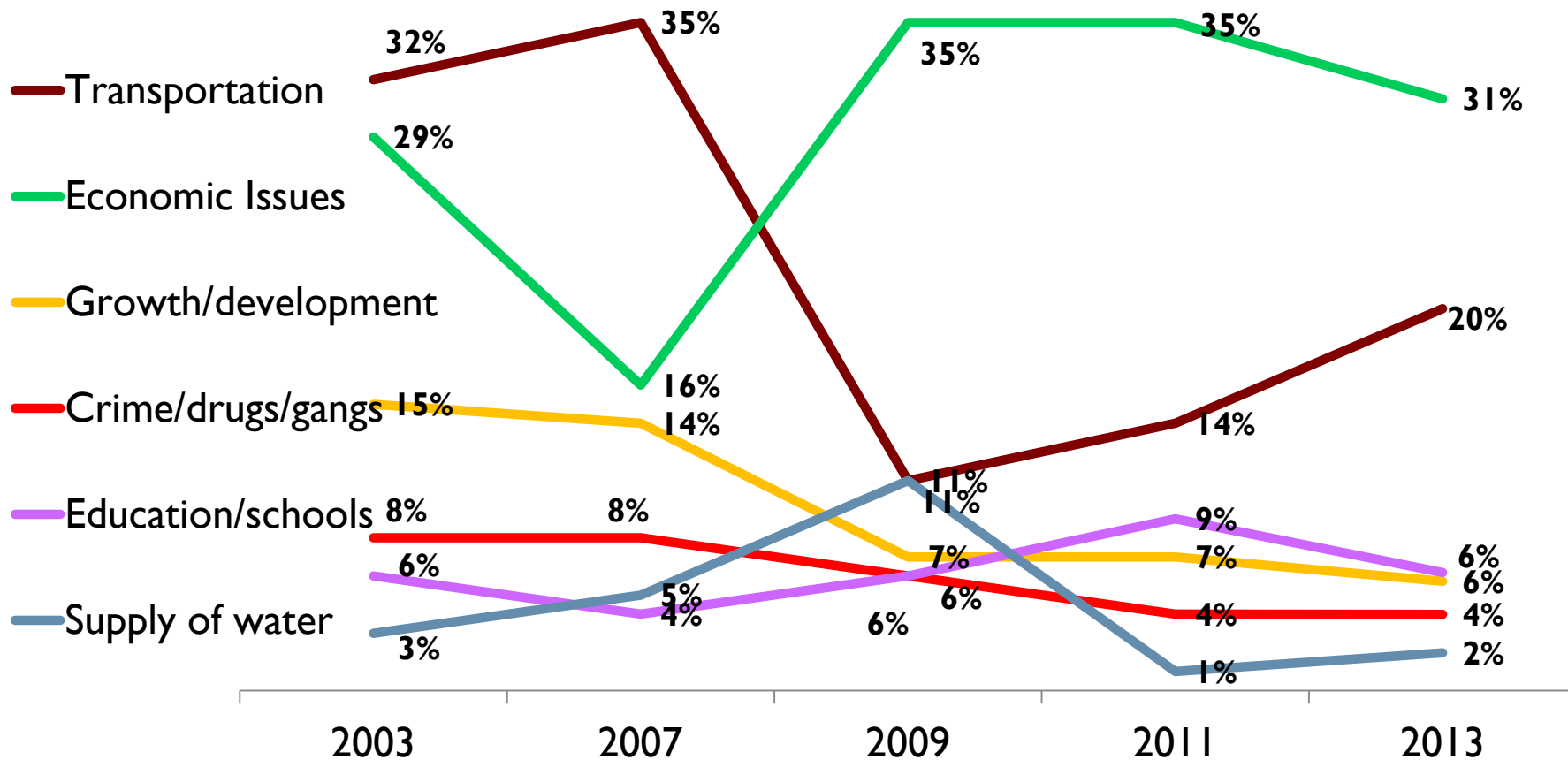
# Optimism is on the rise in Sonoma County.

*Do you think things in Sonoma County are generally going in the right direction, or do you feel that things are pretty seriously off on the wrong track? (Q4)*



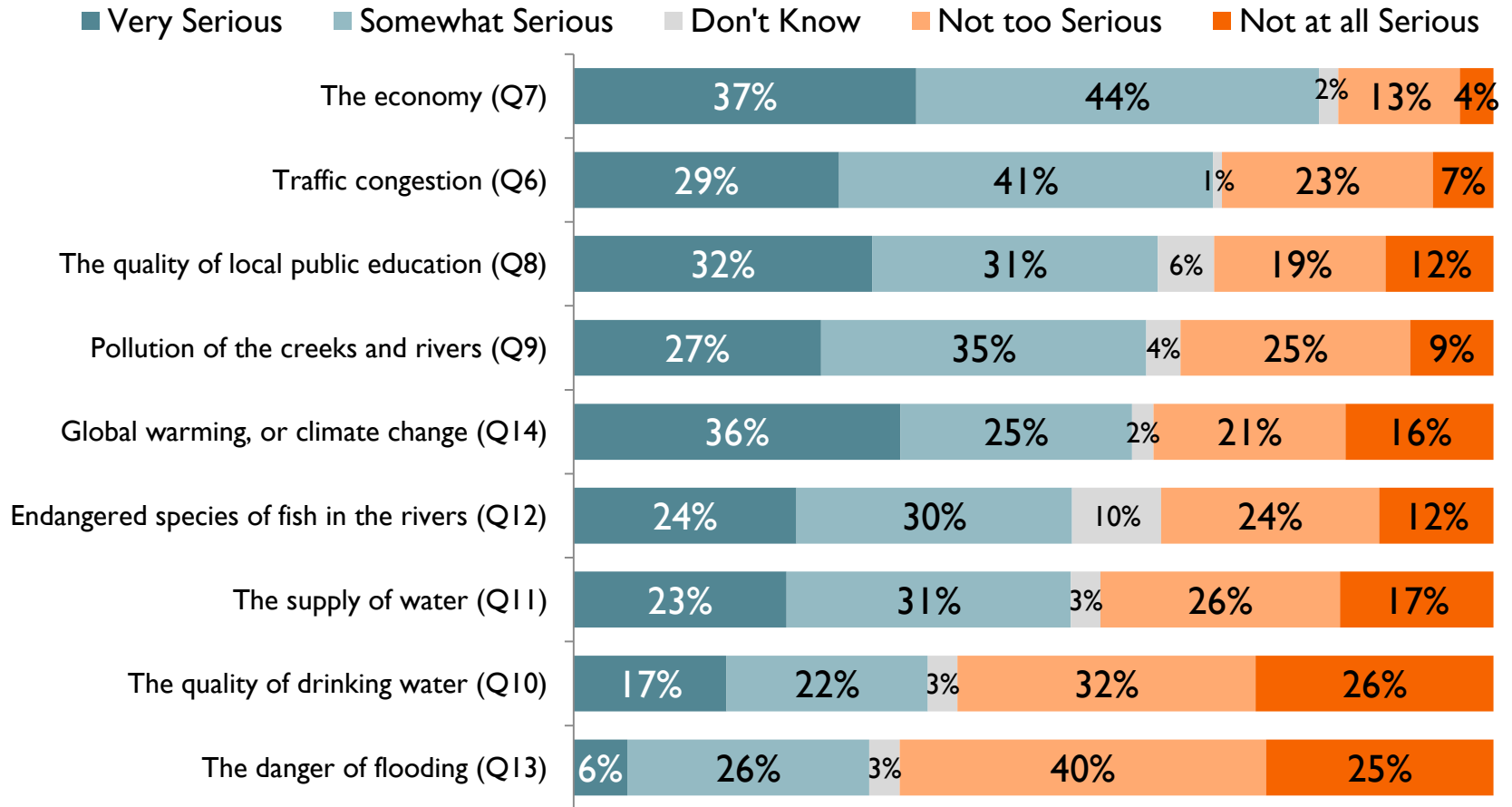
# Economic issues are still the top mentioned problem but traffic is on the rise.

What is the most important problem facing Sonoma County today? (Q5)



# The economy and traffic are more concerning than water issues, but a majority worry about the rivers, water supply, and global warming.

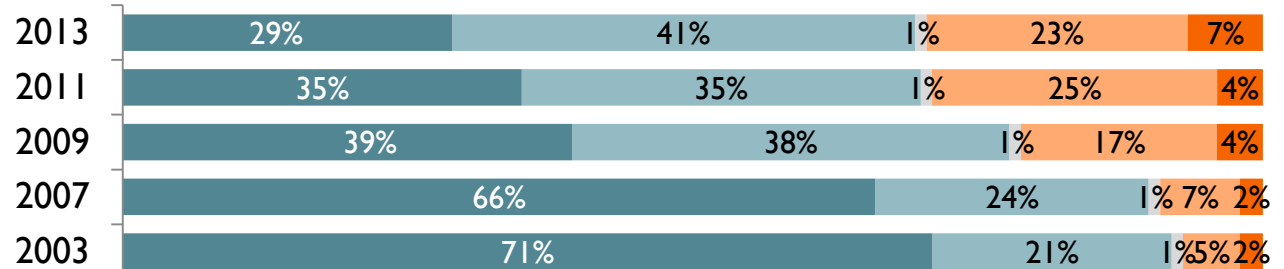
Please tell me if you feel each of the following is a very serious problem facing Sonoma County, a somewhat serious problem, a not too serious problem or not a very serious problem at all in this area. (Q6-17)



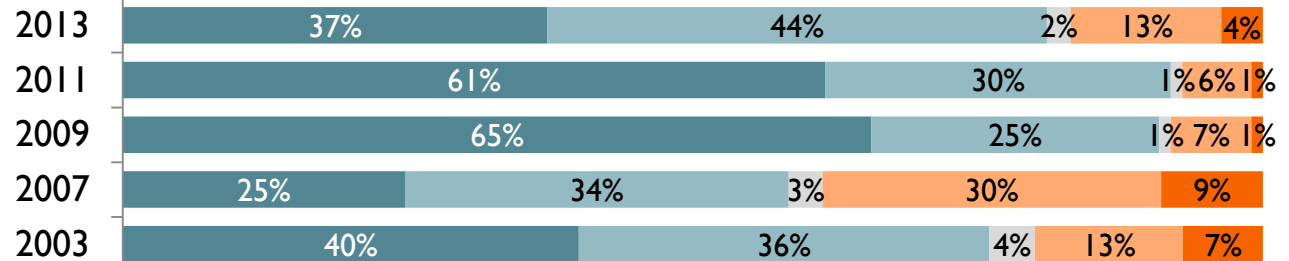
# Intensity of concern about the economy is down significantly.

■ Very Serious   ■ Somewhat Serious   ■ Don't Know   ■ Not too Serious   ■ Not at all Serious

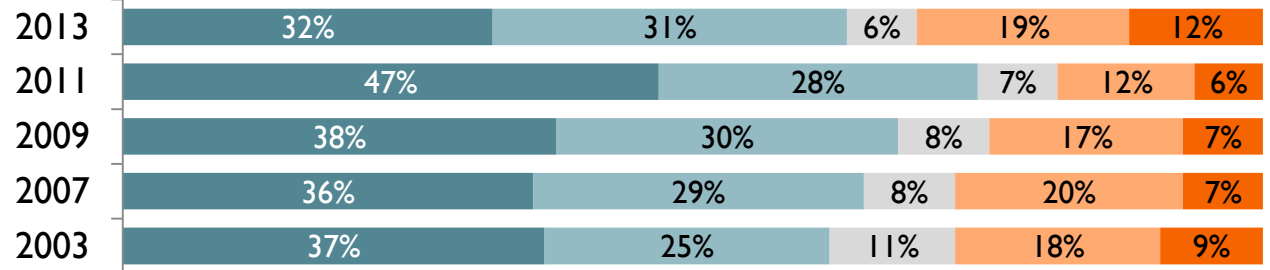
Traffic Congestion (Q6)



The Economy (Q7)



The Quality of Local Public Education (Q8)

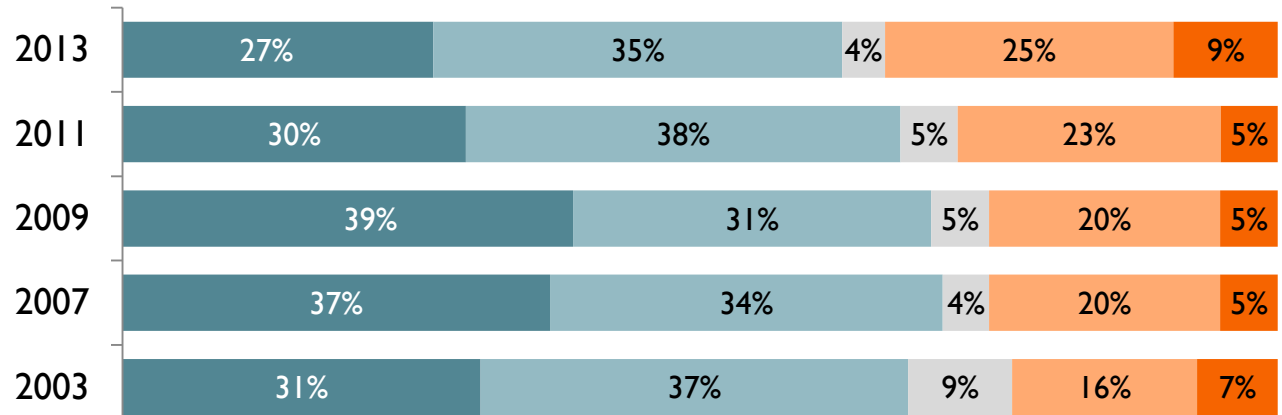




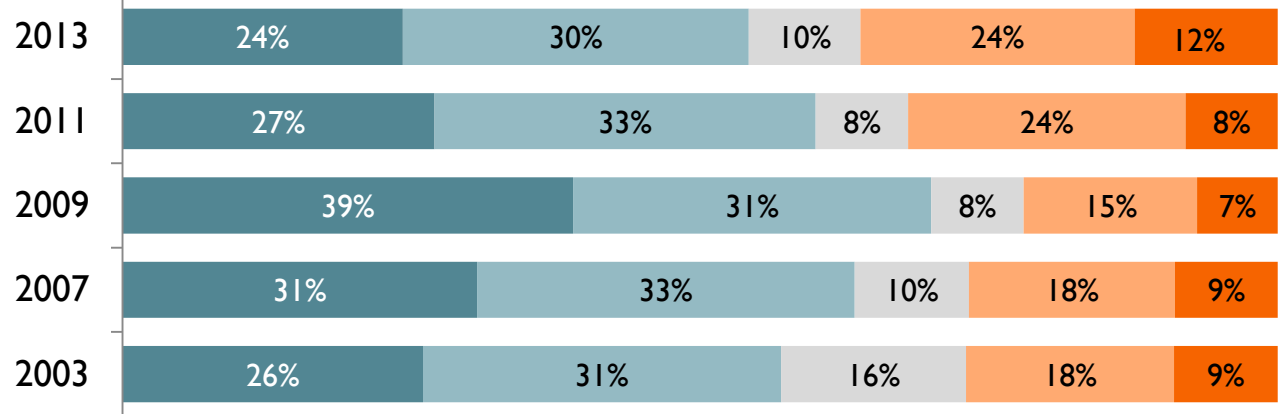
# Concern about river pollution and endangered fish remain high, but intensity is down.

■ Very Serious   ■ Somewhat Serious   ■ Don't Know   ■ Not too Serious   ■ Not at all Serious

Pollution of Creeks & Rivers(Q9)



Endangered species of fish in the rivers (Q12)



## **Water Supply & Conservation**

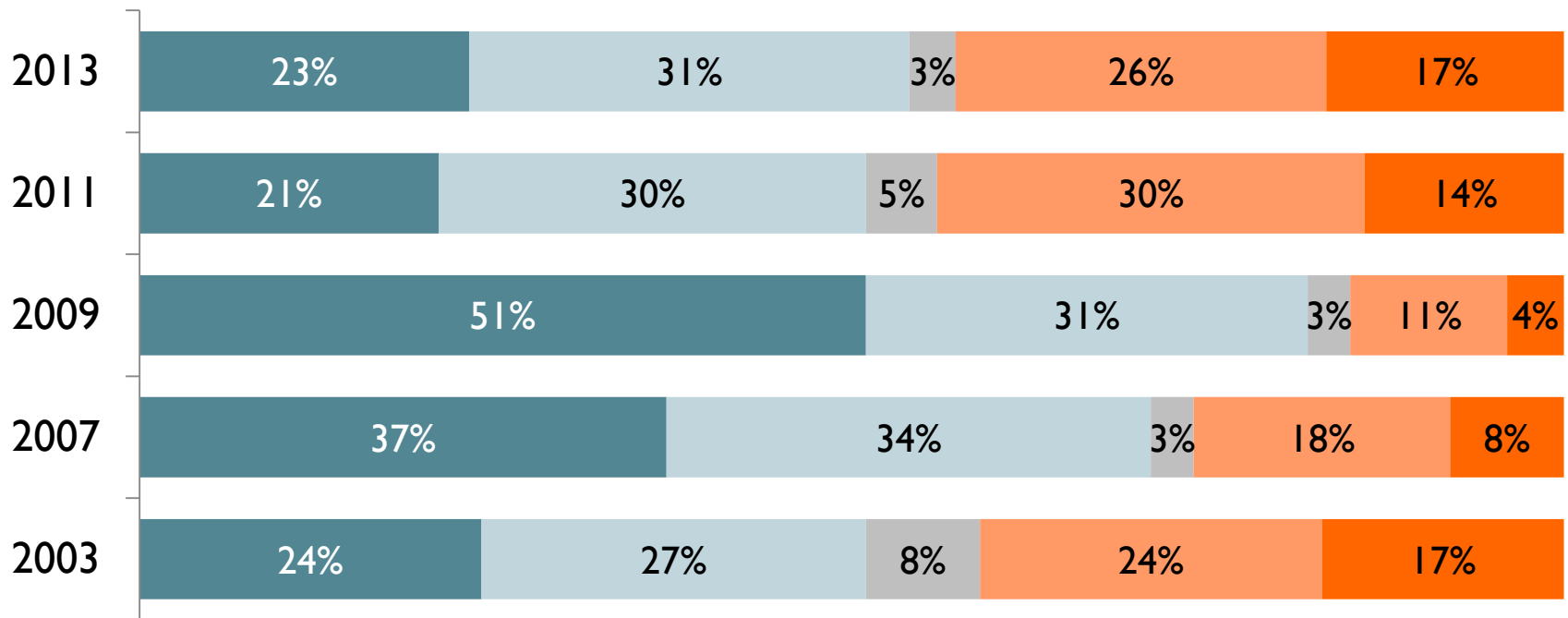
Concern about water supply continues to be fairly low even though it has been a dry year, but self-reported use of water conserving actions is up.

# Although it is a dry year, concern about water supply is far short of drought year attitudes.

Please tell me if you feel each of the following is a very serious problem facing Sonoma County, a somewhat serious problem, a not too serious problem or not a very serious problem at all in this area...

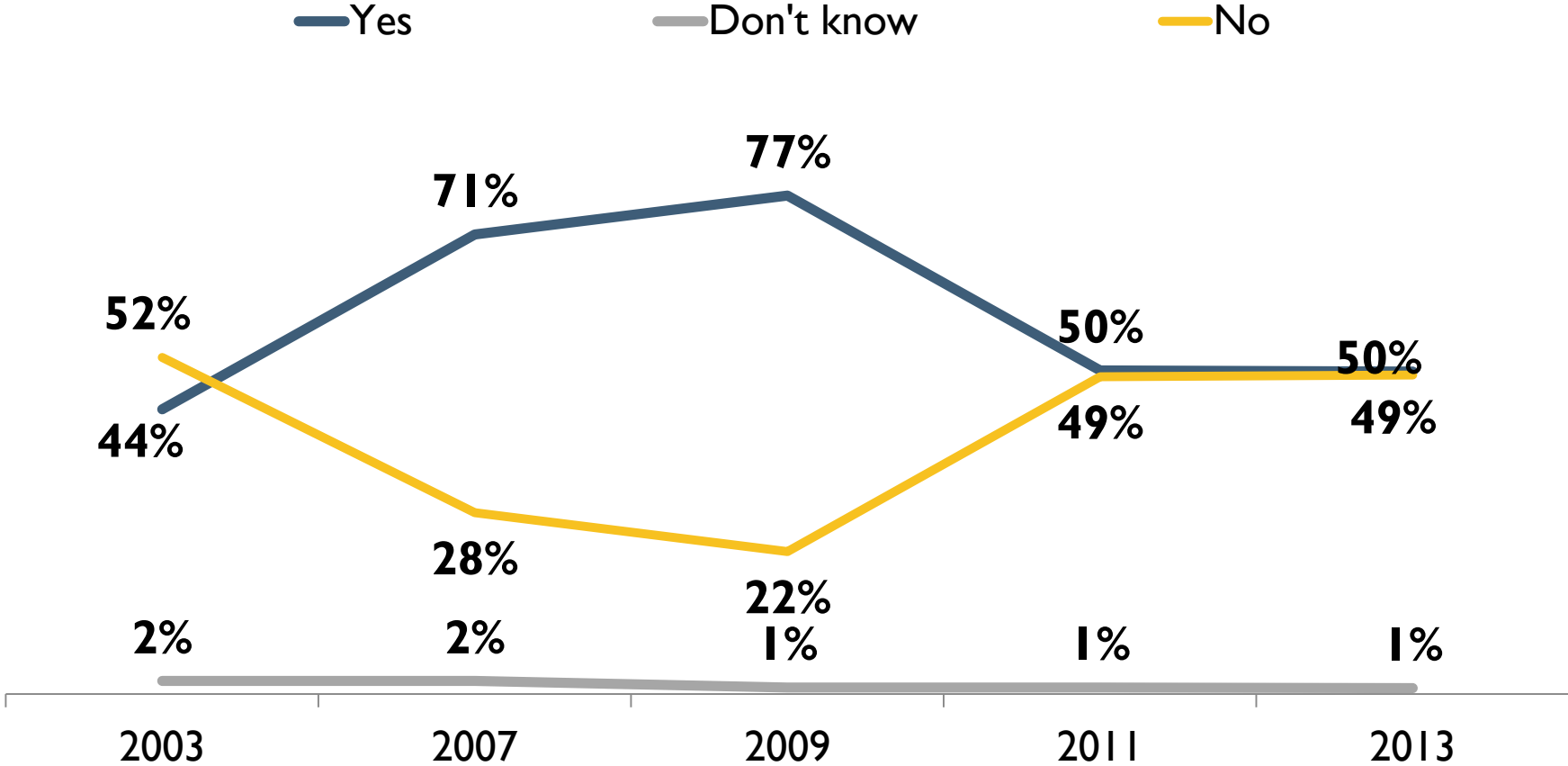
## Supply of Water (Q11)

■ Very Serious ■ Somewhat Serious ■ Don't Know ■ Not too Serious ■ Not at all Serious



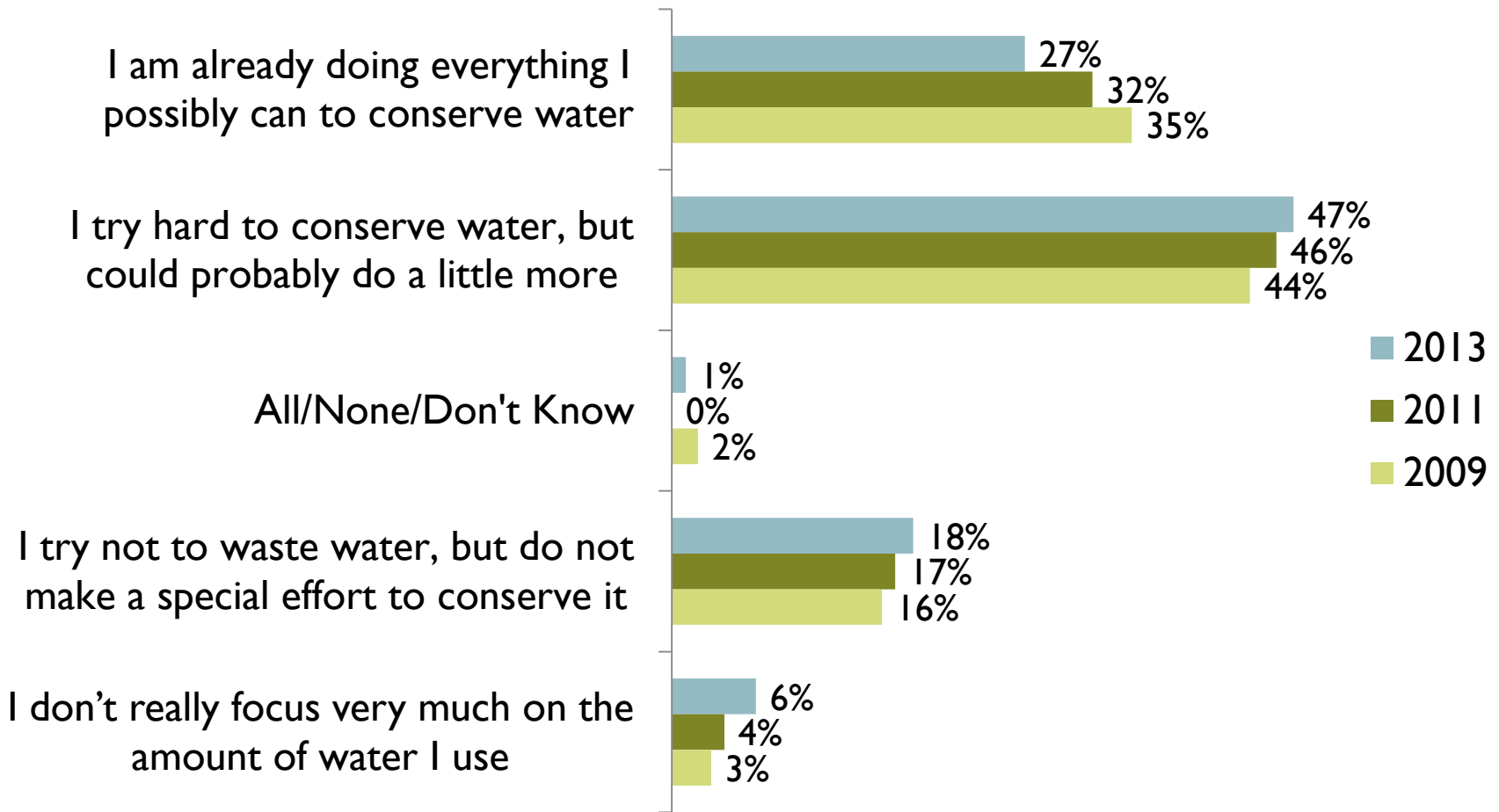
# Awareness of water conservation messaging is still down from the 2009 peak.

Do you recall seeing or hearing anything recently about water conservation? (Q27)



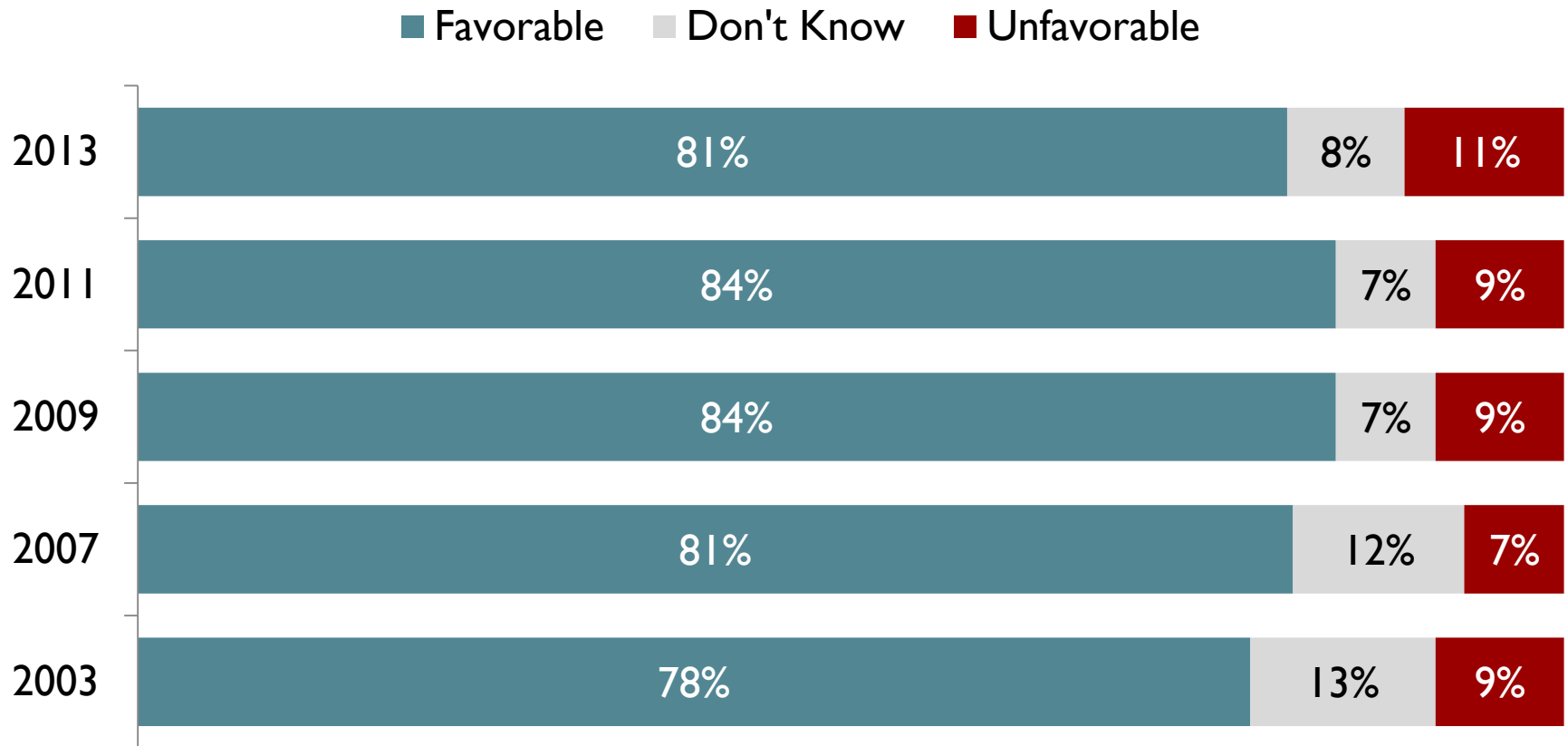
# Self-reported conservation effort is falling slightly but 47% recognize they can do more.

Which of the following statements best describes your current efforts to reduce your water use: (Q29)



# Opinions of recycled water remain overwhelmingly favorable.

*Do you have a favorable or unfavorable opinion of recycled water use? (Q52)*



## **Drinking Water**

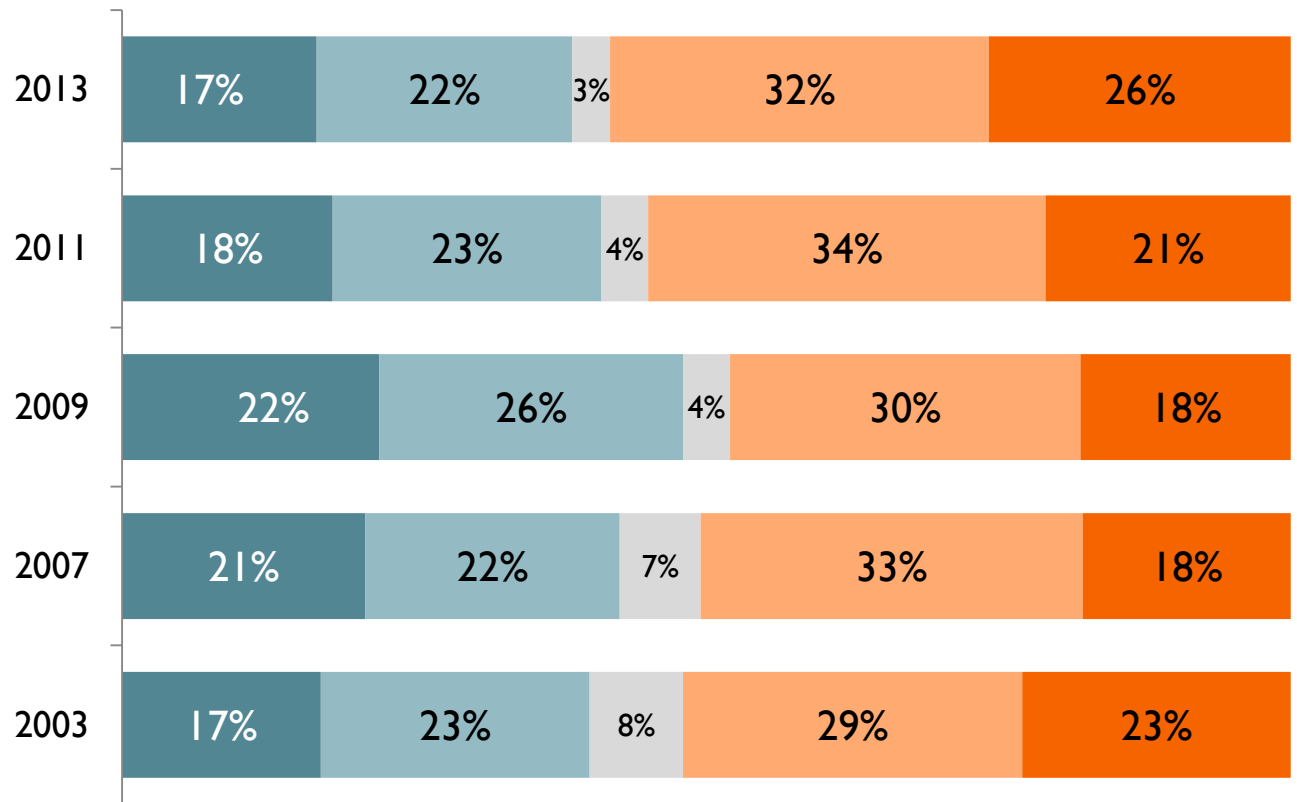
The vast majority say they drink a lot of water and there is little concern about water quality.

# A majority are not concerned about drinking water quality.

Please tell me if you feel each of the following is a very serious problem facing Sonoma County, a somewhat serious problem, a not too serious problem or not a very serious problem at all in this area. (Q6-17)

■ Very Serious   ■ Somewhat Serious   ■ Don't Know   ■ Not too Serious   ■ Not at all Serious

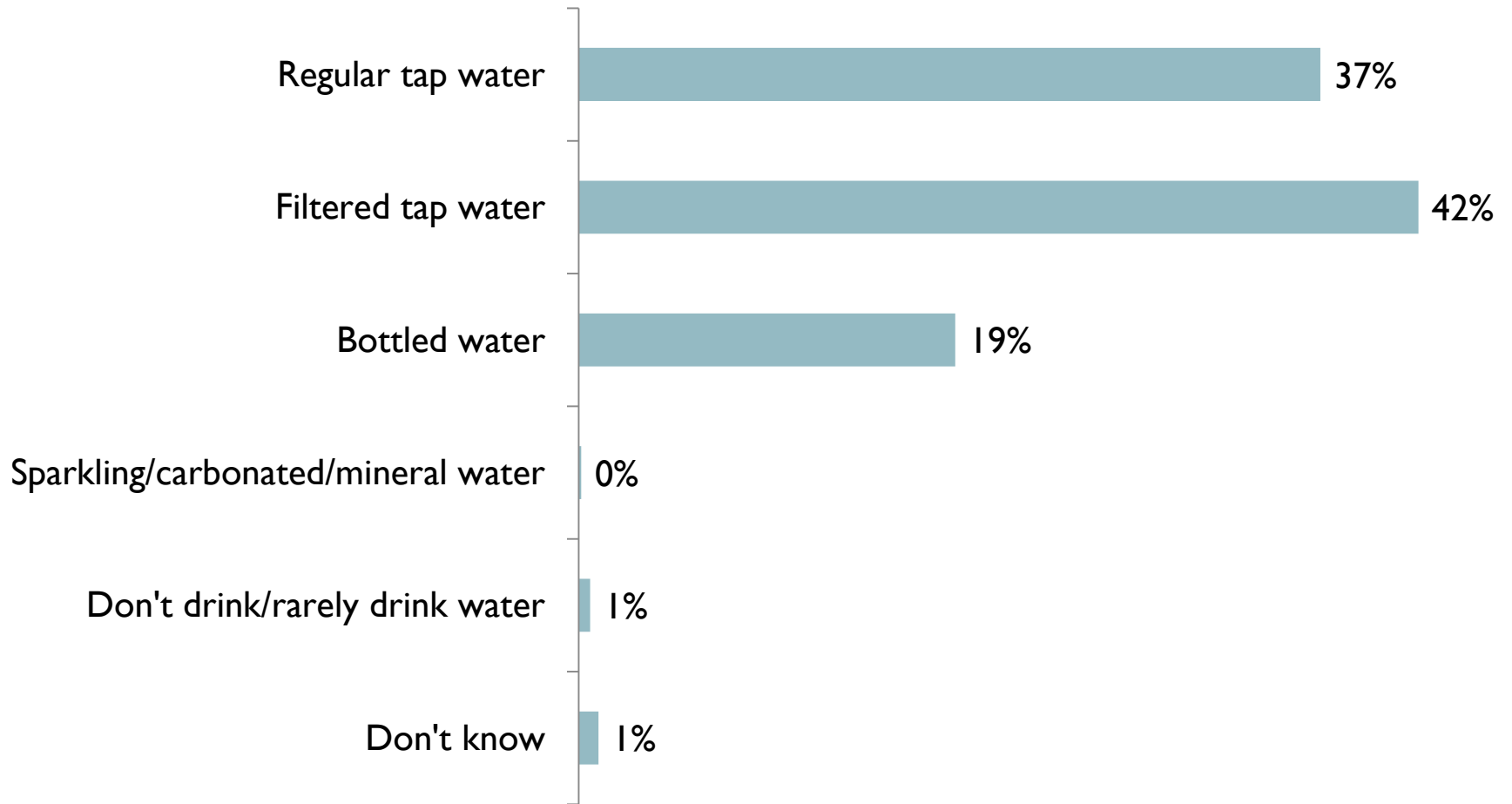
Quality of Drinking Water(Q10)





Although concerns about water quality are fairly low, 42% filter their tap water and 19% drink bottled water.

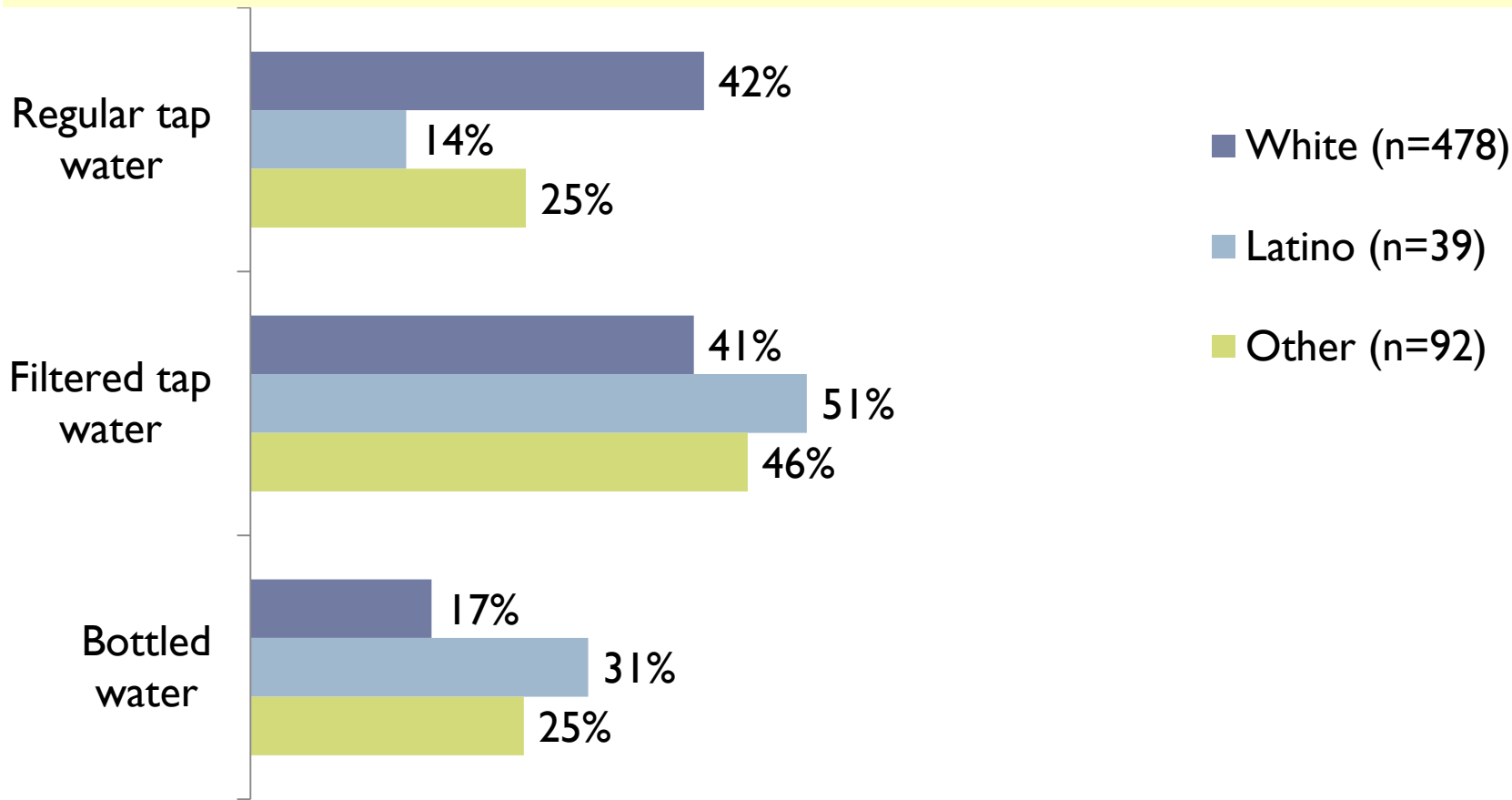
What kind of water do you most often use for drinking in your home?(Q57)



Although the sample size is small, Latinos appear to be more likely to drink bottled and filtered water than other ethnicities

What kind of water do you most often use for drinking in your home?(Q57)

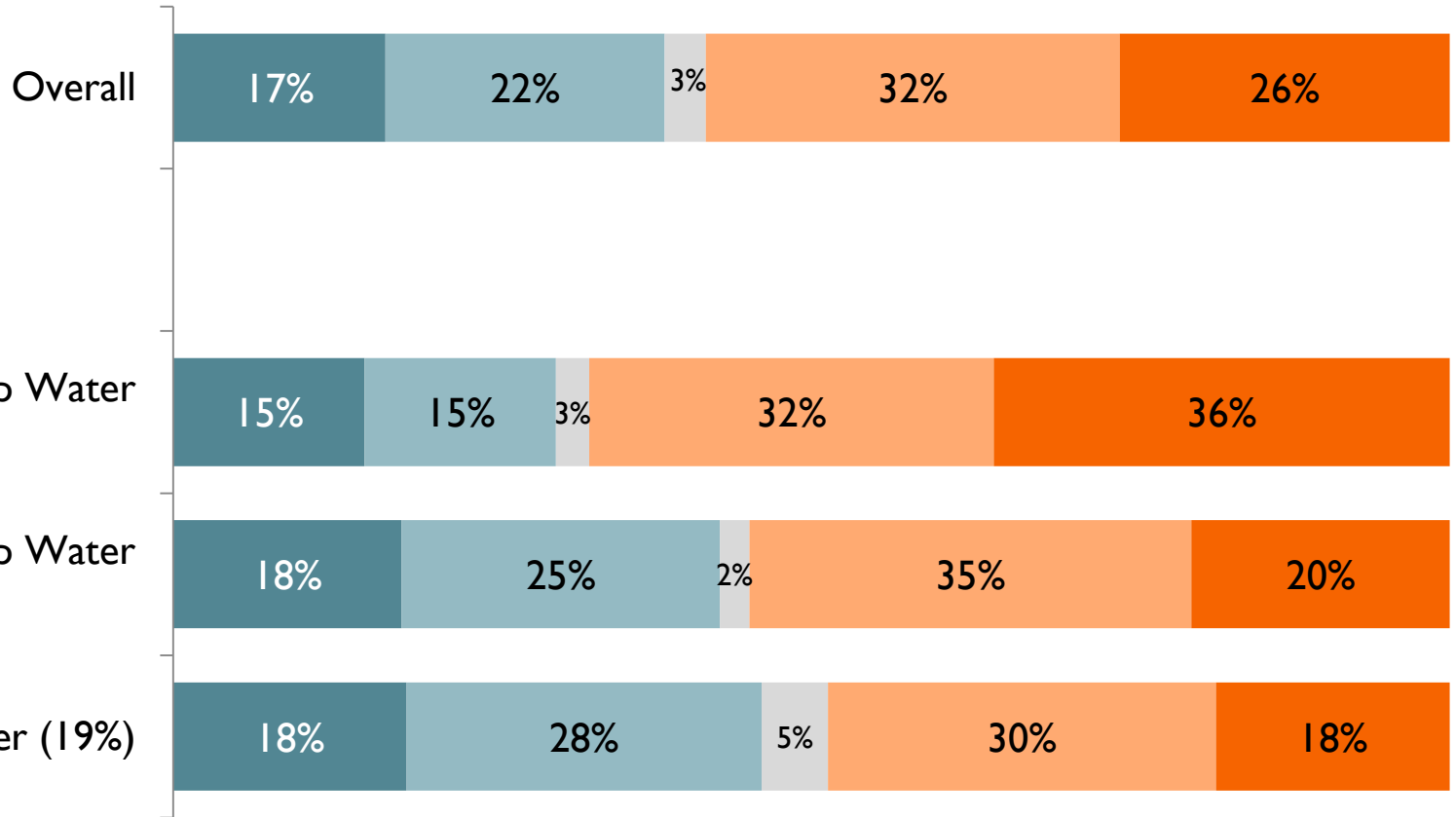
**BY ETHNICITY**



# Those who filter their water or drink bottled water have more concerns about water quality.

Please tell me if you feel the quality of water is a very serious problem facing Sonoma County, a somewhat serious problem, a not too serious problem or not a very serious problem at all in this area. (Q10)

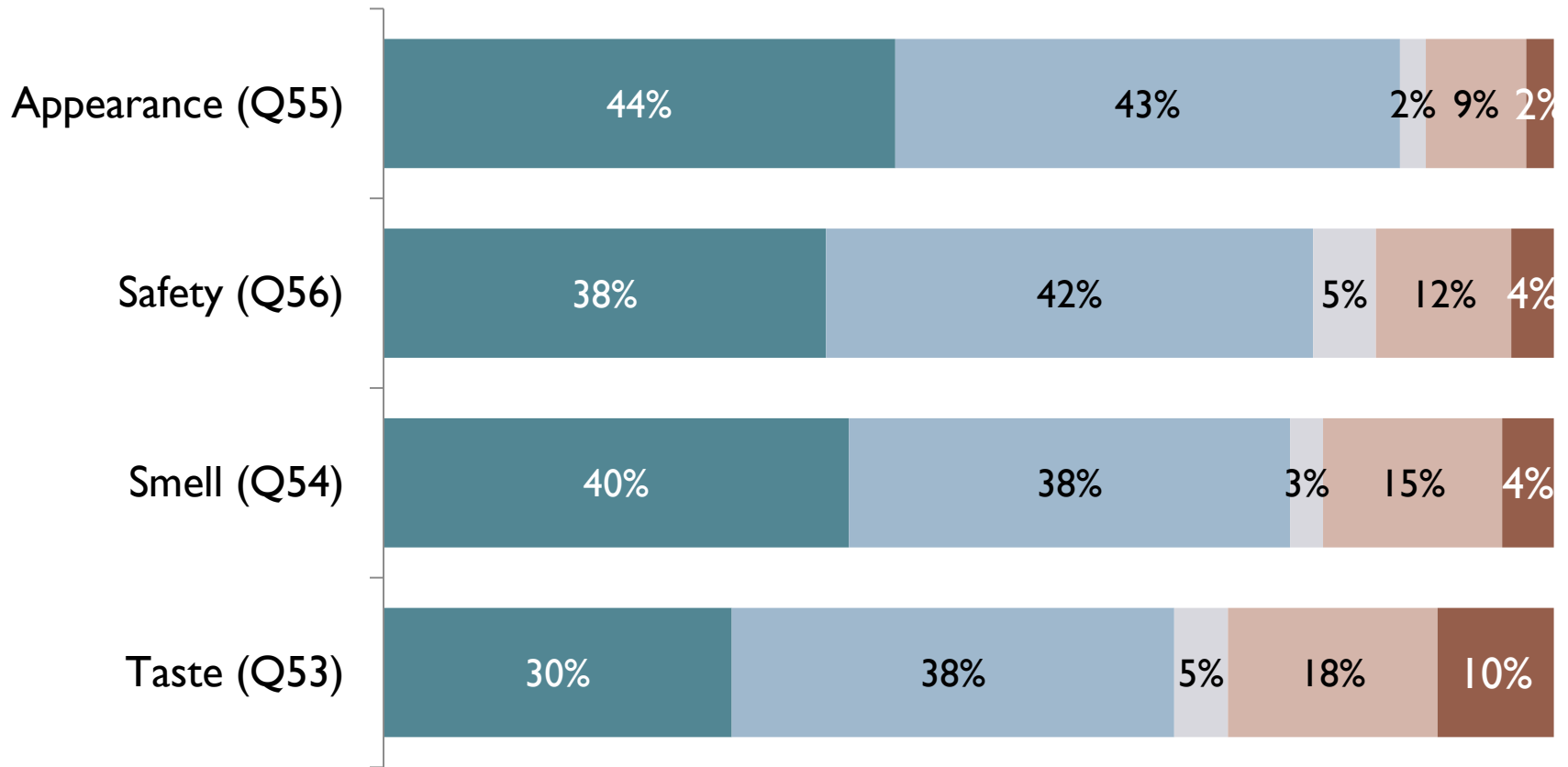
Very Serious    Somewhat Serious    Don't Know    Not too Serious    Not at all Serious



# Drinking water safety is rated highly, but many appear to be less satisfied with taste.

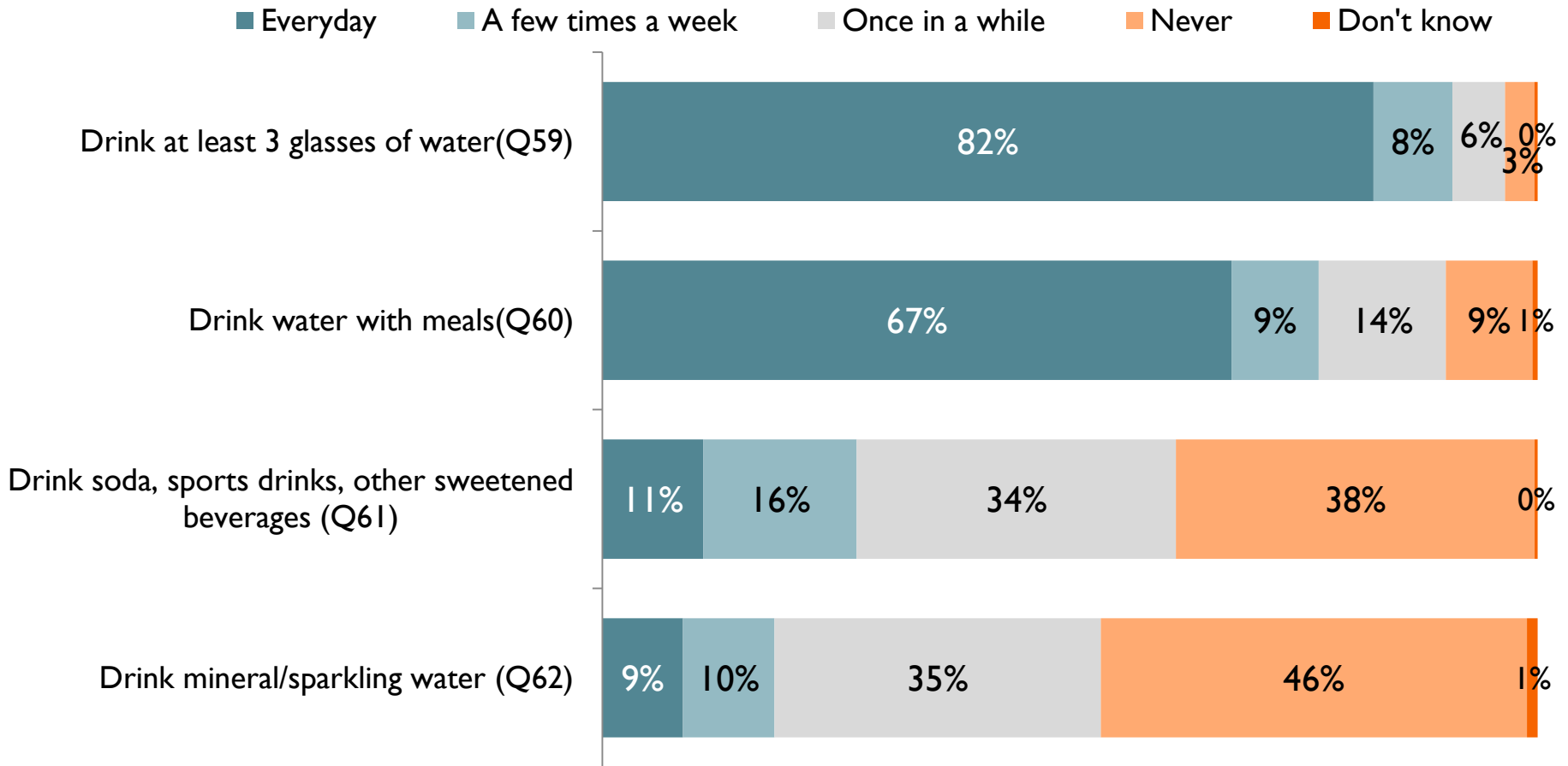
How would you rate the following aspects of the tap water, as excellent, good, fair, or poor?(Q53-56)

■ Excellent ■ Good ■ Don't Know ■ Fair ■ Poor



# Almost all say they drink a lot of water and avoid sweetened drinks.

How often do you do each of the following? (Q59-62)





## County of Sonoma Agenda Item Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 25**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** County Administrator

**Staff Name and Phone Number:**

Don Schwartz 565-2431

**Supervisorial District(s):**

All

**Title:** Sonoma County Library JPA Amendment

### **Recommended Actions:**

1. Approve Draft Amended Joint Powers Authority Agreement for the Sonoma County Library.
2. Direct staff to return to Board for approval of Final Amended Joint Powers Authority Agreement after review by the Cities and Towns in the County.

### **Executive Summary:**

**Background:** The Sonoma County Library was established in 1975 with a Joint Powers Agreement (JPA). While there are Library branches in most of the County's cities, JPA members include only the County and the Cities of Healdsburg, Petaluma, Santa Rosa, and Sonoma. The Library is governed by a seven-member Library Commission. Five of the seven members are appointed by the Board of Supervisors, and one each by the Cities of Santa Rosa and Petaluma.

In 2012, the Board of Supervisors approached the Sonoma County Mayors and Council members, who agreed to initiate a review of the Joint Powers Agreement in light of challenges at the Library and changes in demographics, technology, and finances since 1975. All of the cities in the County agreed to participate in the review, along with the Library Commission, and formed the Sonoma County Library JPA Review Advisory Committee. The Committee began meeting in October, 2012, and is expected to complete its review and recommend distributing the Draft Amended JPA for review by the Board, City Councils, and Library Commission on September 16, 2013. After receiving comments from these bodies, the Advisory Committee will convene to address any comments and distribute a final draft to the Board and Councils for adoption.

The Advisory Committee has met twelve times since October, 2012. It has included extensive public participation at its meetings, including input from library advocates, staff, and managers. The Committee also dedicated time for input from the Library Advisory Boards (LABs) for each branch, and reached out to the LABs through a survey and attendance at the annual meeting for all LABs.

**Key Features of Current JPA:** The Advisory Committee recommends that the Amended JPA retain and enhance many of the most valuable features of the current Agreement. These include:

1. Continuing to have one County-wide system, which provides economies of scale that would be unattainable otherwise.
2. Continuing to dedicate a current portion of property taxes to the Library.
3. Retaining the Library as an independent government organization focused on a regional system.
4. Continuing to have Library Advisory Boards in each community to provide a local voice for library patrons.
5. Continuing to operate in a spirit of collaboration among the Members.
6. Continuing a commitment to equitable services throughout the County.

The Advisory Committee also recommends numerous changes to strengthen the Library:

1. Expanding membership to include all cities and the County so that all jurisdictions have a role in decision-making, with each member having one vote on a new Library Commission.
2. Allowing each member to appoint a representative of its choosing, which could include an elected official, staff from the jurisdiction, or a local resident. Representatives would serve at the will of the member jurisdiction.
3. Providing the Library with full budget and employment authority, removing the Board of Supervisors from the role of providing final budget approval.
4. Making explicit the Library's authority to levy taxes.
5. Requiring approval from the relevant jurisdiction before exercising powers of eminent domain.
6. Requiring leases for all buildings not owned by the Library.
7. Requiring an equal number of core hours.
8. Allowing local communities to fund additional hours that are open to all residents.
9. Requiring an appeals process for the Library Director's decisions on key issues such as collections and facilities.
10. Requiring a strategic plan at least once every ten years.
11. Increasing the role for the LABs including a designated liaison and annual reports from each LAB to the Commission.
12. Requiring a review of the JPA every ten years.

**Next Steps:** Following your Board's action, in the coming weeks staff will present the proposed Amended JPA to each of the cities, the Library Commission, and the Library staff for their consideration, review, and comment. The Advisory Committee will convene in November or December to consider proposed changes to the JPA, and will then distribute a final version to your Board and each of the cities for final approval and appointment of new Commissioners. The anticipated effective date of the Amended JPA is February 1, 2014.

In addition, staff from the CAO will work closely with the Library staff to develop a transition plan to ensure a smooth transfer from the existing JPA and Library Commission to the new JPA and Commission.

**Prior Board Actions:**

January, 1975: Approved the Sonoma County Library Joint Powers Agreement

March and June, 2012: Directed staff to assess the Library's management structure and other factors and review the Joint Powers Agreement.

October 2, 2012: Appointed Supervisor McGuire to the Sonoma County Library Joint Powers Agreement Review Advisory Committee, and appointed Supervisor Carrillo as the alternate.

**Strategic Plan Alignment**      Goal 4: Civic Services and Engagement

A robust and efficient Library system is a fundamental local government service, supporting the educational, economic, and social well-being of a community.

**Fiscal Summary - FY 13-14**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 0</b>	<b>Total Sources</b>	<b>\$ 0</b>

**Narrative Explanation of Fiscal Impacts (If Required):**

The Library budget is independent of the County budget, and there are no direct fiscal impacts from the requested action. The CAO and County Counsel are providing significant staff time in support of the Advisory Committee.

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

**Narrative Explanation of Staffing Impacts (If Required):**

**Attachments:**

August 27 Version of the First Amended and Restated Sonoma County Amended Library Joint Powers Agreement

**Related Items "On File" with the Clerk of the Board:**

--



**First Amended and Restated Joint Powers Agreement  
for the County-Wide Provision of Library  
Services by the Sonoma County Library**

This First Amended and Restated Joint Powers Agreement for the County-Wide Provision of Library Services by the Sonoma County Library (“Agreement”) is made and entered into pursuant to the provisions of Title 1, Division 7, Chapter 5, Article 1 (Sections 6500 *et seq.*) of the California Government Code relating to the joint exercise of powers among the Parties hereto, and amends the original Joint Powers Agreement dated January 27, 1975 (the “Original Agreement”).

**RECITALS**

A. In the Original Agreement, the County of Sonoma and the Cities of Santa Rosa, Healdsburg, Petaluma, and Sonoma created a separate joint powers authority entity pursuant to California Government Code Sections 6500, *et seq.* (the “JPA Act”) named the Sonoma County Library, which was established for the purpose of consolidating their existing public library services and continuing the operation of free public library services throughout the County of Sonoma.

B. The Sonoma County Library is a county free library pursuant to California Education Code Sections 19100, *et seq.*, a local agency pursuant to California Revenue and Taxation Code Section 95(m), and a special district pursuant to California Revenue and Taxation Code Section 2216.

C. The Sonoma County Library has been successful in providing county-wide free public library services to the public in the County of Sonoma and fulfilling its mission since its creation on January 27, 1975.

D. The Parties to this Agreement hereby desire to continue the Sonoma County Library and the provision of free public library services throughout the County of Sonoma, and to amend the Original Agreement with respect to the terms and provisions set forth herein.

**AGREEMENT**

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth below, the executing Parties agree to the following terms and provisions:

**I. PURPOSE**

A. Amended and Restated Agreement. The purpose of this Agreement is to modify and amend the Original Agreement with respect to matters relating to membership, governance, administration, and operations of the Sonoma County Library (“Library”), a JPA Act entity. The terms and provisions of this Agreement replace the Original Agreement in its entirety. Unless expressly stated herein, this Agreement does not affect any of the Library’s contracts, debts, revenues, claims, obligations, policies, procedures, or bylaws that pre-date this Agreement, which will continue to remain in full force and effect in accordance with their terms and/or applicable law.

B. Continuation of the Sonoma County Library as a JPA Act Public Entity. The parties to the Original Agreement created the Library as a distinct public entity, separate and apart from the parties to such agreement, pursuant to the provisions of the JPA Act (Government Code Section 6506) and Education Code Sections 19100, *et seq.* It is the intent of the Parties that, under this Agreement, the Library continue as a distinct public entity under the JPA Act and other applicable law. Pursuant to Government Code Section 6508.1, the debts, liabilities or obligations of the Library shall not be debts, liabilities or obligations of the individual Parties to this Agreement, unless the governing body of a Party expressly agrees in writing to assume any of the debts, liabilities or obligations of the Library.

C. Library Services Provided. The Library shall be responsible for operating, managing, and administering the integrated free public library system in the County of Sonoma, consistent with the terms of this Agreement.

D. Commitment to County-Wide Library System. The Parties to this Agreement agree to collaborate and work cooperatively with one another and the Library in good faith to ensure the provision of library services to Sonoma County citizens across the regional county-wide library system.

## II. POWERS

A. General Powers. The Library shall have the powers common to the Parties to this Agreement that are necessary or convenient to the operation of the free public library system in the County of Sonoma, as well as other powers accorded to it by law, subject to the restrictions set forth herein.

B. Specific Powers. The Sonoma County Library is authorized in its own name to perform all acts necessary for the exercise of common powers to carry out this Agreement, including, but not limited to, the following:

1. To make and enter into contracts;
2. To employ agents and employees;
3. To obtain legal, financial, accounting, technical, and other services as needed to carry out its mission;
4. To acquire, construct, manage, maintain and operate any buildings, works, or improvements;
5. To acquire, hold, lease, or dispose of property;
6. To incur debts, liabilities, and obligations, including but not limited to loans from private lending sources pursuant to its temporary borrowing powers such as Government Code §§ 53850, *et seq.*, and authority under the JPA Act;
7. To issue revenue bonds and other forms of indebtedness;

8. To impose, levy, collect or cause to be collected, to receive and use sales taxes, parcel taxes, Mello Roos taxes, property taxes, special taxes, or any other type of tax or assessment, as authorized by law;

9. To apply for, accept, and receive all permits, grants, loans, or other aids from any federal, state, or local public agency;

10. To receive and administer trusts, gifts, contributions, and bequests, as well as receive donations of property, funds, services and other forms of financial assistance, from any person, entity, or agency;

11. To sue and be sued in its own name; and

12. To promulgate, adopt, and enforce any rules and regulations as may be necessary and proper to implement and effectuate the terms, provisions, and purposes of this Agreement.

C. Eminent Domain. The Library shall not have the power to acquire property by eminent domain unless the Member having jurisdiction over the subject property has expressly granted it such power in writing. Alternatively, Members may exercise their own eminent domain powers for the benefit of the Library. The Members shall work cooperatively and in good faith with the Library to address any eminent domain issues for the benefit of the regional library system.

D. Restriction on Exercise of Powers. Pursuant to the JPA Act (i.e., Government Code Sections 6508 and 6509), all common powers exercised by the Library shall be exercised in a manner consistent with, and subject to, the restrictions and limitations upon the exercise of such powers as are applicable to the County of Sonoma, a general law county.

### **III. EFFECTIVE DATE AND TERM**

A. Effective Date. This Agreement shall become effective on February 1, 2014, or the date by which the governing bodies of all of the parties to the Original Agreement (the County of Sonoma and the Cities of Santa Rosa, Healdsburg, Petaluma, and Sonoma) have executed this Agreement, whichever is later. Such date shall be the “Effective Date” for purposes identified herein.

B. Term. This Agreement shall remain effective until it is terminated in accordance with the provisions set forth below in Section XI.A, subject to the rights of individual Parties to withdraw from the Library.

### **IV. MEMBERSHIP**

A. Current JPA Members. Prior to the Effective Date of this Agreement, the sole Members of the Sonoma County Library are the County of Sonoma and the Cities of Santa Rosa, Healdsburg, Petaluma, and Sonoma. These parties shall remain Members of the Library after the Effective Date of this Agreement, subject to the terms and conditions herein.

B. Membership Eligibility. After the Effective Date of this Agreement, other incorporated cities within the geographic boundaries of the County of Sonoma may also become

Members of the Library. To become a Member, the governing body of a city must: (1) approve of and request membership in writing; (2) execute this Agreement; and (3) present such documents to the Library Commission.

C. “Member” Defined. For the purposes of this Agreement and after its Effective Date, the term “Member” shall refer to the County of Sonoma and any incorporated city within the geographic boundaries of the County which: (1) are eligible to join the Library as a Member pursuant to the provisions of this Agreement; (2) have signed this Agreement as a Party; and (3) have satisfied all other requirements to become a Member set forth herein.

## V. LIBRARY ADVISORY BOARDS

A. LAB Creation. The Library shall establish a Library Advisory Board (“LAB”) in each city or community in which at least one regional branch library operates. The LABs shall be comprised of, and shall be operated by, the residents of their respective service areas who shall be appointed by the Commission. Each LAB shall set its own procedural rules and operational bylaws, and shall comply with the provisions of the Ralph M. Brown Act, California Government Code Section 54950, *et seq.* As of the Effective Date, all existing LABs shall continue to remain in effect.

B. LAB Purpose. The purpose of the LABs shall be to provide information and make recommendations to the Commission and the Library Director on matters affecting library service based on input from their respective service areas.

C. LAB Liaisons. Each LAB may appoint one LAB member to act as a liaison to the Library Commission, who shall present an annual report on the activities of the LAB to the Library Commission.

D. Annual LAB Meeting. All LABs are encouraged to hold one combined meeting at least once a year to address system-wide library service and related issues.

## VI. GOVERNANCE

A. Library Commission. The Library Commission (“Commission”) is the governing and administrative body of the Sonoma County Library. Generally, it shall be responsible for exercising the powers set forth in this Agreement and applicable law to accomplish the purposes of the Library. Specific responsibilities of the Commission are as follows:

1. Provide structure and direction for operational, administrative and fiscal oversight of the Library;
2. Before the beginning of each Fiscal Year (as defined in Section IX.E), adopt, in its sole discretion, either an annual or a multi-year budget for the Library, and revise it periodically as necessary;
3. Ensure strict accountability of all funds and reports of all receipts and disbursements;
4. Identify and pursue additional funding sources for the Library;

5. If approved by a 2/3 vote of the Commission, issue bonds or other forms of indebtedness, and/or impose or levy taxes as authorized by this Agreement and/or applicable law;
6. Approve a strategic plan which addresses existing and proposed new facilities, operations, technology, and budget, at least once every ten years;
7. Adopt a facilities maintenance plan at least once every three years, and revise it as necessary;
8. Contract for, employ or otherwise engage sufficient administrative, technical, support and other staff, consultants and contractors, and provide for necessary direction, management and oversight for all staff, consultants and contractors;
9. Approve employment agreements or memoranda of understanding with employees and/or their representative bargaining units;
10. Adopt personnel rules and regulations;
11. Oversee the Library Director's performance of duties;
12. Adopt rules for procuring supplies, equipment and services, and for the disposal of surplus property;
13. Adopt a conflict of interest code, as required by law;
14. Adopt bylaws, policies, rules and regulations as necessary for the purposes of this Agreement; provided that nothing in the bylaws, policies, rules and regulations shall conflict with this Agreement or applicable law;
15. Review this Agreement once every ten years to determine its continuing effectiveness, and present written findings to Members; and
16. Discharge other duties consistent with the purposes of this Agreement as appropriate or required by statute.

B. Commissioners Appointed by Parties. The governing body of each Member of the Library shall be entitled to appoint one representative to sit on the Commission as a voting member ("Commissioner"). Commissioners appointed by Members of the Library shall serve at the pleasure of the governing body which appointed them, and may be removed by such governing body at any time. While such Commissioners do not serve for a specific term of office, their appointments may be made or renewed annually by the Member's governing body; absent such action, existing appointments shall continue in full force and effect. Commissioners may be residents of library service areas, personnel or employees of the Members, or elected officials of the Board of Supervisors or City Councils.

1. Initial appointments to the Commission by Library Members shall become effective on the Effective Date, or immediately after a city first becomes a Member of the Library, whichever is later.

2. If a Member's seat on the Commission becomes vacant at any time, the governing body of the Member shall appoint another representative to fill the vacancy within 30 days of the date on which such position became vacant.

3. Commissioners newly appointed to the Commission shall be provided with training for their position by the Commission, Library Director, or other persons, as designated by the Commission.

C. Commission Officers. The Commissioners shall select, from among themselves, a Chair who shall be the presiding officer of all Commission meetings, and a Vice Chair who shall serve in the absence of the Chair. In addition, the Commission shall appoint a Secretary and/or Clerk (who need not be Commissioners) to be responsible for keeping the minutes of all meetings of the Commission and posting agendas.

D. Reimbursement of Expenses. Commissioners shall serve without compensation, but may be paid actual expenses incurred in the performance of their duties.

E. No Personal Liability of Commission Members. Under the JPA Act, no Commissioner shall be personally liable for any debts, obligations or liabilities of the Library, or on any bonds issued by the Library, nor subject to any personal liability or accountability by reason of the Library's incurrence of debts, obligations or liabilities or issuance of bonds.

## **VII. COMMISSION MEETINGS AND VOTING**

A. Regular Meetings. The Commission shall hold its regular meetings on a monthly basis pursuant to a meeting schedule, but may reschedule or dispense with particular meetings as it deems necessary or appropriate.

B. Special Meetings. Special meetings of the Commission may be called by the Chair or as provided for in the bylaws.

C. Call, Notice, and Conduct of Meetings. All meetings of the Commission shall be noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act, California Government Code Section 54950, *et seq.* As soon as practicable, but no later than the time of posting, the Secretary or Clerk shall provide a copy of the posted agenda to each Member and Commissioner. Commissioners may attend meetings remotely (via telephone, video conferencing, etc.) with full voting rights, to the extent practicable and as permitted by law.

D. Minutes. The Secretary or Clerk shall prepare minutes of all Commission meetings as soon as practicable after each meeting, and shall make the draft minutes available to each Commissioner, the Members, and other interested parties upon request. The Commission shall consider the minutes at the next regularly scheduled meeting for approval.

E. Quorum. A majority of the Commissioners duly appointed to the Commission as of any meeting date shall constitute a quorum of the Commission for the transaction of business. If there is less than a quorum present at a meeting, no Commission action can be taken, and the meeting may be adjourned.

F. Voting. All voting power of the Library shall reside in the Commission. Each Commissioner shall have one vote. No absentee ballot or proxy is permitted. The affirmative vote of at least a majority of the Commissioners attending a meeting is required for the Commission to take any action. However, a 2/3 vote of all duly-appointed Commissioners is required for those actions expressly identified in Section VI.A.5 of this Agreement, and a vote of at least a quorum of all duly-appointed Commissioners is required for any of the following actions: (1) approval of the budget; (2) approval of collective bargaining agreements; (3) approval of new regional branch libraries; (4) decisions to incur debts from public or private lending sources; and (5) adoption or revision of bylaws.

### **VIII. OFFICERS, COMMITTEES, AND LIAISONS**

A. Library Director. The Commission shall appoint a Library Director who shall meet the qualifications of a “county librarian” as specified in Education Code Section 19142. The Library Director shall report directly to the Commission, and shall serve at the pleasure of the Commission. The Library Director shall be responsible for the day-to-day operation, administration, and management of the Library, and shall perform duties as assigned by the Commission and specified in this Agreement.

1. Subject to the general policies adopted by the Commission, the Library Director shall build up and manage, according to accepted principles of library management, the library for the use of the residents of Sonoma County and shall, subject to budget limitations, determine what materials, furniture, fixtures, and equipment shall be purchased.
2. The Library Director shall have the power to employ staff, consultants and independent contractors as may be necessary to carry out the purposes of this Agreement, subject to the policies, rules and regulations set by the Commission.
3. The Library Director is authorized to make payments for the Library under any contract or agreement previously approved by the Commission where the payments are identified therein. The Commission may also, by resolution, authorize the Library Director to pay claims of the Library which do not exceed amounts identified in the resolution.
4. The Library Director shall apply for and, with the approval of the Commission, accept and administer grants and subventions from outside funding sources, both public and private.
5. The Library Director shall prepare and file all notices with the Secretary of State as required by Government Code Sections 6503.5, *et seq.*, and shall be responsible for preparing and filing any other notices required by law.
6. The Library Director is the custodian of Library property and, pursuant to Government Code Section 6505.1, is required to file an official bond in an amount set by the Commission or as otherwise required by law.
7. Decisions of the Library Director regarding policies, facilities, and materials may be appealed to the Commission pursuant to criteria and procedures established in its bylaws.

B. Chief Financial Officer. The Library Director shall appoint a person, firm or entity to act as the Chief Financial Officer to the Library. The Chief Financial Officer shall be responsible for overseeing the Library's financial activities and shall, in writing, approve the accuracy of figures contained in each recommended budget presented to the Commission. The Chief Financial Officer shall report directly to the Library Director.

C. Treasurer, Controller, and Annual Audit. The Sonoma County Auditor-Controller-Treasurer-Tax Collector shall act as the Treasurer and Controller for the Library. The Treasurer and Controller shall perform all usual and customary duties of their offices for the Library, including but not limited to receiving all deposits, issuing warrants per direction, and other duties specified in Government Code Section 6505.5. The Commission may transfer the responsibilities of the Treasurer and/or Controller to any other person or entity as the law may provide at the time (see e.g., Government Code Section 6505.5). The Commission shall cause an independent annual audit to be made by a certified public accountant, or public accountant, in compliance with Government Code Section 6505.

D. Legal Counsel. The Commission shall appoint a person, firm or entity to act as general legal counsel to the Library.

E. Committees. The Commission may establish any advisory committees it deems appropriate to assist it in carrying out its functions, including both standing and ad hoc committees.

F. Liaisons. The Commission may appoint liaisons to the Commission as it deems appropriate to assist it in carrying out its functions, and to assist with outreach to school districts and other community institutions. In addition, each LAB may appoint one LAB member to act as a liaison to the Commission, per Section V.C of this Agreement.

## **IX. LIBRARY BUDGET, TAX LEVIES AND REPORTING**

A. Budget Requirements. The Library shall operate only under an approved and balanced budget, which must be reviewed, adopted, and/or revised by the Commission each Fiscal Year. The Commission may revise an adopted budget as may be reasonably necessary to address contingencies, and unexpected expenses or financial circumstances.

B. Budget Process. The Library Director is responsible for preparing the recommended budget to present to the Commission with assistance from the Chief Financial Officer. At least one month prior to the Commission's annual public sessions to be held on the budget, the Library Director and Chief Financial Officer shall hold a public discussion or workshop with respect to the budget.

C. Tax Levies. The County of Sonoma (and any other Member as applicable) shall continue to annually levy, in the same manner and at the same time as other similar taxes are levied, and in addition to all other taxes, the tax upon all property to maintain and improve the Library system. Such library tax revenues shall be deposited with the Library's Treasurer, and paid out for the purposes authorized by this Agreement.



D. Annual Report. The Commission shall comply with Education Code Section 18927, and shall provide an annual report to the State Librarian and the Members on the condition of the Library. The Library Director shall comply with Education Code Section 19169, and shall provide an annual report to the Commission, the Members, and the State Librarian on the condition of the Library.

E. Fiscal Year. The Library's Fiscal Year shall be 12 months commencing July 1 and ending June 30.

**X. SERVICES, RESOURCES, AND FACILITIES**

A. Services. It is the intention of the Parties that the services the Library presently offers to the public be continued at or above current levels in all of its regional branch libraries. Such services include, but are not limited to, the size and quality of collections, hours of operation, qualifications of staff, and availability of technology. The Library shall endeavor to increase existing levels of services, and the locations in which services are provided, as allowable.

B. Distribution of Resources. The Library shall distribute its personnel, financial and technological resources among the various regional library branches in an equitable fashion, unless such distribution is expressly restricted (such as conditions in a gift or bequest).

1. With respect to hours of operation, an equitable distribution of resources requires that all regional branch libraries be funded in a manner allowing them to remain open to the public the same baseline number of hours, with the exception of the Central Branch in Santa Rosa (which may be funded to allow it to remain open to the public for more hours than the other regional branch libraries).

2. Nothing in this Agreement shall be construed as prohibiting a Member, person, or other entity from providing additional funding to a particular regional branch library for the purpose of allowing an increased level of service at that branch, including but not limited to an increase in the baseline hours of operation; provided, however, that access to any such increased level of service at a particular branch must be made be available to all Sonoma County residents. The Commission shall develop policies and procedures in its bylaws to establish conditions for reviewing and granting any such requests to increase levels of service, and must approve of all such requests prior to implementation. The Commission's bylaws shall require the requesting party to address the impacts of a request on the operation of the particular branch as well as the Library system-wide, including but not limited to affects on personnel and administration. The Commission may approve such requests only if they will not have an adverse impact on the operation or administration of any regional branch library or the Library system-wide.

C. Facilities. All facilities used or operated by the Library shall meet minimum standards satisfactory to the Commission.

1. The Library shall enter into and maintain lease agreements for each facility in which it operates, or intends to operate, a regional branch or rural station library, unless the facility is owned by the Library. The Commission shall establish lease agreement

standards and requirements in its bylaws, and shall approve Library leases that are consistent therewith.

2. The Library and Members who own library facilities shall work together to plan for the provision and payment of capital improvements and capital repairs to facilities operated by the Library, including but not limited to major repair and replacement of building structures, HVAC systems, plumbing, roofing, and other structural elements or external features such as parking lots.

3. Any temporary or permanent relocation of a regional branch library shall be mutually agreed upon by the Library and the Member(s) owning the subject library facility or facilities. Notwithstanding the foregoing, the Library shall continue to have the exclusive occupancy and control of the Central Library building and grounds in Santa Rosa, California.

4. Members shall obtain the prior written approval of the Commission with respect to any proposed new library branches and any expansion/remodeling of existing library branches, including approval of plans and specifications. Any architects retained by a Member for such purposes shall consult with the Library Director as often as the latter deems necessary to the proper exercise of his/her responsibilities.

## **XI. TERMINATION AND WITHDRAWAL**

A. Mutual Termination. This Agreement may be terminated only by the mutual agreement of all of the Parties; withdrawal of all but one of the Parties shall constitute a mutual termination of this Agreement by all Parties as of the end of the Fiscal Year in which the penultimate Party withdraws. Upon termination of this Agreement, Members shall mutually agree upon the disposition of Library funds and assets remaining after satisfaction of all of its debts and obligations. If the Members are unable to reach an Agreement on such disposition, they shall be apportioned Library funds and assets pursuant to their proportionate share (based on assessed values for library tax purposes), which shall be determined by the Library's Treasurer.

B. Withdrawal. Individual Members may withdraw from the Library without affecting the continuing operation or administration of the Library. Individual Members may withdraw from the Library by complying with all applicable laws and by giving a minimum of one year's written notice to the Commission and all other Members, which withdrawal shall be effective only at end of a given Fiscal Year. Any Member who withdraws from the Library shall not be entitled to distribution of any Library property or funds; the Library shall retain all property used in the provision of library services at the Member's facilities, including but not limited to furniture, fixtures, technology, equipment, and library collections and materials. Further, a withdrawing Member shall be responsible for satisfying its proportionate share (based on assessed values for library tax purposes) of all outstanding debt and obligations for system-wide costs, and all costs relegated to any regional branch library in the Member's jurisdiction, that exist at the time of withdrawal. Upon withdrawal, all future library tax revenues attributable to the withdrawing Member may revert to that Member only if it assumes the responsibilities of providing a free public library within its jurisdiction and if otherwise allowed by law.

## **XII. MISCELLANEOUS PROVISIONS**

A. Privileges and Immunities from Liability. All of the privileges and immunities from liability, applicable to the activities of officers, agents or employees of a public agency when performing their respective functions, shall apply to the officers, agents or employees of the Library to the same degree and extent while performing any of the functions and other duties of such officers, agents or employees under this Agreement. None of the officers, agents or employees directly employed by the Library shall be deemed, by reason of their employment by the Library, to be employed by the Parties to this Agreement or subject to any of the requirements of the Parties.

B. Insurance. The Library shall be required to obtain insurance, or join a self-insurance program(s) in which one or more of the Parties participate, appropriate for its operations. Any and all insurance coverages provided by the Library, and/or any self-insurance programs joined by the Library, shall name each and every Party to this agreement as an additional insured for all liability arising out of or in connection with the operations by or on behalf of the named insured in the performance of this Agreement. Minimum levels of the insurance or self-insurance program shall be set by the Library in its ordinary course of business. The Library shall also require all of its contractors and subcontractors to have insurance appropriate for their operations.

C. Indemnification of Parties and Participants. The Library shall defend, indemnify, and hold harmless the Parties and each of their respective officers, agents, and employees, from any and all claims, losses, damages, costs, injuries, and liabilities of every kind arising directly or indirectly from the conduct, activities, operations, acts, and omissions of the Library.

D. Amendment of this Agreement. This Agreement may be amended only by the written agreement of all Parties.

E. Severability. If one or more clauses, sentences, paragraphs or provisions of this Agreement shall be held to be unlawful, invalid or unenforceable, it is hereby agreed by the Parties that the remainder of the Agreement shall not be affected thereby. Such clauses, sentences, paragraphs or provision shall be deemed reformed so as to be lawful, valid and enforced to the maximum extent possible.

F. Parties to be Served Notice. Any notice authorized or required to be given pursuant to this Agreement shall be validly given if served in writing either personally, by deposit in the United States mail, first class postage prepaid with return receipt requested, or by a recognized courier service. Notices given (a) personally or by courier service shall be conclusively deemed received at the time of delivery and receipt and (b) by mail shall be conclusively deemed given 48 hours after the deposit thereof (excluding Saturdays, Sundays and holidays) if the sender receives the return receipt. All notices directed to the Library shall be addressed to the Chair of the Library Commission, or such other person designated in writing by the Commission, and shall be copied to all Parties.

G. Complete Agreement. This Agreement constitutes the full and complete agreement of the Parties with respect to the subject matter hereof. All prior negotiations and

written and/or oral agreements between the Parties with respect to the subject matter of this Agreement are merged into this Agreement.

H. Execution in Counterparts. This Agreement may be executed in any number of counterparts, and each executed counterpart shall have the same force and effect as an original instrument and as if all signing Parties had signed the same instrument.

WHEREFORE, the Parties agree to and execute this Agreement as of the dates set forth below.



## County of Sonoma Agenda Item Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 26**  
(This Section for use by Clerk of the Board Only.)

**To:**

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** BOS

**Staff Name and Phone Number:**

Supervisor Efren Carrillo 565-2241

**Supervisorial District(s):**

Fifth District

**Title:** Board Sponsorship

**Recommended Actions:**

Approve Board Sponsorship of \$710 for the Russian River Sisters' annual free community Christmas dinner at the Guerneville Veteran's Memorial Building on December 25, 2013. (Fifth District)

**Executive Summary:**

The Guerneville community has been putting on a free annual Christmas dinner at the Guerneville Veteran's Building for 65 years. The Board of Supervisors has been sponsoring the hall rental fees for the free dinner for many years. The Sisters raise funds to provide the meal, and it is staffed mostly by volunteers – many who look forward to this event every year.

**Prior Board Actions:**

Fee Waivers have been granted.

**Strategic Plan Alignment**      Goal 1: Safe, Healthy, and Caring Community

**Fiscal Summary - FY 13-14**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$	County General Fund	\$
Add Appropriations Req'd.	\$ 710	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$ 710
	\$		\$
<b>Total Expenditure</b>	<b>\$ 710</b>	<b>Total Sources</b>	<b>\$ 710</b>

**Narrative Explanation of Fiscal Impacts (If Required):**

N/A

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

**Narrative Explanation of Staffing Impacts (If Required):**

None.

**Attachments:**

None.

**Related Items "On File" with the Clerk of the Board:**

None.

SUBMIT TO:  
 Board of Supervisors  
 575 Administration Dr, Ste 100A  
 Santa Rosa, CA 95403

**COUNTY OF SONOMA**

For Board of Supervisors Use Only

**Fee Waiver/Board Sponsorship Request Form**

1. Contact information for individual requesting fee waiver/sponsorship:

Name: MARY MOUNT  
First Middle Last

Mailing Address: PB 1463 FORBESVILLE CA 95436  
Number, Street, Apt/Suite City State Zip

Phone: (707) 887-7374 Email: mary@prudentialsonoma.co  
Area Code, Number

2. Name of Community Based Organization, Non-Profit, or Government Agency for which fee waiver/sponsorship is requested:

Name: RUSSIAN RIVER SISTERS OF PERPETUAL INDULGENCE

Mailing Address: PO BOX 9 QUERNEVILLE CA 95446  
Number, Street, Apt/Suite City State Zip

Phone: ( ) NONE Email: \_\_\_\_\_  
Area Code, Number

3. Please indicate by check mark the supervisory district in which the organization or agency submitting this request is located, where the project/activity/event will be held, and the district office to whom you would like to submit this request:

Board Member and District	Susan Gorin District 1	David Rabbitt District 2	Shirlee Zane District 3	Mike McGuire District 4	Efren Carrillo District 5
Entity or organization location (select all that apply)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Project/activity/event location (select all that apply)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
District office to receive request (select only one)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4. Type of Community Based Organization, Non-profit, or Government Agency for which the fee waiver/sponsorship is requested:

- City                       Special District                       Other Local Government  
 School                       Non-profit or CBO

Other (please specify): \_\_\_\_\_

5. Please provide a description of the project/activity/event for which a fee waiver/sponsorship is being requested on a separate sheet of paper. Please include the number of individuals who will participate or be served, etc.

6. Please indicate if this is a one-time or annual event:       One Time       Annual

7. Type and amount of fee waiver/sponsorship requested. Please list all County fees you are requesting be waived/sponsored in conjunction with this project/activity/event. Please attach a copy of an estimate or receipt from the County Department or Veteran's Building Operator documenting the amount of each fee you are requesting be waived/sponsored.

Department Assessing Fee	Type of Fee	Amount of Fee
	VETS HAUL FEE WAIVER	\$710.00

8. If your Community Based Organization, Non-Profit, or Governmental Agency has received a fee waiver/sponsorship for a similar project/activity/event in the past, please list below:

Date of Fee Waiver	Department Assessing Fee	Type of Fee	Amount of Fee
/ /			
/ /			
/ /			
/ /			

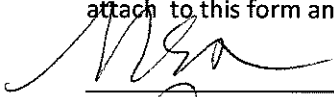
9. Does the organization or agency for which the fee waiver/sponsorship is requested receive funding from any of the following sources? If so, please specify:

- Property Tax     
  Sales Tax     
  Special Assessment  
 User Fees

Other (please specify): NON PROFIT 501 C 3

10. If you checked any of the boxes in number 9 above, please provide an explanation and supporting documentation regarding the inability of the organization or agency to pay the fees which you are requesting be waived/sponsored. Please attach to this form and submit with your request.

11. Will the organization or agency be charging an entry fee or be requesting a donation for the project/activity/event for which you are requesting a fee waiver/sponsorship? If so, please provide an explanation detailing why the fees to be waived/sponsored cannot be recovered through the entry fee. Please attach to this form and submit with your request.

  
 \_\_\_\_\_  
 Authorized Signature  
 \_\_\_\_\_  
 Title  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Date  
 8 1 25 2013



The Sisters of Perpetual Indulgence are a Non-profit organization who raise money and awareness in our community, as well as in 60 other cities around the world.

We are asking for our annual fee waiver for our Christmas Dinner, for which we not only raise the money for the event, but we are able to hire homeless people to work and clean as well as give gifts to both children and adults.

Joe, the Indian, looks forward to working this event every year. He is on time and stays sober for the whole day. It is his "once a year" job and he tells everyone about it.

We have a dessert lady who is 93, she sits at our sweets table and doles out the pies.

Every year for over 65 years this dinner has been going, and we ask every year that you help us keep it going.

Thank you for this consideration,

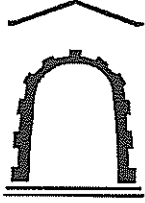
Mary Mount

Realtor

Notary

Mom

And, Sister Claire Voyante



# guerneville veterans hall

a project of River to Coast Children's Services

## Rental Reservation Form & License

16255 First Street  
PO Box 16  
Guerneville CA 95446

Phone: (707) 604-7725  
Fax: (707) 869-2616  
Email: dcameron@rccservices.org

Reservation #: 21137

Event Name: Community Christmas  
Event Type: Non-Profit

### Customer Details

Contact Name: Mary Mount  
Address: PO Box 1463  
Forestville, CA 95436  
  
Phone: (707) 869-9011  
Fax:  
Email: mmmmary13@comcast.net

### Event Details:

- Charging Admission?
- Amplified Sound (music, PA etc.) ?
- Table Seating?
- Food/beverages served?
- Alcohol Served?  
(A liquor license is required for public events with alcohol and private events that include the sale of alcohol or an admission/entry fee)
- Alcohol Start Time
- Alcohol End Time
- Vendor/Booth Fee?

---

## READ & INITIAL EACH SECTION

### CONTRACT HOURS

1. The time of rental begins when renter arrives to set-up and ends once renter leaves, following clean-up.
2. Individuals associated with your event will not be permitted to access the facility before or after times reserved, similarly facility equipment will not be available before or after the times reserved.
3. No events can extend beyond 12am, except for cleaning purposes, exceptions may be made at the sole discretion of River to Coast Children's Services.

INITIAL

### DEPOSIT

1. A refundable deposit will be charged and is required to secure your reservation.
2. This deposit guarantees that the rental space will be reserved for the date and times specified and that additional clean-up fees are covered. Any damages in excess of the total deposit will be assessed separately.
3. If no deductions are made, your deposit will be refunded within 30 days after the event.

INITIAL

### **RENTAL FEES**

1. Rental fees cover the time the renter is in the building, including set-up, clean-up and over-night (if applicable).
2. The full rental fee is due 30 days prior to the rental date.
3. Rental fees include use of chairs and tables.

INITIAL

### **CANCELLATION**

1. If the event is cancelled 90 days or more from the date held, 50% of the deposit shall be retained by River to Coast Children's Services.
2. If the event is cancelled between 30-90 days of the date held, the entire deposit shall be retained.
3. If the event is cancelled 15-30 days of the date held, 50% of the rental fee will be retained.
4. If the event is cancelled within 15 days of the date held, 100% of the rental fee will be retained.

INITIAL

### **ADDITIONAL FEES**

1. BEYOND CONTRACT HOURS: if your event runs beyond contracted hours an additional fee of 1.5 times the contracted hourly rate will be charged.
2. EQUIPMENT SERVICES: there may be additional fees applied for rental options (additional rooms, equipment, staff etc.)

INITIAL

### **GUM**

1. Gum is not allowed in the facility or its outside areas at any time.

INITIAL

### **SAFETY POLICIES**

1. All fire exits must be accessible at all times with a 4 foot corridor to each.
2. All children must be accompanied by an adult.
3. Kitchen areas must be accessible by building staff and must never be left unattended while appliances are in use.
4. Extension cords are the responsibility of the renter, RCCS will not be liable for any unsecured tripping hazard as a result of renters using extension cords.

INITIAL

### **'AS IS' CONDITION**

1. The Guerneville Veterans Hall is rented 'as is'.
2. If a renter wishes the hall to be altered or prepared for them, this must be negotiated separately and a fee will be applied.
3. Renters must return the facility to the condition in which it was found.

INITIAL

### **DECORATING**

1. Decorations may not in any way damage or permanently alter the facilities.
2. Candles may be used with permission only and no open candles are allowed
3. All decorations must be removed before leaving including all tape, thumb tacks, push pins etc.

INITIAL

### **CLEAN-UP/ JANITORIAL CHECK-OUT**

1. The renter is responsible for leaving the facility in a clean condition in accordance with the provided 'Cleaning Check-list'. If additional cleaning is needed, the renter will be charged a fee which will be deducted from the deposit.
2. Report any damages to the building manager.
3. Return the key (if issued one) to a member of RCCS staff or place it in the dropbox located across the street at RCCS' main office.

INITIAL

RESERVATION DETAILS

DAY	DATE	TIME IN	DATE	TIME OUT	ROOM	HOURS	RATE	SUBTOTAL
Wednesday	12/25/13	07.00	12/25/13	20.00	Auditorium	13	26.00	338.00
Wednesday	12/25/13	07.00	12/25/13	20.00	Kitchen	13	14.00	182.00
Wednesday	12/25/13	07.00	12/25/13	17.00	Club Room	10	19.00	190.00

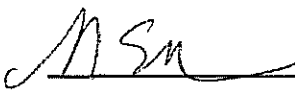
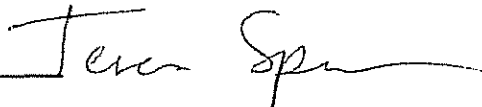
Sub-Total: 710.00  
Additional Charges:  
GRAND TOTAL: 710.00  
DEPOSIT DUE (IN 14 DAYS): 200.00

GRAND TOTAL MAY NOT REFLECT ALL POSSIBLE CHARGES.

The signed/dated reservation and deposit must be returned within two weeks of the date on the cover letter/email or this requested reservation will be cancelled without further notice.

---

NAME: MARY MOUNT and TERESA SPRING

SIGNED:  

DATE: 8-21-13

**PLEASE REVIEW THE DETAILS OF THIS RESERVATION:**

If any of the information is incorrect, or if you have questions or concerns, please call us at (707) 604-7725. Otherwise, to hold your reservation, SIGN, DATE AND RETURN ONE COPY OF THIS FORM along with a check made payable to "River to Coast Children's Services" for the amount shown above.

Thank you for scheduling your event with us. We look forward to working with you!

**LICENSE AGREEMENT, CONDITIONS AND REQUIREMENTS  
FOR USE OF THE GUERNEVILLE VETERANS MEMORIAL BUILDING**



(TENANT OF COUNTY OF SONOMA)

River to Coast Children's Services  
Attn: Executive Director  
PO Box 16  
Guerneville, CA 95446

1. **AUTHORITY.** River to Coast Children's Services ("RCCS") manages use of the Guerneville Veteran's Memorial Building located in the town of Guerneville, California pursuant to a Lease Agreement with the owner of the Building, the County of Sonoma ("County"). Pursuant to the Lease Agreement, RCCS is authorized to execute license agreements with persons and entities interested in using the Building. This license agreement ("Agreement") is entered into by RCCS and Russian River Sisters of Perpetual Indulgence ("Licensee") pursuant to this authority.
2. **AGREEMENT SUBJECT TO LEASE.** This Agreement is subject to all requirements of the Lease between RCCS and County or any successors thereto, including but not limited to the Reservations to County provisions in said Lease.
3. **PAYMENT.** Licensee shall pay RCCS for the use of the Building facilities as specified in the reservation documents detailing Licensee's planned use. Checks shall be made payable to River to Coast Children's Services. All payments are due 30 days in advance of event.
4. **NON LIABILITY OF RCCS OR COUNTY.** RCCS or County, their officers, agents, and employees, shall not be liable to Licensee for any loss or damage to Licensee or Licensee's property from any cause. Licensee expressly waives all claims against RCCS and County, their officers, agents, and employees, unless such injury or damage is caused by or due to the sole negligence or willful misconduct of RCCS or County, their officers, agents, and employees.
5. **INDEMNIFICATION.** Licensee agrees to accept all responsibility for loss or damage to any person or entity, and to defend, indemnify, hold harmless and release RCCS and County, their agents and employees, from and against any and all actions, claims, damages, liabilities or expenses that may be asserted by any person or entity, including Licensee, arising out of or in connection with the actions or inactions or performance of Licensee or its agents, employees, contractors, subcontractors or invitees hereunder, whether or not there is concurrent negligence on the part of RCCS or the County, but excluding liability due to the sole active negligence or sole willful misconduct of RCCS or the County. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for Licensee or its agents under workers' compensation acts, disability benefit acts, or other employee benefit acts.
6. **TRANSFER OF MANAGEMENT OF FACILITIES.** Should County transfer the operation and management of the facilities covered by this Agreement to an entity other than RCCS during the term of this Agreement, this Agreement shall remain in full force after any such transfer.
7. **INSURANCE.** At all times during the life of this Agreement the Licensee shall maintain at its own expense the insurance specified below:
  - a) Workers' compensation and Employers Liability Insurance:
    1. Required if Licensee has employees.
    2. Workers' Compensation insurance with statutory limits as required by the Labor Code of the State of California.
    3. Employers' Liability with limits of \$1,000,000 per Accident; \$1,000,000 Disease per employee; \$1,000,000 Disease per policy.
    4. Required Evidence of Coverage:
      - i. Certificate of Insurance.

If Licensee currently has no employees, Licensee agrees to obtain the above-specified Workers' Compensation and Employers' Liability insurance should any employees be engaged during the term of this Agreement or any extensions of the term.

- b) **General Liability Insurance:**
  - 1. Commercial General Liability Insurance on a standard occurrence form, no less broad than ISO form CG 00 01.
  - 2. Minimum Limits: \$1,000,000 per Occurrence; \$2,000,000 General Aggregate; \$2,000,000 Products/Completed Operations Aggregate.
  - 3. Licensee shall disclose any deductible or self-insured retention in excess of \$25,000 and such deductible or self-insured retention must be approved in advance by RCCS. Licensee is responsible for any deductible or self-insured retention.
  - 4. RCCS and the County of Sonoma, their officers, agents, employees, shall be additional insureds for liability arising out of the Licensee's ongoing operations. (ISO endorsement CG 20 26 or equivalent). The insurance provided to RCCS and County additional insureds shall apply on a primary and non-contributory basis with respect to any insurance or self-insurance program maintained by them.
  - 5. The policy shall cover inter-insured suits between RCCS and/or County and Licensee and include a "separation of insureds" or "severability" clause which treats each insured separately.
  - 6. **Required Evidence of Coverage:**
    - i. Copy of the additional insured endorsement or policy language granting additional insured status; and
    - ii. Certificate of Insurance.
- c) **Liquor Liability Insurance: (for events with alcohol.)**
  - 1. Insurance may be in the name of Licensee or Licensee's caterer.
  - 2. Minimum Limits: \$1,000,000 for each Common Cause or Occurrence: \$1,000,000 Aggregate.
  - 3. Licensee shall disclose any deductible or self-insured retention in excess of \$25,000 and such deductible or self-insured retention must be approved in advance by RCCS. Licensee is responsible for any deductible or self-insured retention.
  - 4. **Required Evidence of Coverage:**
    - i. Certificate of Insurance, which must be provided to RCCS thirty (30) days prior to event.
- d) **Standards for Insurance Companies:**

Insurers shall have an A.M. Best's rating of at least A:VII.
- e) **Documentation:**
  - 1. The Certificate of Insurance must include the following reference:  
Event Name: Community Christmas Date: 12/25/13
  - 2. All required Evidence of Coverage shall be submitted prior to the execution of this Agreement. Licensee agrees to maintain current Evidence of Coverage on file with RCCS for the required period of insurance.
  - 3. The names and addresses for Additional Insured endorsements and Certificates of Insurance are: (a) the County of Sonoma, its officers, agents, employees and Management Entity; Sonoma County Regional Parks, 2300 County Center Drive, Suite A120, Santa Rosa, CA 95403; (b) River to Coast Children's Services, 16300 1<sup>st</sup> Street, Guerneville, CA 95446.
  - 4. Required Evidence of Coverage shall be submitted for any renewal or replacement of a policy that already exists, at least ten (10) days before expiration or other termination of the existing policy.
  - 5. Licensee shall provide immediate written notice if: (1) any of the required insurance policies is terminated; (2) the limits of any of the required policies are reduced; or (3) the deductible or self-insured retention is increased.
  - 6. Upon written request, certified copies of required insurance policies must be provided within thirty (30) days.
- f) **Policy Obligations:**

Licensee's indemnity and other obligations shall not be limited by the foregoing insurance requirements.
- g) **Material Breach:**

If Licensee fails to maintain insurance coverage which is required pursuant to this Agreement, it shall be deemed a material breach of this Agreement. RCCS may terminate this Agreement and obtain damages from Licensee resulting from said breach.

8. **EVENTS WITH ALCOHOL.** In addition to liquor liability insurance required pursuant to the above, for events with alcohol, Licensee must comply with the conditions attached hereto as Exhibit A.

9. **EXPIRATION OF LICENSE.** At the expiration of the time of use of the facilities herein above set forth, Licensee shall quit the facilities of the County and return to RCCS all equipment and facilities procured from RCCS, which premises, equipment, and the facilities shall be in as good condition and repair as before Licensee's use thereof except for ordinary wear and use. Licensee shall reimburse RCCS or County of Sonoma for any equipment or facility damaged during the use of said facility as specified herein.

10. **COMPLIANCE WITH LAWS.** Licensee, its agents, and employees shall comply with all rules and regulations prescribed by RCCS for the use and occupancy of the facilities of County, and with all applicable laws, ordinances and regulations adopted or established from time to time, by any governmental agency or department thereof. Licensee



shall obtain and comply with all permits or licenses required by the laws, ordinances, and rules or regulations mentioned herein.

11. **ASSIGNMENT.** No assignment of this sub-license or any duty or interest hereunder shall be made by Licensee without the prior written consent of RCCS.

12. **PROGRAM REQUIREMENT.** Licensee shall file with RCCS at least thirty (30) days prior to holding the performance or function for which this sub-license is issued, a full and detailed outline of all activities required, all stage and equipment requirements, the hall and chair set-up and such other information as may be required by RCCS concerning such function. Licensee shall make an appointment to meet with RCCS staff at event location to review rental and set up requirements prior to performance or function.

13. **SEATING CAPACITY.** The seating capacity of each facility or portion thereof is on file with RCCS and incorporated herein by this reference. Licensee shall not sell or distribute, or permit to be sold or distributed, tickets or passes in excess of the seating capacity of the facility or facilities hereinabove described, nor admit thereto a larger number of persons than can safely and freely move about therein. The decision of RCCS and the Fire Marshall in this respect shall be final.

14. **CONCESSION SALES.** RCCS reserves the right to operate the parking lots, box office concessions, check rooms, and any food or beverage concession; provided, however, that RCCS may, in writing, authorize Licensee to operate any of the aforesaid upon such terms as RCCS may deem proper.

15. **ACCESS.** RCCS or County shall have the absolute right to enter the premises herein specified, or any portion thereof, at all times.

16. **CONTROL.** In renting the facility to the Licensee, it is understood RCCS or the County do not relinquish the right to control the management thereof, and to enforce all necessary laws, rules and regulations. The decision of RCCS's representatives, as to required staffing, and the number of persons that can safely and freely move about in said licensed space, shall be final.

17. **SECURITY.** Licensee shall be required to provide and pay for 0 police and 0 private security personnel to be present for the safety of the public during use of the premises.

18. **OBJECTIONABLE PERSONS.** RCCS and County reserve the right to eject or cause to be ejected from the premises any objectionable person or persons; and neither RCCS nor County, nor any of their officers, agents or employees shall be liable to Licensee for any damages that may be sustained by Licensee through the exercise of such right.

19. **BROADCASTING.** No events or portions of events shall be taped, broadcast or televised without the prior written consent of County.

20. **STORAGE.** In the receipt, handling, care or custody of property of any kind shipped or otherwise delivered to the premises or stored on such premises either prior to, during or subsequent to the use of the facilities by Licensee, County and its officers, agents and employees shall act solely for the accommodation of Licensee; and neither County, its officers, agents nor employees shall be liable for any loss, damage or injury to such property.

21. **OBSTRUCTIONS.** No portions of the sidewalks, entries, passages, vestibules, halls or way of access to public utilities of the premises shall be obstructed, or caused to be obstructed, by Licensee or caused or permitted to be used for any purpose other than ingress or egress to and from the facilities. The doors, skylights, stairways or openings that reflect or admit light into any portion of the building, including hallways, passageways, also radiators and house lighting attachments, shall in no way be obstructed by Licensee.

22. **LIABILITY FOR LOSS OR DAMAGE TO COUNTY PROPERTY.** Licensee shall be liable to County for any loss or damage to the premises arising from or in connection with Licensee's performance hereunder or any of its officers, agents, and employees.

23. **FLAMMABLE MATERIALS.** No flammable materials such as bunting, tissue paper, etc., shall be used for decorations; and all materials used for decorative purposes must be treated with flame-proofing and approved by the local Fire Department. No fireworks, open flame, nor device prohibited by local police or fire jurisdictions shall be permitted.

24. **DEFAULT.** Should the Licensee default in the performance of any of the terms and conditions of this License, the Manager, at his/her option, may in addition to other legal remedies available immediately terminate this License. In such event, Licensee shall be liable for the full amount of the rent provided for herein, less rent charges received from others for use of the premises at the time, or times, specified in this License. Any deposit made by Licensee to RCCS shall be retained by RCCS and considered liquidated damages.

25. **COUNTY IS THIRD PARTY BENEFICIARY.** County is a third party beneficiary of this Agreement and may enforce or implement its terms as specified herein. There are no other third party beneficiaries.

26. **CONTRACT ADDITIONS.** Additional provisions or modifications may be attached to this Agreement and, when signed, shall be binding on the parties.

27. **CANCELLATION BY RCCS OR COUNTY.** In addition to the right to terminate this Agreement upon Licensee's default, the RCCS or County shall have the right to terminate part or all of this Agreement at any time, in the following circumstances:

- a) Upon thirty (30) days' written notice,
- b) Immediately without notice if the County Board of Supervisors, the County Emergency Services Director, County Administrative Officer, the Manager or other local, state or federal official determines that the facility is required for public necessity or emergency use, or major disaster including but not limited to flood, earthquake or pandemic health emergency.
- c) Immediately without notice if the facility is destroyed or damaged or should a strike occur.

Neither RCCS nor County nor any of their officers, agents or employees shall be liable to Licensee for any damages that may be sustained by Licensee through exercise by RCCS or County of any of their rights to cancellation pursuant to this section. Upon cancellation by RCCS or County, any deposit made by Licensee may be refunded at RCCS's or County's discretion.

28. **CANCELLATION BY LICENSEE.** The Licensee is liable for the following amounts in the event of cancellation by Licensee: a) If the event is cancelled ninety (90) days or more from the date held, fifty percent (50%) of the deposit shall be retained by RCCS; b) if the event is cancelled between 30-90 days of the date held, the entire deposit shall be retained by RCCS; c) if the event is cancelled between 15-30 days of the date held, Licensee shall forfeit fifty percent (50%) of the Rental Fee; d) if the event is cancelled within 15 days of the date held, Licensee shall forfeit one hundred percent (100%) of the Rental Fee.

29. **NONDISCRIMINATION.** Licensee shall comply with all applicable federal, state and local laws, rules and regulations in regard to nondiscrimination because of race, color, ancestry, national origin, religion, gender, marital status, age, medical condition, handicap or sexual orientation.

30. **NOTE: CHEWING GUM, GLITTER, CANDLES, AND SHOES ON THE WALL (S) ARE NOT PERMITTED IN THE FACILITIES AT ANY TIME.**

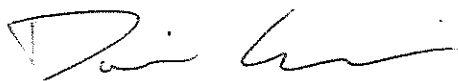
31. **CHANGES.** Any changes to the reservation must be made 30 days prior to the event.

32. **ALL PAPERWORK, INCLUDING PROOF OF INSURANCE, IS DUE 30 DAYS PRIOR TO THE EVENT.**

**SIGN AND RETURN THIS LICENSE AGREEMENT AND ONE COPY OF RESERVATION.**

  
Licensee 8-21-13  
Date

Approved and agreed to:

  
River to Coast Children's Services  
Executive Director or Authorized Agent 8/21/13  
Date

## EXHIBIT A

### Conditions of Alcoholic Beverage Service

The following prerequisites and requirements apply to the service of alcoholic beverages at all events held on the Premises.

#### A. PUBLIC EVENTS

Public events are those events at which the general public is invited to attend, which require a fee for general attendance, or which sell food or alcoholic beverages for a fee or donation. Public events shall comply with all alcoholic beverage service requirements mandated by the State Department of Alcoholic Beverage Control and local law enforcement. Alcohol may not be otherwise served or consumed. Public events shall also comply with all requirements set forth in subsection C, below.

#### B. PRIVATE EVENTS

Private events are those events at which attendance is by invitation only, and that do not require a fee for attendance nor for the service of food or alcohol. All private events at which attendance is 100 or more persons shall be required to engage a licensed caterer to serve alcoholic beverages. Alcohol may not be otherwise served or consumed. As a condition to serving alcoholic beverages at such functions, the requirements set forth below and in subsection C must be satisfied in full:

1. The licensed caterer engaged to serve alcoholic beverages must submit the following information prior to the private event:
  - Copy of current catering license
  - Copy of Alcoholic Beverage Control authorization
  - Copy of current insurance certificate
  - Number of bartenders at event
  - Hours the bar will be open (maximum 5 hours)
2. All alcoholic beverages shall be brought into the facility prior to start of the event, shall be stored securely at a common bar prior to service, and shall be served only from a common bar.
3. No service containers (bottles, aluminum cans, or pitchers) of alcohol shall be allowed on the tables, but shall remain at the common bar for service.

#### C. REQUIREMENTS APPLICABLE TO ALL PUBLIC AND PRIVATE EVENTS

The following additional requirements shall apply to the service of alcoholic beverages at both public and private events as well as private events with less than 100 in attendees.

1. Alcoholic beverage service shall terminate one (1) hour before the scheduled end of the event, unless the event is three (3) hours or less.
2. No alcohol shall be allowed outside the area identified by Tenant for the event. No alcohol shall be allowed in the parking lot unless the event is specific to the parking lot and alcohol is served and consumed in a designated area. California State Law prohibits the sale or service of alcoholic beverages to persons under 21 years of age. If minors are in possession of alcohol, the event will be closed immediately. Persons serving alcohol to minors during events held in Veterans Memorial Buildings are solely responsible for any criminal or civil penalties imposed. The County also reserves the right to close events in the case of minors being served alcohol, public drunkenness, concern for the safety of event participants, or related damage to the Veterans Memorial facilities.
3. Tenant shall provide Liquor liability Insurance for its own events with alcohol. The insurance may be in the name of the Tenant's caterer.
  - Minimum Limits: \$1,000,000 for each Common Cause or Occurrence; 1,000,000 Aggregate.
  - Any deductible or self-insured retention shall be shown on the Certificate of Insurance. If the deductible or self-insured retention exceeds \$25,000 it must be approved in advance by County.
  - Required Evidence of Insurance: Certificate of Insurance
  - Required documentation shall be provided to the General Services Department Director or his designee.



# County of Sonoma Fee Waiver Policy

Authority: Board of Supervisors  
Approval Date: June 2, 2009  
Effective Date: July 1, 2009

## 1. Purpose

The purpose of this policy is to establish guidelines to be used to evaluate requests for fee waivers and to implement a structure and process through which consistent information for fee waiver requests will be collected and evaluated.

## 2. Background

Sonoma County is facing unprecedented fiscal challenges. As a result of the economic downturn, job and income losses, declining home values, and reduced consumption, the County's major sources of revenue property tax and sales tax have declined substantially. The situation is exacerbated by an increase in demand for county services. In light of this new fiscal reality, the county is reviewing all resource allocation decisions. Fee waivers, are an expense to the County General Fund. Fees are established to pay for the cost of a service provided by a county department. When a fee waiver is granted, the County General Fund pays the department in an amount equal to the fee waived.

## 3. Policy

The Board of Supervisors may, at their sole discretion, approve or disapprove fee waiver requests. Effective July 1, 2009, the following general guidelines will be used to assist in the determination of whether a requested fee waiver is eligible or ineligible.

Eligible for fee waivers	Ineligible for fee waivers
Community based organizations (CBO) or non-profits providing a direct service that is similar to or complimentary to a key county policy goal or direct service that the county is typically responsible for providing; e.g. emergency or economic assistance or basic sustenance needs (emergency food, shelter, etc.)	Flood elevation program fees
	Other county department fees
	Other governmental agencies – unless they can demonstrate an inability to pay the county fee
Governmental agencies that do not receive tax funding and can demonstrate an inability to pay the county fee	Fund raising events - where attendees pay a fee for admission to the event or in the case of festivals where vendors pay to participate in the event

## 4. Phased in Reduction for CBOs and Non-Profits

CBOs and non-profits that have received a fee waiver in the 12 months prior to the effective date of this policy, for an activity/event that may no longer be eligible under this policy, will be considered for a phased reduction in fees as follows:

- Year 1 – Up to two-thirds of the fee amount previously waived, may be waived
- Year 2 – Up to one-third of the fee amount previously waived, may be waived
- Year 3 – Fee waiver ineligible

The phased-in reduction does not apply to CBOs and non-profits who received fee waivers for a fund raising activity/event, where the CBO or non-profit has the ability to set entry or participation fees at a level necessary to cover costs, including the cost of any associated fees.

##### **5. Fee Waiver Request Form**

Fee waiver requests submitted on or after June 2, 2009, must be accompanied by a Fee Waiver Request Form (Attachment A). Copies of this form may be obtained from the County of Sonoma, Clerk of the Board of Supervisors, located at 575 Administration Drive, Room 100A, Santa Rosa, CA, 95403, or at the following website: <http://www.sonoma-county.org/board/index.htm>.

Fee Waiver Request Forms must be complete, signed, and accompanied by supporting documentation to demonstrate eligibility for the requested fee waiver. Demonstrated eligibility does not assure approval of a fee waiver request.

Completed Fee Waiver Request Forms shall be submitted to the Clerk of the Board of Supervisors at the address above. The Clerk will forward requests to the Board Member specified by the applicant.



## County of Sonoma Agenda Item Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number: 31**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** September 17, 2013

**Vote Requirement:** Majority

**Department or Agency Name(s):** Permit and Resource Management Department

**Staff Name and Phone Number:**

Melinda Grosch 565-2397

**Supervisorial District(s):**

Fifth

**Title:** Appeal of the Board of Zoning Adjustments decision to approve a Use Permit; UPE11-0102.

### **Recommended Actions:**

Conduct a public hearing and approve a Resolution to deny the appeal of the Board of Zoning Adjustments decision to approve a Use Permit. Redwood Gospel Mission applicant/appellant; 1048 Wildrose Drive, Santa Rosa; APN 037-021-054.

### **Executive Summary:**

#### **Background**

In December 2011, the Redwood Gospel Mission applied for a Use Permit to expand an emergency shelter for up to 30 women and children currently operating from 4:00 p.m. to 8:00 a.m., seven days a week. The request proposed inclusion of a rehabilitation program for up to 20 additional women from another facility, Manna House, also operated by The Redwood Gospel Mission, and allowing the facility to operate 24 hours a day, seven days a week. The proposal includes a 1,900 square foot addition to the existing residence.

The Use Permit request was posted for a waiver of the public hearing. Several requests for hearing were received and the item was scheduled for a Board of Zoning Adjustments (BZA) public hearing on September 20, 2012. The BZA held a public hearing and continued the item to allow the applicant to work with the neighborhood in addressing their concerns. Staff recommended approval of the request.

The item was again scheduled for BZA hearing on March 21, 2013 and the project was partially approved allowing the request for the facility to operate 24 hours a day but denied the expansion for 20 additional women and the addition of the rehabilitation programs. The BZA strongly encouraged the applicants to make the additions and modifications to the existing residence even though they were predicated on the additional people being housed at this site. The applicant filed a timely appeal of the Board of Zoning Adjustments decision to only partially approve the request.

### **Location, Zoning and Project Description**

The site is located at 1048 Wildrose Drive, Santa Rosa; APN 037-021-054. The base Zoning District is Rural Residential and the subject property is located within a County island commonly known as the "Clover Drive" neighborhood. To the south properties are in the City of Santa Rosa, and all other surrounding properties are within County jurisdiction.

Redwood Gospel Mission operates another facility within the City of Santa Rosa which is a women's recovery center. This program requires that women live on-site for 10 to 15 months to complete the program. The Redwood Gospel Mission is trying to consolidate its services and would like to accommodate the 20 women in the recovery program at the subject Wild Rose Drive site. This would require that the facility operate 24 hours a day seven days a week since those in the recovery program are living at the center full-time. The facility would continue to offer up to 30 women and children emergency shelter during the night (50 people total).

The facility will require five full-time and five part-time employees. The applicant proposes adding 1,900 square feet of space to the existing residence for a total of 7,173 square feet to accommodate the 20 additional women. The original facility has six individual and shared bedrooms and two dorms. After the remodel there will be 14 individual or shared bedrooms and no dorm facilities. The facility will have two shared living spaces (living rooms), a kitchen, a laundry room, three offices, a dining room, a meeting room, seven bathrooms, and storage areas.

### **Issues Raised During the Board of Zoning Adjustments Hearings**

Several issues were addressed during the BZA hearing including the number of other care facilities in the neighborhood, crime levels, and the CEQA exemption. These were resolved to the satisfaction of the BZA. While both the Redwood Gospel Mission and the neighbors have met and continue to discuss ways to resolve issues, the two sides still disagree on the acceptable size of the facility (it should be noted that the BZA has complimented the neighborhood during each hearing on its extreme civility and openness to accommodating the facility). The neighbors have been very willing to work with the applicant and they have made significant progress on the original issues that were raised in objection to the expansion of the facility. The neighbors are still concerned that a 50-person facility is too big for the site and that there will be additional traffic and noise from having that many people on-site. The BZA agreed that the site might prove to be too constrained for the increased number of people. The BZA discussed several alternatives to staff's recommendation of approval as follows:

1. Allow the existing emergency shelter to be operated 24 hours per day but deny the increase in number of people using the facility and the inclusion of the Manna House programs.
2. Allow the existing emergency shelter to be operated 24 hours per day and include the Manna House rehabilitation programs but deny the increase in number of people using the facility.
3. Implement an operational review of the facility after one year of operation as a 30 person/24 hour a day shelter with some of the Manna House programs conducted at the facility. At the time of the review the additional 20 people and all Manna House programs could be approved if

the BZA determines there have been no significant impacts on the neighbors from the increased hours of operation and programs.

**Resolution**

Ultimately, the BZA voted unanimously for Alternative 1 (above) allowing 24 hour operation but denying the inclusion of the Manna House programs and expansion of the facility by an additional 20 residents. Several of the BZA members encouraged the Redwood Gospel Mission to continue to explore ways to modify the existing facility noting that the proposed modifications will greatly improve the efficiency and ambiance of the facility.

**Issues Raised with the Appeal**

The appeal by the Redwood Gospel Mission requests that the Board of Supervisors reconsider its request for an expansion of the number of residents being served at the facility and the additional services that would be moved from their Manna House facility to the subject site. In the appeal they note that Alternative 3 above would be an acceptable alternative. Specifically the Redwood Gospel Mission is looking for assurance that they can increase the number of people to 50 so that it can “apply for grants, fund raise, and plan for a proposed modification to the existing structure.”

Staff had recommended approval of the applicant’s proposal to the BZA. Staff’s analysis of the issues is contained in the attached BZA staff reports. Should your Board decide to uphold the appeal and approve the full project, an alternative resolution is attached for that purpose.

**Prior Board Actions:**

None

**Strategic Plan Alignment**      Goal 1: Safe, Healthy, and Caring Community

Community members are sheltered and are socially supported.

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$</b>	<b>Total Sources</b>	<b>\$</b>



**Narrative Explanation of Fiscal Impacts (If Required):**

The project costs are paid for by the applicant/appellant as it is an "At-Cost" project.

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)

**Narrative Explanation of Staffing Impacts (If Required):**

Not applicable.

**Attachments:**

- Exhibit A: Draft Board of Supervisors Resolution Denying Appeal and Conditions of Approval
- Exhibit B: Draft Board of Supervisors Alternative Resolution and Conditions of Approval
- Exhibit C: Appeal Form
- Exhibit D: Board of Zoning Adjustments Resolution No. 13-008
- Exhibit E: Board of Zoning Adjustments Staff Report dated March 21, 2013
- Exhibit F: Board of Zoning Adjustments Minutes dated March 21, 2013
- Exhibit G: Board of Zoning Adjustments Staff Report dated September 20, 2012
- Exhibit H: Board of Zoning Adjustments Minutes dated September 20, 2012

**Related Items "On File" with the Clerk of the Board:**

None.



County of Sonoma  
State of California

Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

UPE11-0102 Melinda Grosch

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Denying The Appeal Thereby Upholding The Board Of Zoning Adjustments Decision To Approve A Request To Expand An Existing Use Permit To Operate 24 Hours A Day, Seven Days A Week And To Add 1,900 Square Feet To The Residential Care Facility, But Deny The Request To Increase The Number Of Residents From 30 To 50, And Deny The inclusion Of Additional Rehabilitation Services As Requested By Redwood Gospel Mission For Property Located At 1048 Wildrose Drive, Santa Rosa; APN 037-021-054.**

**Whereas**, , the applicant, Redwood Gospel Mission, filed a Use Permit application with the Sonoma County Permit and Resource Management Department for the expansion of an existing residential care facility (Use Permit UPE02-0026) to operate 24 hours a day, seven days a week, increase the number of residents from 30 to 50, to add rehabilitation programs that currently operate at another site in the City of Santa Rosa, and the addition of 1,900 square feet to the existing residential care facility located at 1048 Wild Rose Drive, Santa Rosa; APN 037-021-054; Zoned RR (Rural Residential) B6-5 acre density, VOH (Valley Oak Habitat); Supervisorial District No 5; and

**Whereas**, this project has been found to be categorically exempt from the provisions of the California Environmental Quality Act pursuant to the Provisions of Title 14 of the California Administrative Code, Section 15301 because it is an addition to an existing structure and minor expansion of an existing use.

**Whereas**, in accordance with the provisions of law, the Board of Zoning Adjustments held a public hearing on September 20, 2012, at which time all interested persons were given an opportunity to be heard; and

**Whereas**, the Board of Zoning Adjustments closed the public hearing and continued the matter to a time and date uncertain so the applicant could address neighborhood concerns and staff could determine how many other group homes are in the neighborhood, re-examine staff's choice of California Environmental Quality Act (CEQA) exemption, and determine crime patterns in the neighborhood;

**Whereas**, at its regularly scheduled meeting on March 21, 2013, the Board of Zoning Adjustments, with a 5-0 vote, recommended partial approval to allow the facility to operate 24

Resolution #

Date: September 17, 2013

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hours a day, seven days a week but denied the requests to increase the number of residents from 30 to 50 and inclusion of rehabilitation programs that operate at another site in the City of Santa Rosa. The Board of Zoning Adjustments encouraged the Redwood Gospel Mission to proceed with remodel and addition of 1,900 square feet to the existing residential care facility; and

**Whereas**, on April 1, 2013, an appeal of the Board of Zoning Adjustments' decision was filed with the Board of Supervisors by Jeff Gilman for Redwood Gospel Mission; and

**Whereas**, in accordance with the provisions of law, the Board of Supervisors held a public hearing on September 17, 2013, at which time all interested persons were given an opportunity to be heard.

**Now, Therefore, Be It Resolved** that the Board of Supervisors makes the following findings:

1. The project is consistent with the Rural Residential General Plan land use and Zoning designations, which includes residential care facilities and temporary emergency shelters. The parcel is served by public sewer and water and the building does not exceed the maximum lot coverage criteria.
2. The establishment, maintenance or operation of the use for which application is made will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area. The particular circumstances in this case are: 1) The residential care facility shall not serve more than 30 women and children at any one time; 2) Hours of operation shall be 24 hours a day, 365 days a year; 3) Outside activities shall be limited to 7:00 a.m. to 7:00 p.m.; 4) An on-site smoking area shall be established and smoking shall be prohibited elsewhere on the property; 5) Adequate trash and cigarette butt receptacles shall be provided on-site; 6) Recycling containers shall be provided on-site; 7) Private areas for phone calls shall be provided on-site to eliminate calls made outside; 8) Participants in the facilities program shall pick-up trash and cigarette butts along Wild Rose Drive from West College Avenue to Clover Drive on a weekly basis; 9) Vehicle idling times shall be limited to five minutes; and 10) Residents of the facility shall be transported only in facility vehicles;
3. It is the determination of the department that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to the Provisions of Title 14 of the California Administrative Code, Section 15301 because it is an addition to an existing structure and minor expansion of an existing use.

**Be It Further Resolved**, this project has been found to be categorically exempt from CEQA Guidelines.

**Be It Further Resolved** that the Sonoma County Board of Supervisors denies the appeal thereby upholding the Board of Zoning Adjustments decision to approve the Use Permit as revised, subject to the conditions in Exhibit "A", attached hereto.

**Be It Further Resolved** that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

**Supervisors:**

Gorin:	Zane:	McGuire:	Carrillo:	Rabbitt:
Ayes:	Noes:	Absent:	Abstain:	

**So Ordered.**

**SONOMA COUNTY BOARD OF SUPERVISORS**  
**Conditions of Approval**

**EXHIBIT A TO RESOLUTION**

<b>Date:</b>	September 17, 2013	<b>File No.:</b>	UPE11-0102
<b>Applicant:</b>	Redwood Gospel Missions	<b>APN:</b>	037-021-054
<b>Address:</b>	1048 Wild Rose Drive, Santa Rosa		

**Project Description:** Request for a new Use Permit to add a residential care facility to an existing women and children's emergency shelter previously approved under UPE02-0026 and to increase the size of the residence by 1,900 square feet. The emergency shelter provides housing for up to 30 women and children. The hours of operation will be 24 hours a day, seven days a week on a 0.67 acre parcel. Five full-time and five part-time employees work at the facility.

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**Prior to commencing the use, evidence must be submitted to the file that all of the following non-operational conditions have been met.**

**BUILDING:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

1. The applicant shall apply for and obtain building related permits from the Permit and Resource Management Department (PRMD). The necessary applications appear to be, but may not be limited to, site review, building permit, and grading permit.
2. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the most recent California Building Code (CBC), as determined by the PRMD Building Division. Such accessibility requirements shall apply to all new construction and remodeling and, where required by the CBC, to retrofitting of the existing structure.

**HEALTH:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

**PRIOR TO BUILDING PERMIT AND VESTING THE USE PERMIT:**

3. Connection shall continue to be made to public sewer.
4. A safe, potable water supply shall be provided and maintained.
5. Prior to issuance of a Use Permit Certificate or expanded use, provide the Project Review Health Specialist with the bacteriological (E.Coli and total coliform), arsenic and Volatile Organic Compounds by EPA Method 524.2 analysis results of a sample of your water tested by a State-certified lab. If the analysis shows contamination, the applicant will be required to treat the well per County Requirements and re-test the well.

A copy of the analysis shall be provided to the Project Review Health Specialist. If required, proof of installation of any device to remove contaminants must be shown.

If food is being prepared and served to residents, prior to issuance of a Use Permit Certificate or expanded use, plans and specifications for any facility serving food must be submitted to, and approved by, the Environmental Health Division of the Health Services Department. Contact the Environmental Health Division at 565-6565 for information. A letter of approval shall be provided to the PRMD Project Review Health Specialist from the Environmental Health Division verifying compliance with requirements of the California Uniform Retail Food Facility Law (CURFFL).

6. If food is being prepared and served to residents, a Food Industry Permit must be obtained from the Environmental Health Division of the Health Services Department prior to operation. A copy of a current permit shall be provided to the Project Review Health Specialist to verify compliance with the requirements of the California Uniform Retail Food Facility Law (CURFFL).
7. Noise shall be controlled in accordance with Table NE-2 as measured at the exterior property line of any affected residential or sensitive land use:

TABLE NE-2: Maximum Allowable Exterior Noise Exposures

Hourly Noise Metric <sup>1</sup> , dBA	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
L50 (30 minutes in any hour)	50	45
L25 (15 minutes in any hour)	55	50
L08 (4 minutes and 48 seconds in any hour)	60	55
L02 (72 seconds in any hour)	65	60
<sup>1</sup> The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level. The L02 is the sound level exceeded 72 seconds in any hour.		

8. If noise complaints are received from nearby residents, and they appear to be valid complaints in PRMD's opinion, then the applicant shall conduct a Noise Study to determine if the current operations meet noise standards and identify any additional noise Mitigation Measures if necessary. A copy of the Noise Study shall be submitted to the Project Review Health Specialist within sixty days of notification from PRMD that a noise complaint has been received. The owner/operator shall implement any additional Mitigation Measures needed to meet noise standards.
9. Adequate trash and cigarette butt receptacles shall be provided on-site. Recycling containers shall also be available on-site. Prior to issuance of a Use Permit Certificate or expanded use, the applicant shall submit a design for trash enclosures for review and approval to the Division of Environmental Health (Fees may apply). A copy of the approval letter from the Solid Waste Section of the Division of Environmental Health shall be provided to the Project Review Health Specialist.

**PUBLIC WATER AND SANITATION:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

10. The Applicant shall obtain a City of Santa Rosa Utility Certificate to provide evidence that the Applicant and the City of Santa Rosa have entered into an agreement for water service to this project, and shall submit a copy to the Sanitation Section of the Sonoma County Permit and Resource Management Department prior to issuance of a building permit.

**PLANNING:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

11. This Use Permit allows the site to be utilized as a large residential community care facility for the operation of an emergency homeless shelter for women and children (a maximum of 30 people in the shelter program) operating 24 hours a day, seven days a week. Five full-time and five part-time employees work at the facility. A maximum of four employees and two volunteers will be on the site at any one time. A minimum of two employees will remain at the facility from 6:00 p.m. to 8:00 a.m. The permit includes the addition of 1,900 square feet to the existing residence. The use shall be operated in accordance with the proposal statement and site plan located in File No. UPE11-0102 and as modified by these conditions.

12. This Use Permit (UPE11-0102) shall supersede all prior Use Permits (UPE02-0026), upon implementation or when all the pre-operational conditions have been met and this Use Permit is vested.
13. The residential community care facility shall provide screening, care, assessment, transportation, and education to its residents in accordance with the operational aspects of the proposal statement, except as modified by these conditions. (On-going Operational Condition)
14. The hours of operation shall be 24 hours a day, seven days a week. Outside activities shall be limited to 7:00 a.m. to 7:00 p.m. (On-going Operational Condition)
15. A "Designated Smoking Area" shall be established in an unenclosed area consistent with Sonoma County Code section 32-3. Designated Smoking Areas must be at least 25 feet away from any building or area where smoking is prohibited, must be conspicuously identified by signs as a smoking area, and shall be equipped with ash trays or ash cans. (This condition must be completed prior to operation and is also an On-going Operational Condition)
16. Private areas for phone calls shall be provided on-site to eliminate calls made outside. (This condition must be completed prior to operation and is also an On-going Operational Condition)
17. Participants in the facility's programs shall pick-up trash and cigarette butts along Wild Rose Drive from West College Avenue to Clover Drive on a weekly basis. (On-going Operational Condition)
18. A six foot high, solid wood fence shall be constructed along the property's northerly boundary to help provide noise mitigations, subject to review and approval by the PRMD project planner. (This condition must be completed prior to operation and is also an On-going Operational Condition)
19. Vehicle idling times shall be limited to a maximum of five minutes. (On-going Operational Condition)
20. On-site parking shall be limited to seven spaces and shall conform to Sonoma County design standards. The parking area and driveway design are subject to review and approval of Project Review Staff prior to construction and prior to issuance of the Use Permit Operational Certificate. There shall be no off-site parking associated with the facility unless a lease agreement is secured first. (This condition must be completed prior to operation and is an On-going Operational Condition)
21. All new residents shall be transported to and from the facility in vehicles operated by the applicant. Residents may utilize private vehicles as long as on-site parking capacity is not exceeded. No on street parking is allowed. (On-going Operational Condition)
22. The applicant shall install 8 bicycle parking rack spaces. The bike racks shall be installed prior to issuance of the Use Permit Operational Certificate. A bike rack is defined as a securely mounted stand or other device constructed so as to enable the user to secure the bicycle by locking the frame and at least one wheel. Racks must be easily usable with both U locks and cable locks. Racks must hold bicycles in a stable upright position and support bicycles so they resist falling over when bumped. Racks supporting a bike by wheel only, such as standard 'wire racks', are not acceptable. Racks must hold bikes with at least two points of contact. Please use Bicycle Parking Guidelines by the Association of Pedestrian and Bicycle Professionals which can be found here: [http://www.apbp.org/resource/resmgr/publications/bicycle\\_parking\\_guidelines.pdf](http://www.apbp.org/resource/resmgr/publications/bicycle_parking_guidelines.pdf) (This condition must be completed prior to operation and is also an On-going Operational Condition)
23. Prior to issuance of building permits, an exterior lighting plan shall be submitted for review by PRMD. Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted. All parking lot lights shall be full cut-off fixtures. Lighting shall shut off automatically after closing and security lighting shall be motion sensor activated. (This condition must be completed prior to operation and is also an On-going Operational Condition)

24. Development on this parcel is subject to the Sonoma County Fire Safe Standards and shall be reviewed and approved by the County Fire Marshal/Local Fire Protection District. Said plan shall include, but not be limited to: emergency vehicle access and turn-around at the building sites), addressing, water storage for fire fighting and fire break maintenance around all structures. Prior to occupancy, written approval that the required improvements have been installed shall be provided to PRMD from the County Fire Marshal/Local Fire Protection District. Review by the Fire Marshal/Local Protection District will be required even if no new construction is undertaken. (This condition must be completed prior to operation and is also an On-going Operational Condition)
25. This use shall be constructed, maintained, and operated in conformance with all applicable county, state, and federal statutes, ordinances, rules, and regulations. A violation of any applicable statute, ordinance, rule or regulation shall be a violation of the Use Permit, subject to revocation. (On-going Operational Condition)
26. The applicant shall pay all applicable development fees prior to issuance of building permits. (This condition must be completed prior to operation and is also an On-going Operational Condition)
27. Two-Year Review. A review of activities under this Use Permit shall be undertaken by the director two (2) years after commencement of the expanded use to determine compliance with the conditions of approval and continued neighborhood compatibility. The director shall give notice of this Use Permit review to all owners of real property within three hundred feet (300) of the subject site plus any additional property owners who have previously requested notice. The director shall allow at least ten (10) days for comment. If the director determines that there is credible evidence of non-compliance with the Conditions of Approval or that activities constitute a public nuisance, the director shall refer the matter to the Board of Zoning Adjustments for possible revocation or modification of the Use Permit. Any such revocation or modification shall be preceded by a public hearing noticed and heard in compliance with the Zoning Code.
28. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of PRMD or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified Use Permit and additional environmental review.
29. The Director of PRMD is hereby authorized to modify these conditions for minor adjustments to respond to unforeseen field constraints provided that the goals of these conditions can be safely achieved in some other manner. The applicant must submit a written request to PRMD demonstrating that the conditions is infeasible due to specific constraints (e.g. lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. PRMD shall consult with affected departments and agencies and may require an application for modification of the approved permit. Changes to conditions that may be authorized by PRMD are limited to those items that are not adopted standards or were not adopted as mitigation measures or that were not at issue during the public hearing process. Any modification of the permit conditions shall be documented with an approval letter from PRMD, and shall not affect the original permit approval date or the term for expiration of the permit.  
  
The owner/operator and all successors in interest, shall comply with all applicable provisions of the Sonoma County Code and all other applicable local, state and federal regulations.
30. This permit shall be subject to revocation or modification by the Board of Zoning Adjustments if: (a) the Board finds that there has been noncompliance with any of the conditions or (b) the Board finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.

In any case where a Use Permit has not been used within two (2) years after the date of the granting thereof, or for such additional period as may be specified in the permit, such permit shall become



automatically void and of no further effect, provided however, that upon written request by the applicant prior to the expiration of the two year period the permit approval may be extended for not more than one (1) year by the authority which granted the original permit pursuant to Section 26-92-130 of the Sonoma County Code. (On-going Operational Condition)



County of Sonoma  
State of California

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Date: September 17, 2013

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

UPE11-0102 Melinda Grosch

4/5 Vote Required

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**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Upholding The Appeal Thereby Approving A Request To Expand An Existing Use Permit To Operate 24 Hours A Day, Seven Days A Week, To Add 1,900 Square Feet To The Residential Care Facility, Increase The Number Of Residents From 30 To 50, And The Inclusion Of Additional Rehabilitation Services As Requested By Redwood Gospel Mission For Property Located At 1048 Wildrose Drive, Santa Rosa; APN 037-021-054.**

**Whereas**, , the applicant, Redwood Gospel Mission, filed a Use Permit application with the Sonoma County Permit and Resource Management Department for the expansion of an existing residential care facility (Use Permit UPE02-0026) to operate 24 hours a day, seven days a week, increase the number of residents from 30 to 50, to add rehabilitation programs that currently operate at another site in the City of Santa Rosa, and the addition of 1,900 square feet to the existing residential care facility located at 1048 Wild Rose Drive, Santa Rosa; APN 037-021-054; Zoned RR (Rural Residential) B6-5 acre density, VOH (Valley Oak Habitat); Supervisorial District No 5; and

**Whereas**, this project has been found to be categorically exempt from the provisions of the California Environmental Quality Act pursuant to the Provisions of Title 14 of the California Administrative Code, Section 15301 because it is an addition to an existing structure and minor expansion of an existing use; and

**Whereas**, in accordance with the provisions of law, the Board of Zoning Adjustments held a public hearing on September 20, 2012, at which time all interested persons were given an opportunity to be heard; and

**Whereas**, the Board of Zoning Adjustments closed the public hearing and continued the matter to a time and date uncertain so the applicant could address neighborhood concerns and staff could determine how many other group homes are in the neighborhood, re-examine staff's choice of California Environmental Quality Act (CEQA) exemption, and determine crime patterns in the neighborhood; and

**Whereas**, at its regularly scheduled meeting on March 21, 2013, the Board of Zoning Adjustments, with a 5-0 vote, recommended partial approval to allow the facility to operate 24 hours a day, seven days a week but denied the requests to increase the number of residents

Resolution #

Date: September 17, 2013

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from 30 to 50 and inclusion of rehabilitation programs that operate at another site in the City of Santa Rosa. The Board of Zoning Adjustments encouraged the Redwood Gospel Mission to proceed with remodel and addition of 1,900 square feet to the existing residential care facility; and

**Whereas**, on April 1, 2013, an appeal of the Board of Zoning Adjustments' decision was filed with the Board of Supervisors by Jeff Gilman for Redwood Gospel Mission; and

**Whereas**, in accordance with the provisions of law, the Board of Supervisors held a public hearing on September 17, 2013, at which time all interested persons were given an opportunity to be heard.

**Now, Therefore, Be It Resolved** that the Board of Supervisors makes the following findings:

1. The project is consistent with the Rural Residential General Plan land use and Zoning designations, which includes residential care facilities and temporary emergency shelters. The parcel is served by public sewer and water and the building does not exceed the maximum lot coverage criteria.
2. The establishment, maintenance or operation of the use for which application is made will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area. The particular circumstances in this case are: 1) The residential care facility shall not serve more than 30 women and children at any one time; 2) Hours of operation shall be 24 hours a day, 365 days a year; 3) Outside activities shall be limited to 7:00 a.m. to 7:00 p.m.; 4) An on-site smoking area shall be established and smoking shall be prohibited elsewhere on the property; 5) Adequate trash and cigarette butt receptacles shall be provided on-site; 6) Recycling containers shall be provided on-site; 7) Private areas for phone calls shall be provided on-site to eliminate calls made outside; 8) Participants in the facilities program shall pick-up trash and cigarette butts along Wild Rose Drive from West College Avenue to Clover Drive on a weekly basis; 9) Vehicle idling times shall be limited to five minutes; and 10) Residents of the facility shall be transported only in facility vehicles;
3. It is the determination of the department that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to the Provisions of Title 14 of the California Administrative Code, Section 15301 because it is an addition to an existing structure and minor expansion of an existing use.

Resolution #

Date: September 17, 2013

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**Be It Further Resolved**, this project has been found to be categorically exempt from CEQA Guidelines.

**Be It Further Resolved**, that the Sonoma County Board of Supervisors upholds the appeal thereby approving the Use Permit as revised, subject to the conditions in Exhibit "A", attached hereto.

**Be It Further Resolved** that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**

**SONOMA COUNTY BOARD OF SUPERVISORS**  
**Alternative Conditions of Approval**

**EXHIBIT A TO RESOLUTION**

<b>Date:</b>	September 17, 2013	<b>File No.:</b>	UPE11-0102
<b>Applicant:</b>	Redwood Gospel Missions	<b>APN:</b>	037-021-054
<b>Address:</b>	1048 Wild Rose Drive, Santa Rosa		

**Project Description:** Request for a new Use Permit to add a residential care facility to an existing women and children's emergency shelter previously approved under UPE02-0026, to increase the number of residents from 30 women and children to 50 women and children, to increase the size of the residence by 1,900 square feet, and to include rehabilitation programs. The hours of operation will be 24 hours a day, seven days a week on a 0.67 acre parcel. Five full-time and five part-time employees work at the facility.

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**Prior to commencing the use, evidence must be submitted to the file that all of the following non-operational conditions have been met.**

**BUILDING:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

1. The applicant shall apply for and obtain building related permits from the Permit and Resource Management Department (PRMD). The necessary applications appear to be, but may not be limited to, site review, building permit, and grading permit.
2. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the most recent California Building Code (CBC), as determined by the PRMD Building Division. Such accessibility requirements shall apply to all new construction and remodeling and, where required by the CBC, to retrofitting of the existing structure.

**HEALTH:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

**PRIOR TO BUILDING PERMIT AND VESTING THE USE PERMIT:**

3. Connection shall continue to be made to public sewer.
4. A safe, potable water supply shall be provided and maintained.
5. Prior to issuance of a Use Permit Certificate or expanded use, provide the Project Review Health Specialist with the bacteriological (E.Coli and total coliform), arsenic and Volatile Organic Compounds by EPA Method 524.2 analysis results of a sample of your water tested by a State-certified lab. If the analysis shows contamination, the applicant will be required to treat the well per County Requirements and re-test the well.

A copy of the analysis shall be provided to the Project Review Health Specialist. If required, proof of installation of any device to remove contaminants must be shown.

If food is being prepared and served to residents, prior to issuance of a Use Permit Certificate or expanded use, plans and specifications for any facility serving food must be submitted to, and approved by, the Environmental Health Division of the Health Services Department. Contact the Environmental Health Division at 565-6565 for information. A letter of approval shall be provided to the PRMD Project Review Health Specialist from the Environmental Health Division verifying compliance with requirements of the California Uniform Retail Food Facility Law (CURFFL).

6. If food is being prepared and served to residents, a Food Industry Permit must be obtained from the Environmental Health Division of the Health Services Department prior to operation. A copy of a current permit shall be provided to the Project Review Health Specialist to verify compliance with the requirements of the California Uniform Retail Food Facility Law (CURFFL).
7. Noise shall be controlled in accordance with Table NE-2 as measured at the exterior property line of any affected residential or sensitive land use:

TABLE NE-2: Maximum Allowable Exterior Noise Exposures

Hourly Noise Metric <sup>1</sup> , dBA	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
L50 (30 minutes in any hour)	50	45
L25 (15 minutes in any hour)	55	50
L08 (4 minutes and 48 seconds in any hour)	60	55
L02 (72 seconds in any hour)	65	60
<sup>1</sup> The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level. The L02 is the sound level exceeded 72 seconds in any hour.		

8. If noise complaints are received from nearby residents, and they appear to be valid complaints in PRMD's opinion, then the applicant shall conduct a Noise Study to determine if the current operations meet noise standards and identify any additional noise Mitigation Measures if necessary. A copy of the Noise Study shall be submitted to the Project Review Health Specialist within sixty days of notification from PRMD that a noise complaint has been received. The owner/operator shall implement any additional Mitigation Measures needed to meet noise standards.
9. Adequate trash and cigarette butt receptacles shall be provided on-site. Recycling containers shall also be available on-site. Prior to issuance of a Use Permit Certificate or expanded use, the applicant shall submit a design for trash enclosures for review and approval to the Division of Environmental Health (Fees may apply). A copy of the approval letter from the Solid Waste Section of the Division of Environmental Health shall be provided to the Project Review Health Specialist.

**PUBLIC WATER AND SANITATION:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

10. The Applicant shall obtain a City of Santa Rosa Utility Certificate to provide evidence that the Applicant and the City of Santa Rosa have entered into an agreement for water service to this project, and shall submit a copy to the Sanitation Section of the Sonoma County Permit and Resource Management Department prior to issuance of a building permit.

**PLANNING:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

11. This Use Permit allows the site to be utilized as a large residential community care facility for the operation of an emergency homeless shelter for women and children for a maximum of 30 women and children during the first year and 50 women and children thereafter (pending a favorable one year review), operating 24 hours a day, seven days a week. Rehabilitation services are included for residents. Five full-time and five part-time employees work at the facility. A maximum of four employees and two volunteers will be on the site at any one time. A minimum of two employees will remain at the facility from 6:00 p.m. to 8:00 a.m. The permit includes the addition of 1,900 square feet to the existing residence. The use shall be operated in accordance with the proposal statement and

site plan located in File No. UPE11-0102 and as modified by these conditions.

12. This Use Permit (UPE11-0102) shall supersede all prior Use Permits (UPE02-0026), upon implementation or when all the pre-operational conditions have been met and this Use Permit is vested.
13. The residential community care facility shall provide screening, care, assessment, transportation, and education to its residents in accordance with the operational aspects of the proposal statement, except as modified by these conditions. (On-going Operational Condition)
14. The hours of operation shall be 24 hours a day, seven days a week. Outside activities shall be limited to 7:00 a.m. to 7:00 p.m. (On-going Operational Condition)
15. A "Designated Smoking Area" shall be established in an unenclosed area consistent with Sonoma County Code section 32-3. Designated Smoking Areas must be at least 25 feet away from any building or area where smoking is prohibited, must be conspicuously identified by signs as a smoking area, and shall be equipped with ash trays or ash cans. (This condition must be completed prior to operation and is also an On-going Operational Condition)
16. Private areas for phone calls shall be provided on-site to eliminate calls made outside. (This condition must be completed prior to operation and is also an On-going Operational Condition)
17. Participants in the facility's programs shall pick-up trash and cigarette butts along Wild Rose Drive from West College Avenue to Clover Drive on a weekly basis. (On-going Operational Condition)
18. A six foot high, solid wood fence shall be constructed along the property's northerly boundary to help provide noise mitigations, subject to review and approval by the PRMD project planner. (This condition must be completed prior to operation and is also an On-going Operational Condition)
19. Vehicle idling times shall be limited to a maximum of five minutes. (On-going Operational Condition)
20. On-site parking shall be limited to seven spaces and shall conform to Sonoma County design standards. The parking area and driveway design are subject to review and approval of Project Review Staff prior to construction and prior to issuance of the Use Permit Operational Certificate. There shall be no off-site parking associated with the facility unless a lease agreement is secured first. (This condition must be completed prior to operation and is an On-going Operational Condition)
21. All new residents shall be transported to and from the facility in vehicles operated by the applicant. Residents may utilize private vehicles as long as on-site parking capacity is not exceeded. No on street parking is allowed. (On-going Operational Condition)
22. The applicant shall install 8 bicycle parking rack spaces. The bike racks shall be installed prior to issuance of the Use Permit Operational Certificate. A bike rack is defined as a securely mounted stand or other device constructed so as to enable the user to secure the bicycle by locking the frame and at least one wheel. Racks must be easily usable with both U locks and cable locks. Racks must hold bicycles in a stable upright position and support bicycles so they resist falling over when bumped. Racks supporting a bike by wheel only, such as standard 'wire racks', are not acceptable. Racks must hold bikes with at least two points of contact. Please use Bicycle Parking Guidelines by the Association of Pedestrian and Bicycle Professionals which can be found here: [http://www.apbp.org/resource/resmgr/publications/bicycle\\_parking\\_guidelines.pdf](http://www.apbp.org/resource/resmgr/publications/bicycle_parking_guidelines.pdf) (This condition must be completed prior to operation and is also an On-going Operational Condition)
23. Prior to issuance of building permits, an exterior lighting plan shall be submitted for review by PRMD. Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted. All parking lot lights shall be full cut-off fixtures. Lighting shall shut of

automatically after closing and security lighting shall be motion sensor activated. (This condition must be completed prior to operation and is also an On-going Operational Condition)

24. Development on this parcel is subject to the Sonoma County Fire Safe Standards and shall be reviewed and approved by the County Fire Marshal/Local Fire Protection District. Said plan shall include, but not be limited to: emergency vehicle access and turn-around at the building sites), addressing, water storage for fire fighting and fire break maintenance around all structures. Prior to occupancy, written approval that the required improvements have been installed shall be provided to PRMD from the County Fire Marshal/Local Fire Protection District. Review by the Fire Marshal/Local Fire Protection District will be required even if no new construction is undertaken. (This condition must be completed prior to operation and is also an On-going Operational Condition)
25. This use shall be constructed, maintained, and operated in conformance with all applicable county, state, and federal statutes, ordinances, rules, and regulations. A violation of any applicable statute, ordinance, rule or regulation shall be a violation of the Use Permit, subject to revocation. (On-going Operational Condition)
26. The applicant shall pay all applicable development fees prior to issuance of building permits. (This condition must be completed prior to operation and is also an On-going Operational Condition)
27. One-Year Review. A review of activities under this Use Permit shall be undertaken by the director one (1) year after commencement of the expanded use to determine compliance with the conditions of approval and continued neighborhood compatibility. The director shall give notice of this Use Permit review to all owners of real property within three hundred feet (300) of the subject site plus any additional property owners who have previously requested notice. The director shall allow at least ten (10) days for comment. If the facility has been operating appropriately and no issues are raised by the neighbors then the maximum number of women and children served will be raised to 50.

If the director determines that there is credible evidence of non-compliance with the Conditions of Approval or that activities constitute a public nuisance, the director shall refer the matter to the Board of Zoning Adjustments for possible revocation or modification of the Use Permit. Any such revocation or modification shall be preceded by a public hearing noticed and heard in compliance with the Zoning Code.

28. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of PRMD or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified Use Permit and additional environmental review.
29. The Director of PRMD is hereby authorized to modify these conditions for minor adjustments to respond to unforeseen field constraints provided that the goals of these conditions can be safely achieved in some other manner. The applicant must submit a written request to PRMD demonstrating that the conditions is infeasible due to specific constraints (e.g. lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. PRMD shall consult with affected departments and agencies and may require an application for modification of the approved permit. Changes to conditions that may be authorized by PRMD are limited to those items that are not adopted standards or were not adopted as mitigation measures or that were not at issue during the public hearing process. Any modification of the permit conditions shall be documented with an approval letter from PRMD, and shall not affect the original permit approval date or the term for expiration of the permit.

The owner/operator and all successors in interest, shall comply with all applicable provisions of the Sonoma County Code and all other applicable local, state and federal regulations.

30. This permit shall be subject to revocation or modification by the Board of Zoning Adjustments if: (a) the Board finds that there has been noncompliance with any of the conditions or (b) the Board finds



that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.

In any case where a Use Permit has not been used within two (2) years after the date of the granting thereof, or for such additional period as may be specified in the permit, such permit shall become automatically void and of no further effect, provided however, that upon written request by the applicant prior to the expiration of the two year period the permit approval may be extended for not more than one (1) year by the authority which granted the original permit pursuant to Section 26-92-130 of the Sonoma County Code. (On-going Operational Condition)

**Planning Commission/Board of Zoning Adjustments  
Appeal Form**

PJR-021

To: Board of Supervisors  
County of Sonoma, State of California

File # UPE11-0102

Appeal is hereby made by: REDWOOD GOSPEL MISSION  
Please Print

Mailing Address: PO BOX 493  
SANTA ROSA, CA 95402

Phone: (707) 578-1830 Email: jjgilman@srmission.org

The Sonoma County Planning Commission / Board of Zoning Adjustments (circle one) on

MARCH 21, 20 13, approved denied (circle one) a request by

REDWOOD GOSPEL MISSION for THE 24 HOUR A DAY

OPERATION OF A RESIDENTIAL CARE FACILITY

located at 1648 WILD ROSE DRIVE

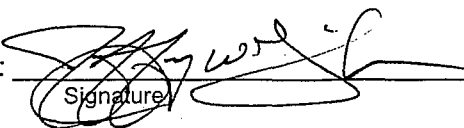
APN 037 - 021 - 054 Zoned RR 1365, VOH Supervisorial District 5

This appeal is made pursuant to Sonoma County Code Chapter 26 Section 26-92-160 for the following specific reasons:

SEE THE ATTACHED APPEAL STATEMENT

Date: APRIL 1, 2013

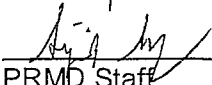
Appellant:

  
Signature

Appeal Fee: See current PRMD Project Review Fee Schedule

DO NOT WRITE BELOW THIS LINE - To Be Completed by PRMD Staff

This appeal was filed with the Permit and Resource Management Department on the 1<sup>st</sup> day  
of April, 20 13, receipt of which is hereby acknowledged.

  
PRMD Staff

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue \* Santa Rosa, CA \* 95403-2829 \* (707) 565-1900 \* Fax (707) 565-1103

**Project:**

**Redwood Gospel Mission**

**"The Rose" Women's and Children's Shelter**

1048 Wild Rose Drive

Santa Rosa, California

APN 037-021-054

**Property Owner:**

**Redwood Gospel Mission**

PO Box 493

Santa Rosa, CA 95402

**Appeal Statement**

**April 2013**

The Redwood Gospel Mission (RGM) would like to appeal the decision of the Board of Zoning Adjustments made on March 21, 2013 granting the 24 hours a day use, but not allowing an increase in the number of guests to 50.

The RGM is requesting the approval of an increase to 50 guests, along with the already approved 24 hours a day use.

There was an option discussed at our last hearing, which was to approve the 24 hours a day use and increase the guests to 50, but the increase in guests was to happen only after 12 months of operating the 24 hours a day use. There would be another public hearing after 12 months before transitioning to 50 guests to review the proceeding 12 months. The RGM would be receptive to this option also.

Being open 24 hours a day will allow the RGM to be a more effective neighbor. An increase to 50 guests would allow us to consolidate Manna Home with The Rose. When consolidated the women of Manna Home would be better able to serve as mentors and assist in the operation of The Rose. The former Manna Home facility would then become transitional housing, thereby increasing our ability to serve additional women in our community.

An approval that provides the RGM a level of certainty for an increase to 50 guests would allow us to apply for grants, fundraise, and plan for a proposed modification to the existing structure.

County of Sonoma  
Santa Rosa, California

March 21, 2013  
UPE11-0102 Melinda Grosch

**RESOLUTION OF THE BOARD OF ZONING ADJUSTMENTS,  
COUNTY OF SONOMA, STATE OF CALIFORNIA, GRANTING A  
USE PERMIT TO REDWOOD GOSPEL MISSION, FOR  
PROPERTY LOCATED AT 1048 WILD ROSE DRIVE, SANTA  
ROSA; APN 037-021-054.**

**WHEREAS**, the applicant, Redwood Gospel Mission, filed a Use Permit application with the Sonoma County Permit and Resource Management Department for a residential care facility located at 1048 Wild Rose Drive, Santa Rosa; APN 037-021-054; Zoned RR (Rural Residential) B6-5 acre density, VOH (Valley Oak Habitat); Supervisorial District No 5; and

**WHEREAS**, in accordance with the provisions of law, the Board of Zoning Adjustments held a public hearing on September 20, 2012 at which time all interested persons were given an opportunity to be heard. The Board of Zoning Adjustments continued this item to a date and time uncertain to allow the applicant and neighborhood time to work on improved communication and resolution of issues raise during the hearing;

**WHEREAS**, in accordance with the provisions of law, the Board of Zoning Adjustments held a second public hearing on March 21, 2013, at which time all interested persons were given an opportunity to be heard; and

**WHEREAS**, this project has been found to be categorically exempt from CEQA Guidelines.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Zoning Adjustments makes the following findings:

1. The project is consistent with the RR (Rural Residential) General Plan land use and Zoning designation, which includes residential care facilities and temporary emergency shelters. The parcel is served by public sewer and water and the building does not exceed the maximum lot coverage criteria.
2. The establishment, maintenance or operation of the use for which application is made will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area. The particular circumstances in this case are: 1) The residential care facility shall not serve more than 30 women and children at any one time; 2) Hours of operation shall be 24 hours a day, 365 days a year; 3) Outside activities shall be limited to 7:00 a.m. to 7:00 p.m.; 4) An on-site smoking area shall be established and smoking shall be prohibited elsewhere on the property; 5) Adequate trash and cigarette butt receptacles shall be provided on-site. Recycling containers shall also be available on-site; 6) Private areas for phone calls shall be provided on-site to eliminate calls made outside; 7) Participants in the facilities program shall pick-up trash and cigarette butts along Wild Rose Drive from West College Avenue to Clover Drive on a weekly basis; 8) Vehicle idling times shall be limited to five minutes; and 9) Residents of the facility shall be transported only in facility vehicles;
3. It is the determination of the department that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to the Provisions of

Title 14 of the California Administrative Code, Section 15301 because it is an addition to an existing structure and minor expansion of an existing use.

**BE IT FURTHER RESOLVED** that the Board of Zoning Adjustments hereby grants the requested Use Permit, subject to the Conditions of Approval in Exhibit "A", attached hereto.

**BE IT FURTHER RESOLVED** that the Board of Zoning Adjustments designates the Secretary as the custodian of the documents and other material which constitute the record of proceedings upon which the Board's decision herein is based. These documents may be found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

**BE IT FURTHER RESOLVED** that the Board of Zoning Adjustments' action shall be final on the 11<sup>th</sup> day after the date of the Resolution unless an appeal is taken.

**THE FOREGOING RESOLUTION** was introduced by Commissioner Lynch, who moved its adoption, seconded by Commissioner Cook, and adopted on roll call by the following vote:

Commissioner Carr	Aye
Commissioner Montoya	Aye
Commissioner Cook	Aye
Commissioner Liles	Aye
Commissioner Lynch	Aye

Ayes: 5    Noes: 0    Absent: 0    Abstain: 0

**WHEREUPON**, the Chair declared the above and foregoing Resolution duly adopted; and

**SO ORDERED.**

**SONOMA COUNTY BOARD OF ZONING ADJUSTMENTS**  
**Final Conditions of Approval**  
**EXHIBIT A**

**Date:** March 21, 2013  
**Applicant:** Redwood Gospel Missions  
**Address:** 1048 Wild Rose Drive, Santa Rosa

**File No.:** UPE11-0102  
**APN:** 037-021-054

**Project Description:** Request for a Use Permit to add a residential care facility to an existing women and children's emergency shelter approved under UPE02-0026. The emergency shelter provides housing for up to 30 women and children. The hours of operation will be 24 hours a day, seven days a week on a 0.67 acre parcel. Five full-time and five part-time employees work at the facility.

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**Prior to commencing the use, evidence must be submitted to the file that all of the following non-operational conditions have been met.**

**BUILDING:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

1. The applicant shall apply for and obtain building related permits from the Permit and Resource Management Department (PRMD). The necessary applications appear to be, but may not be limited to, site review, building permit, and grading permit.
2. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the most recent California Building Code (CBC), as determined by the PRMD Building Division. Such accessibility requirements shall apply to all new construction and remodeling and, where required by the CBC, to retrofitting of the existing structure.

**HEALTH:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

**PRIOR TO BUILDING PERMIT AND VESTING THE USE PERMIT:**

3. Connection shall continue to be made to public sewer.
4. A safe, potable water supply shall be provided and maintained.
5. Prior to issuance of a Use Permit Certificate or expanded use, provide the Project Review Health Specialist with the bacteriological (E.Coli and total coliform), arsenic and Volatile Organic Compounds by EPA Method 524.2 analysis results of a sample of your water tested by a State-certified lab. If the analysis shows contamination, the applicant will be required to treat the well per County Requirements and re-test the well.

A copy of the analysis shall be provided to the Project Review Health Specialist. If required, proof of installation of any device to remove contaminants must be shown.

If food is being prepared and served to residents, prior to issuance of a Use Permit Certificate or expanded use, plans and specifications for any facility serving food must be submitted to, and approved by, the Environmental Health Division of the Health Services Department. Contact the Environmental Health Division at 565-6565 for information. A letter of approval shall be provided to the PRMD Project Review Health Specialist from the Environmental Health Division verifying compliance with requirements of the California Uniform Retail Food Facility Law (CURFFL).

6. If food is being prepared and served to residents, a Food Industry Permit must be obtained from the Environmental Health Division of the Health Services Department prior to operation. A copy of a current permit shall be provided to the Project Review Health Specialist to verify compliance with the

requirements of the California Uniform Retail Food Facility Law (CURFFL).

7. Noise shall be controlled in accordance with Table NE-2 as measured at the exterior property line of any affected residential or sensitive land use:

TABLE NE-2: Maximum Allowable Exterior Noise Exposures

Hourly Noise Metric <sup>1</sup> , dBA	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
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8. If noise complaints are received from nearby residents, and they appear to be valid complaints in PRMD's opinion, then the applicant shall conduct a Noise Study to determine if the current operations meet noise standards and identify any additional noise Mitigation Measures if necessary. A copy of the Noise Study shall be submitted to the Project Review Health Specialist within sixty days of notification from PRMD that a noise complaint has been received. The owner/operator shall implement any additional Mitigation Measures needed to meet noise standards.
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12. This Use Permit (UPE11-0102) shall supersede all prior Use Permits (UPE02-0026), upon implementation or when all the pre-operational conditions have been met and this Use Permit is vested.

13. The residential community care facility shall provide screening, care, assessment, transportation, and education to its residents in accordance with the operational aspects of the proposal statement, except as modified by these conditions. (On-going Operational Condition)
14. The hours of operation shall be 24 hours a day, seven days a week. Outside activities shall be limited to 7:00 a.m. to 7:00 p.m. (On-going Operational Condition)
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25. This use shall be constructed, maintained, and operated in conformance with all applicable county, state, and federal statutes, ordinances, rules, and regulations. A violation of any applicable statute, ordinance, rule or regulation shall be a violation of the Use Permit, subject to revocation. (On-going Operational Condition)
26. The applicant shall pay all applicable development fees prior to issuance of building permits. (This condition must be completed prior to operation and is also an On-going Operational Condition)
27. Two-Year Review. A review of activities under this Use Permit shall be undertaken by the director two (2) years after commencement of the expanded use to determine compliance with the conditions of approval and continued neighborhood compatibility. The director shall give notice of this Use Permit review to all owners of real property within three hundred feet (300') of the subject site plus any additional property owners who have previously requested notice. The director shall allow at least ten (10) days for comment. If the director determines that there is credible evidence of non-compliance with the Conditions of Approval or that activities constitute a public nuisance, the director shall refer the matter to the Board of Zoning Adjustments for possible revocation or modification of the Use Permit. Any such revocation or modification shall be preceded by a public hearing noticed and heard in compliance with the Zoning Code.
28. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of PRMD or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified Use Permit and additional environmental review.
29. The Director of PRMD is hereby authorized to modify these conditions for minor adjustments to respond to unforeseen field constraints provided that the goals of these conditions can be safely achieved in some other manner. The applicant must submit a written request to PRMD demonstrating that the conditions is infeasible due to specific constraints (e.g. lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. PRMD shall consult with affected departments and agencies and may require an application for modification of the approved permit. Changes to conditions that may be authorized by PRMD are limited to those items that are not adopted standards or were not adopted as mitigation measures or that were not at issue during the public hearing process. Any modification of the permit conditions shall be documented with an approval letter from PRMD, and shall not affect the original permit approval date or the term for expiration of the permit.

The owner/operator and all successors in interest, shall comply with all applicable provisions of the Sonoma County Code and all other applicable local, state and federal regulations.

30. This permit shall be subject to revocation or modification by the Board of Zoning Adjustments if: (a) the Board finds that there has been noncompliance with any of the conditions or (b) the Board finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.

In any case where a Use Permit has not been used within two (2) years after the date of the granting thereof, or for such additional period as may be specified in the permit, such permit shall become automatically void and of no further effect, provided however, that upon written request by the applicant prior to the expiration of the two year period the permit approval may be extended for not more than one (1) year by the authority which granted the original permit pursuant to Section 26-92-130 of the Sonoma County Code. (On-going Operational Condition)



# COUNTY OF SONOMA

## PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403  
(707) 565-1900 FAX (707) 565-1103

**DATE:** March 21, 2013 at 1:05 p.m.  
**TO:** Board of Zoning Adjustments  
**FROM:** Melinda Grosch, Project Planner  
**SUBJECT:** UPE11-0102; Expansion of "The Rose" emergency shelter to include rehabilitation services.  
1048 Wild Rose Drive, Santa Rosa

### **Prior Actions:**

On September 20, 2012, the Board of Zoning Adjustments, with a 5-0 vote, moved to continue the hearing to November 15, 2012. The BZA asked staff to determine how many other group homes are in the neighborhood, re-examine staff's choice of California Environmental Quality Act (CEQA) exemption, and determine crime patterns in the neighborhood. The applicant requested an additional continuance to allow them to continue working with the neighborhood. On November 15, 2012 the Board of Zoning Adjustments granted a continuance to a date and time uncertain. The applicants have invested time in neighborhood outreach in attempts to address neighborhood concerns. The hearing will be open for new information only.

### **DISCUSSION OF ISSUES**

#### **Issue #1:** Group Homes in the Neighborhood

During the hearing several neighbors raised the issue that the Wild Rose neighborhood has five group homes and that expansion of The Rose results in an undue burden on the neighborhood. The neighbors were particularly concerned that the increase in residents will increase traffic, litter, and noise which the neighbors feel has increased over the years from the existing facilities. Facilities which serve six or fewer people do not require a permit from the County of Sonoma. The Commissioners directed staff to determine how many other facilities are in the area, their size, and location.

#### **Additional Information**

The State of California issues licenses for all residential care facilities, even small facilities that don't require a permit from the County. According to the State of California Community Licensing website (<http://www.cclcd.ca.gov/>) there are four other facilities listed on Clover Drive or just off of Clover Drive but they are all on the north side of College Avenue (Exhibit C). All are serving six or fewer people. No facilities for care homes were listed for the Wild Rose Drive neighborhood. The Rose is currently an emergency shelter so would not be licensed as a residential care facility.

After researching the parcels indicated in the map submitted by a neighbor it appears that 1180 Wild Rose Drive was being used as a care facility for the mentally impaired in 1969 and a violation was posted against the property. The violation file stated that there were reports of up to 20 people living in the home. There is a 1972 Variance request for a convalescent home for up to 17 elderly people. Staff did not note this application earlier as the file started out as a request for a Zone Change. In those years file numbers stayed the same for all types of applications so when staff noted that it was for a Zone Change and Variance not a Use Permit it was assumed not to cover a care facility. Upon reading through the entire record staff found that the request changed as follows:

The original request was for a Zone Change from R-1 (Single Family Residential) to R-1-T (Single Family Residential with Trailer) to allow a mobile home to be placed on the property. During the processing of the request it was discovered that the home was serving 17 people rather than the 6 which were allowed by the

zoning. The Zone Change was denied and the file became a request for a Variance to allow for the 17 person Convalescent home. The Variance was approved.

The property is currently owned by Deutsche Bank which may indicate that the property is in foreclosure, the property was noted as being for sale in one of the e-mails from neighbors of The Rose. This site is not currently on the State list of licensed care facilities (although it was licensed in 1972 which was part of the reason for granting the Variance). This may mean that it is not currently in operation or that the facility is in transition and licensing would be pending a new owner taking over the facility.

### **Recommendation**

Based on the locations of other facilities shown on the State Licensing site there does not appear to be a concentration of facilities in this neighborhood. The four other facilities are on the north side of College Avenue and the proposed facility is on the south side of College Avenue. Therefore, staff continues to recommend approval of the project.

### **Issue #2: California Environmental Quality Act (CEQA) Exemption**

Questions regarding how the project was determined to be exempt from CEQA were raised by the public and Commissioners. Staff recommends an exemption based on CEQA Section 15301(e)(1) which addresses the minor expansion of existing facilities. This section states:

*Additions to existing structures provided that the addition will not result in an increase of more than:*

- (1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less;  
or*
- (2) 10,000 square feet if:*
  - (a) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and*
  - (b) The area in which the project is located is not environmentally sensitive.*

Staff still feels that this is the appropriate exemption. The facility, as proposed, will be expanded by 1,900 square feet (for a total of 7,173 sq. ft.) which is less than either 50% of the existing floor area or 2,500 square feet. If clients are not required to leave the premises during the day, traffic would potentially be reduced as well as morning noise, loitering, and other activities associated with people waiting to enter the facility at night or gathering to leave in the morning.

### **Recommendation**

Staff recommends the Board of Zoning Adjustments find the project exempt from CEQA per Section 15301.

### **Issue #3: Improve Neighborhood Communication**

Commissioners recommended that the applicant improve their outreach to the neighborhood and work on some of the issues raised during the hearing. The Commissioners particularly wanted the neighbors to have contact information that would allow them to contact the person or people in charge of the facility at any time with concerns or questions. The Board of Zoning Adjustments was also interested in the applicant establishing more routine communication with the neighbors, communication not necessarily associated with a problem at The Rose.

### **Additional Information**

The applicant has been working with the neighborhood to provide them with additional methods of contacting staff and the director (Exhibit D). Additionally, they hosted an open house at the Rose and have been communicating with the neighbors via e-mail (Exhibit E). Since then the parking area along the driveway which had resulted in some noise impacts on adjoining neighbors has been eliminated, The Rose's staff have been working on quieting the screen door to help reduce the noise from the impact due to the power of the automatic closer. A suitable product for ensuring that the screen closes while keeping it from slamming at the same time had not been found at the time of the last neighborhood update. Some other management changes have been implemented as well relating to the placement and removal of the garbage/recycle containers on garbage day, etc.

### **Recommendation**

It appears that the efforts have resolved some problems and that there is now a line of communication open between The Rose and the neighborhood. Staff's sense is that the neighborhood is still not comfortable with the increase in size of the facility. However, the neighborhood seems to be receptive to the facility providing additional services and being open 24-hours a day seven days a week rather than just at night. The Board of Zoning Adjustments will need to determine whether the efforts so far provide adequate assurance that the facility can be operated without significantly increasing impacts to the neighborhood. The Board may wish to consider a specified review period to review how the facility has implemented its conditions of approval and whether they have adequately addressed the neighborhood's concerns. If the Board has reservations about increasing the number of participants to 50 at this time the increase could be tied to the review. At that time the Board could consider whether an increase in the number of people to 50 is appropriate based on successful implementation of conditions and confirmation that there have been no significant impacts on the neighbors from the increased hours of operation. The two-year review condition has been added (Condition 27) for the Board's consideration.

### **Issue #4: Crime in the Neighborhood**

Neighbors commented that crime has increased in the past few years. It is difficult to determine the reasons for an increase in crime; it may be due to people passing through the neighborhood from other areas, people in the neighborhood as part of a shelter program, people attracted to the neighborhood because they know something about the neighborhood (someone has items that they wish to steal), etc. Neighbors are worried that increasing the population at The Rose will bring more crime into the neighborhood.

### **Additional Information**

Staff contacted the Sonoma County Sheriff's Department for general trends on crime in the area. It appears that calls to the Sheriff's Department have remained relatively steady in the Clover Drive area with the exception of February 2008 which had at least double the calls of any other reported period. The chart below breaks down the number of calls by month for the past six years in the Clover Drive Area. These figures do not include calls that may have inadvertently been made to the Santa Rosa Police Department.

Staff estimated the numbers for November (7 calls) and December 2012 (10 calls) using an average of the previous years' totals for each of those months. Total calls for 2012 are roughly 106. Using the estimate for 2012 in the totals an average of 109 calls per year have been made for the Clover Drive area over the last six years. The highest year was 2008 with 159 calls – 50 calls over the average. The lowest year was 2009 with 84 calls – 25 calls under the average. It would appear that recent years have been at or near the average so, based on calls to the Sheriff's office crime rates do not appear to be increasing over time. The area is not noted as a high crime rate area by the Sheriff's Department.

Year	2007	2008	2009	2010	2011	2012	Total
January	22	12	4	7	7	7	59
February	1	51	9	11	2	9	83
March	12	7	5	10	8	12	54
April	13	5	11	8	4	9	50
May	4	4	7	9	6	11	41
June	7	5	5	6	11	15	49
July	8	18	10	5	9	9	59
August	7	8	6	7	11	5	44
September	7	11	7	6	12	6	49
October	7	13	6	9	21	6	62
November	5	11	5	5	10	7*	36
December	15	14	9	7	3	10*	48
<b>Total</b>	108	159	84	90	104	106*	651*

\*Estimates

**Recommendation**

If the facility is allowed to be open 24 hours a day it will likely reduce loitering as people will not be forced to wait for the facility to open in the evening or leave every morning. This will also reduce the need for friends and acquaintances of clients waiting to pick-up or drop-off clients at the facility in the morning or evening. This may or may not help with the perception that the neighborhood is growing more unsafe. It does not appear that crime has been increasing over time and staff has no reason to believe that the expansion of the facility will directly precipitate more crime in the neighborhood.

**STAFF RECOMMENDATION**

Staff recommends the Board of Zoning Adjustments approve the proposed expansion of The Rose shelter and addition of the Manna House services as modified by the conditions of approval.

**FINDINGS FOR RECOMMENDED ACTION**

1. The project is consistent with the RR (Rural Residential) General Plan land use and Zoning designation, which includes residential care facilities and temporary emergency shelters. The parcel is served by public sewer and water and the building does not exceed the maximum lot coverage criteria.
2. The establishment, maintenance or operation of the use for which application is made will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area. The particular circumstances in this case are: 1) The residential care facility shall not serve more than 50 women and children at any one time; 2) Hours of operation shall be 24 hours a day, 365 days a year; 3) Outside activities shall be limited to 7:00 a.m. to 7:00 p.m.; 4) An on-site smoking area shall be established and smoking shall be prohibited elsewhere on the property; 5) Adequate trash and cigarette butt receptacles shall be provided on-site. Recycling containers shall also be available on-site; 6) Private areas for phone calls shall be provided on-site.

to eliminate calls made outside; 7) Participants in the facilities program shall pick-up trash and cigarette butts along Wild Rose Drive from West College Avenue to Clover Drive on a weekly basis; 8) Vehicle idling times shall be limited to five minutes; and 9) Residents of the facility shall be transported only in facility vehicles;

3. It is the determination of the Department that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to the Provisions of Title 14 of the California Administrative Code, Section 15301 because it is an addition to an existing structure and minor expansion of an existing use.

#### **LIST OF ATTACHMENTS**

- EXHIBIT A: Draft Conditions of Approval
- EXHIBIT B: Proposal Statement
- EXHIBIT C: Maps Showing Locations of Other Group Home Facilities
- EXHIBIT D: Neighborhood Contact Information
- EXHIBIT E: E-mails Regarding Neighborhood Meetings
- EXHIBIT F: Minutes from September 20, 2012
- EXHIBIT G: Staff Report from September 20, 2012
- EXHIBIT H: Draft Resolution

**SONOMA COUNTY BOARD OF ZONING ADJUSTMENTS**  
**Draft Conditions of Approval**

**Date:** March 21, 2013  
**Applicant:** Redwood Gospel Missions  
**Address:** 1048 Wild Rose Drive, Santa Rosa

**File No.:** UPE11-0102  
**APN:** 037-021-054

**Project Description:** A Use Permit to add a residential care facility to an existing women and children's emergency shelter approved under UPE02-0026. The emergency shelter provides housing for up to 30 women and children. The residential care facility will provide care and rehabilitation services for an additional 20 women for a total of 50 people being served at the site. The hours of operation will be 24 hours a day, seven days a week on a 0.67 acre parcel. Five full-time and five part-time employees work at the facility. The building will be expanded by 1,900 sq. ft. to a total of 7,173 sq. ft. building.

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**Prior to commencing the use, evidence must be submitted to the file that all of the following non-operational conditions have been met.**

**BUILDING:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

1. The applicant shall apply for and obtain building related permits from the Permit and Resource Management Department (PRMD). The necessary applications appear to be, but may not be limited to, site review, building permit, and grading permit.
2. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the most recent California Building Code (CBC), as determined by the PRMD Building Division. Such accessibility requirements shall apply to all new construction and remodeling and, where required by the CBC, to retrofitting of the existing structure.

**HEALTH:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

**PRIOR TO BUILDING PERMIT AND VESTING THE USE PERMIT:**

3. Connection shall continue to be made to public sewer.
4. A safe, potable water supply shall be provided and maintained.
5. Prior to issuance of a Use Permit Certificate or expanded use, provide the Project Review Health Specialist with the bacteriological (E.Coli and total coliform), arsenic and Volatile Organic Compounds by EPA Method 524.2 analysis results of a sample of your water tested by a State-certified lab. If the analysis shows contamination, the applicant will be required to treat the well per County Requirements and re-test the well.

A copy of the analysis shall be provided to the Project Review Health Specialist. If required, proof of installation of any device to remove contaminants must be shown.

If food is being prepared and served to residents, prior to issuance of a Use Permit Certificate or expanded use, plans and specifications for any facility serving food must be submitted to, and approved by, the Environmental Health Division of the Health Services Department. Contact the Environmental Health Division at 565-6565 for information. A letter of approval shall be provided to the PRMD Project Review Health Specialist from the Environmental Health Division verifying compliance with requirements of the California Uniform Retail Food Facility Law (CURFFL).

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6. If food is being prepared and served to residents, a Food Industry Permit must be obtained from the

Environmental Health Division of the Health Services Department prior to operation. A copy of a current permit shall be provided to the Project Review Health Specialist to verify compliance with the requirements of the California Uniform Retail Food Facility Law (CURFFL).

7. Noise shall be controlled in accordance with Table NE-2 as measured at the exterior property line of any affected residential or sensitive land use:

TABLE NE-2: Maximum Allowable Exterior Noise Exposures

Hourly Noise Metric <sup>1</sup> , dBA	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
L50 (30 minutes in any hour)	50	45
L25 (15 minutes in any hour)	55	50
L08 (4 minutes and 48 seconds in any hour)	60	55
L02 (72 seconds in any hour)	65	60
<sup>1</sup> The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level. The L02 is the sound level exceeded 72 seconds in any hour.		

8. If noise complaints are received from nearby residents, and they appear to be valid complaints in PRMD's opinion, then the applicant shall conduct a Noise Study to determine if the current operations meet noise standards and identify any additional noise Mitigation Measures if necessary. A copy of the Noise Study shall be submitted to the Project Review Health Specialist within sixty days of notification from PRMD that a noise complaint has been received. The owner/operator shall implement any additional Mitigation Measures needed to meet noise standards.
9. Adequate trash and cigarette butt receptacles shall be provided on-site. Recycling containers shall also be available on-site. Prior to issuance of a Use Permit Certificate or expanded use, the applicant shall submit a design for trash enclosures for review and approval to the Division of Environmental Health (Fees may apply). A copy of the approval letter from the Solid Waste Section of the Division of Environmental Health shall be provided to the Project Review Health Specialist.

**PUBLIC WATER AND SANITATION:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

10. The Applicant shall obtain a City of Santa Rosa Utility Certificate to provide evidence that the Applicant and the City of Santa Rosa have entered into an agreement for water service to this project, and shall submit a copy to the Sanitation Section of the Sonoma County Permit and Resource Management Department prior to issuance of a building permit.

**PLANNING:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

11. This Use Permit allows the site to be utilized as a large residential community care facility for the operation of an emergency homeless shelter for women and children (a maximum of 30 people in the shelter program) and a recovery program for 20 women for a total of 50 people on-site operating 24 hours a day seven days a week with those in the recovery program living at the center full-time. Five full-time and five part-time employees work at the facility. A maximum of four employees and two volunteers will be on the site at any one time. A minimum of two employees will remain at the facility from 6:00 p.m. to 8:00 a.m. The building will be expanded by 1,900 sq. ft. for a total of 7,173 sq. ft. The use shall be operated in accordance with the proposal statement and site plan located in File No. UPE11-0102 and as modified by these conditions.



12. This Use Permit (UPE11-0102) shall supersede all prior Use Permits, upon implementation or when all the pre-operational conditions have been met and this Use Permit is vested.
13. The residential community care facility shall provide screening, care, assessment, transportation, and education to its residents in accordance with the operational aspects of the proposal statement, except as modified by these conditions. (On-going Operational Condition)
14. The hours of operation shall be 24 hours a day, seven days a week. Outside activities shall be limited to 7:00 a.m. to 7:00 p.m. (On-going Operational Condition)
15. A "Designated Smoking Area" shall be established in an unenclosed area consistent with Sonoma County Code section 32-3. Designated Smoking Areas must be at least 25 feet away from any building or area where smoking is prohibited, must be conspicuously identified by signs as a smoking area, and shall be equipped with ash trays or ash cans. (This condition must be completed prior to operation and is also an On-going Operational Condition)
16. Private areas for phone calls shall be provided on-site to eliminate calls made outside. (This condition must be completed prior to operation and is also an On-going Operational Condition)
17. Participants in the facility's programs shall pick-up trash and cigarette butts along Wild Rose Drive from West College Avenue to Clover Drive on a weekly basis. (On-going Operational Condition)
18. A six foot high, solid wood fence shall be constructed along the property's northerly boundary to help provide noise mitigations, subject to review and approval by the Permit and Resource Management Department project planner. (This condition must be completed prior to operation and is also an On-going Operational Condition)
19. Vehicle idling times shall be limited to a maximum of five minutes. (On-going Operational Condition)
20. On-site parking shall be limited to seven spaces and shall conform to Sonoma County design standards. The parking area and driveway design are subject to review and approval of Project Review Staff prior to construction and prior to issuance of the Use Permit Operational Certificate. There shall be no off-site parking associated with the facility unless a lease agreement is secured first. (This condition must be completed prior to operation and is also an On-going Operational Condition)
21. All new residents shall be transported to and from the facility in vehicles operated by the applicant. Residents may utilize private vehicles as long as on-site parking capacity is not exceeded. No on street parking is allowed. (On-going Operational Condition)
22. The applicant shall install 8 bicycle parking rack spaces. The bike racks shall be installed prior to issuance of the Use Permit Operational Certificate. A bike rack is defined as a securely mounted stand or other device constructed so as to enable the user to secure the bicycle by locking the frame and at least one wheel. Racks must be easily usable with both U locks and cable locks. Racks must hold bicycles in a stable upright position and support bicycles so they resist falling over when bumped. Racks supporting a bike by wheel only, such as standard 'wire racks', are not acceptable. Racks must hold bikes with at least two points of contact. Please use Bicycle Parking Guidelines by the Association of Pedestrian and Bicycle Professionals which can be found here: [http://www.apbp.org/resource/resmgr/publications/bicycle\\_parking\\_guidelines.pdf](http://www.apbp.org/resource/resmgr/publications/bicycle_parking_guidelines.pdf) (This condition must be completed prior to operation and is also an On-going Operational Condition)
23. Prior to issuance of building permits, an exterior lighting plan shall be submitted for review by PRMD. Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted. All parking lot lights shall be full cut-off fixtures. Lighting shall shut off automatically after closing and security lighting shall be motion sensor activated. (This condition must

be completed prior to operation and is also an On-going Operational Condition)

24. Development on this parcel is subject to the Sonoma County Fire Safe Standards and shall be reviewed and approved by the County Fire Marshal/Local Fire Protection District. Said plan shall include, but not be limited to: emergency vehicle access and turn-around at the building sites), addressing, water storage for fire fighting and fire break maintenance around all structures. Prior to occupancy, written approval that the required improvements have been installed shall be provided to PRMD from the County Fire Marshal/Local Fire Protection District. Review by the Fire Marshal/Local Protection District will be required even if no new construction is undertaken. (This condition must be completed prior to operation and is also an On-going Operational Condition)
25. This use shall be constructed, maintained, and operated in conformance with all applicable county, state, and federal statutes, ordinances, rules, and regulations. A violation of any applicable statute, ordinance, rule or regulation shall be a violation of the Use Permit, subject to revocation. (On-going Operational Condition)
26. The applicant shall pay all applicable development fees prior to issuance of building permits. (This condition must be completed prior to operation and is also an On-going Operational Condition)
27. Two-Year Review. A review of activities under this Use Permit shall be undertaken by the director two (2) years after commencement of the expanded use to determine compliance with the conditions of approval and continued neighborhood compatibility. The director shall give notice of this Use Permit review to all owners of real property within three hundred feet (300') of the subject site plus any additional property owners who have previously requested notice. The director shall allow at least ten (10) days for comment. If the director determines that there is credible evidence of non-compliance with the Conditions of Approval or that activities constitute a public nuisance, the director shall refer the matter to the Board of Zoning Adjustments for possible revocation or modification of the Use Permit. Any such revocation or modification shall be preceded by a public hearing noticed and heard in compliance with the Zoning Code.
28. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of PRMD or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified Use Permit and additional environmental review.
29. The Director of PRMD is hereby authorized to modify these conditions for minor adjustments to respond to unforeseen field constraints provided that the goals of these conditions can be safely achieved in some other manner. The applicant must submit a written request to PRMD demonstrating that the conditions is infeasible due to specific constraints (e.g. lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. PRMD shall consult with affected departments and agencies and may require an application for modification of the approved permit. Changes to conditions that may be authorized by PRMD are limited to those items that are not adopted standards or were not adopted as mitigation measures or that were not at issue during the public hearing process. Any modification of the permit conditions shall be documented with an approval letter from PRMD, and shall not affect the original permit approval date or the term for expiration of the permit.

The owner/operator and all successors in interest, shall comply with all applicable provisions of the Sonoma County Code and all other applicable local, state and federal regulations.

30. This permit shall be subject to revocation or modification by the Board of Zoning Adjustments if: (a) the Board finds that there has been noncompliance with any of the conditions or (b) the Board finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.

In any case where a Use Permit has not been used within two (2) years after the date of the granting

thereof, or for such additional period as may be specified in the permit, such permit shall become automatically void and of no further effect, provided however, that upon written request by the applicant prior to the expiration of the two year period the permit approval may be extended for not more than one (1) year by the authority which granted the original permit pursuant to Section 26-92-130 of the Sonoma County Code. (On-going Operational Condition)

**Project:**

**Redwood Gospel Mission**  
**"The Rose" Women's and Children's Shelter**  
1048 Wild Rose Drive  
Santa Rosa, California  
APN 037-021-054

**Property Owner:**

**Redwood Gospel Mission**  
PO Box 493  
Santa Rosa, CA 95402

**Proposal Statement**  
**June 2012**

In July of 1999 the Redwood Gospel Mission (RGM) purchased two attached units totaling 5,180 square feet on a 0.67-acre property located in the Clover Drive/Wild Rose Drive/Blossom Way County island surrounded by the City of Santa Rosa. The site is in the RR-20 (Rural Residential) zoning district. The surrounding land uses are residential. RGM initially operated a Small Residential Community Care Facility for three and a half years at the site.

On January 23, 2003 the RGM was granted a Use Permit (UPE02-0026) for a Large Residential Community Care Facility of 30 residents at the existing emergency shelter and a 650 square foot attached second dwelling unit was legalized. RGM has operated this shelter maintaining a positive relationship with the neighborhood for the last nine (9) years.

The RGM also currently operates a 10 to 15 month women's residential recovery program (transitional housing) on Dennis Lane, called Manna Home, located in the City of Santa Rosa where women work at developing recovery and life skills. Here women encounter a healing environment filled with grace and truth. This property was sold in 2009, but RGM still leases the home for it's programs. RGM would like to consolidate its' existing women's recovery program (Manna Home) to the Wild Rose Drive site. Manna Home has an existing Use Permit with the City of Santa Rosa.

In preparation for this Use Permit submittal, The RGM invited the surrounding neighbors to a meeting at the facility to discuss what we were proposing. No neighbors attended this meeting. Once the Use Permit Application was then filed with the County of Sonoma PRMD, public notice was then given to the neighbors of the Application. Three neighbors requested a public hearing on the Use Permit Application. The three neighbors and surrounding neighbors were then invited to another meeting at the facility on April 9, 2012. One neighbor attended this meeting. Another neighbor was out of town for this meeting and attempts are still being made to connect with this neighbor.

The RGM is requesting and increase from the currently allowed 30 residents to 50 residents. We would maintain the existing emergency shelter (large residential community care facility) capacity at 30 women and children, and add 20 women to the site from Manna Home for the long term recovery program (transitional housing). The entire facility would change to operate 24 hours a day seven days a week.

Being open 24 hours a day will allow the RGM to be a more effective neighbor, assisting with cleaning up litter, reducing neighborhood loitering and noise. We will also equip neighbors with a single contact number to use to address any ongoing concerns. The nature of our previous limited hours of operation created many of these issues as people would wait off the property for the facility to open.

A maximum of four employees and two volunteers will be on-site at any one time. A minimum of two staff members will remain at the facility from 6:00pm to 8:00am.

New residents would be transported to and from the facility in vehicles operated by the RGM. While this is the "normal" condition, on occasion, near the end of their stay in the long term recovery program, a resident obtains a private vehicle as a means of getting to and from employment.

The existing site is connected to the City of Santa Rosa for water and sewer service under an Out-of-Agency Agreement. The existing on-site well is used as a non-potable water source for irrigation only.

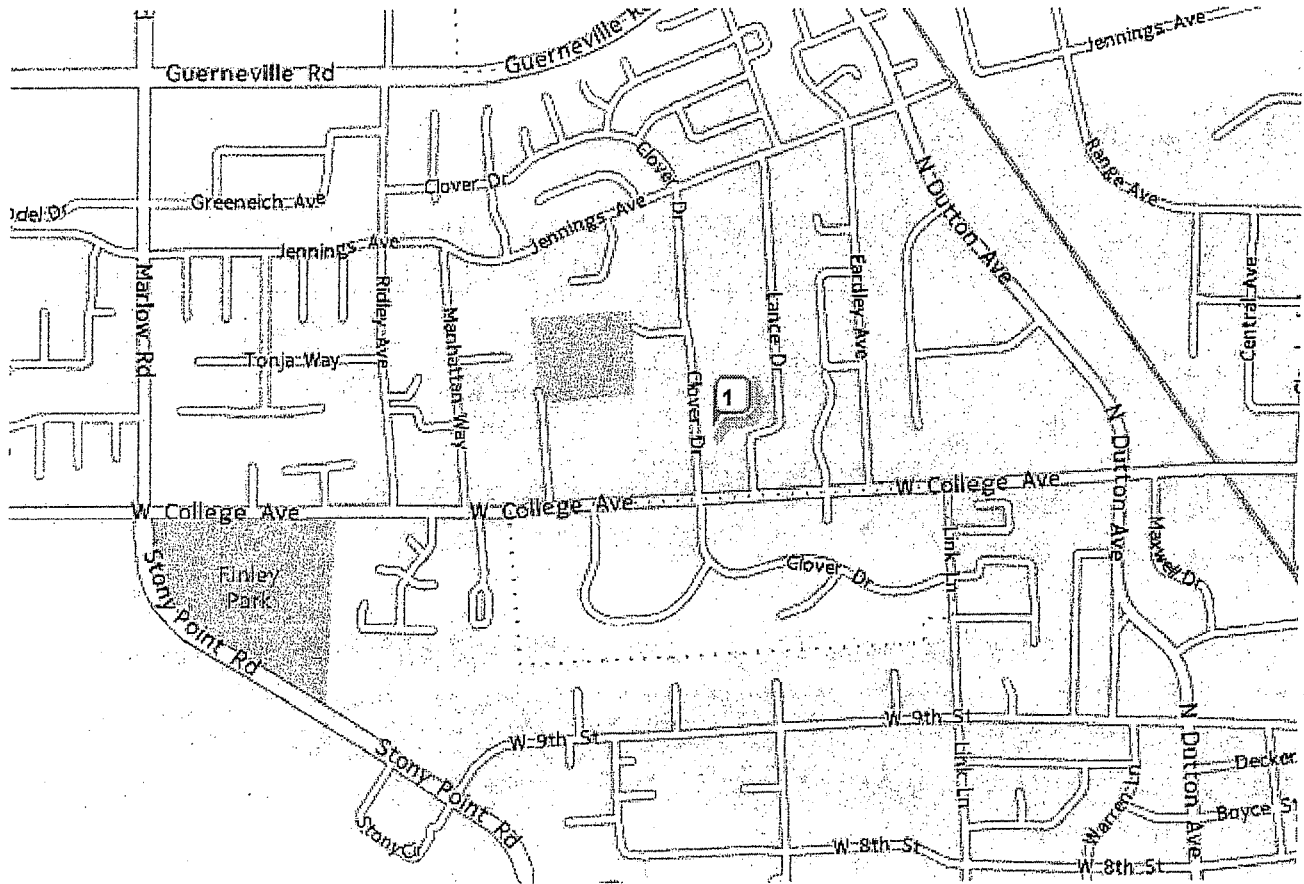
Future modifications to the existing structure are proposed, and attached as part of this application, to better accommodate the change in the number of guests.

# YAHOO! MAPS

VICTOR TREATMENT CENTER - CLOVER HOUSE  
Group Home

*Capacity 6*

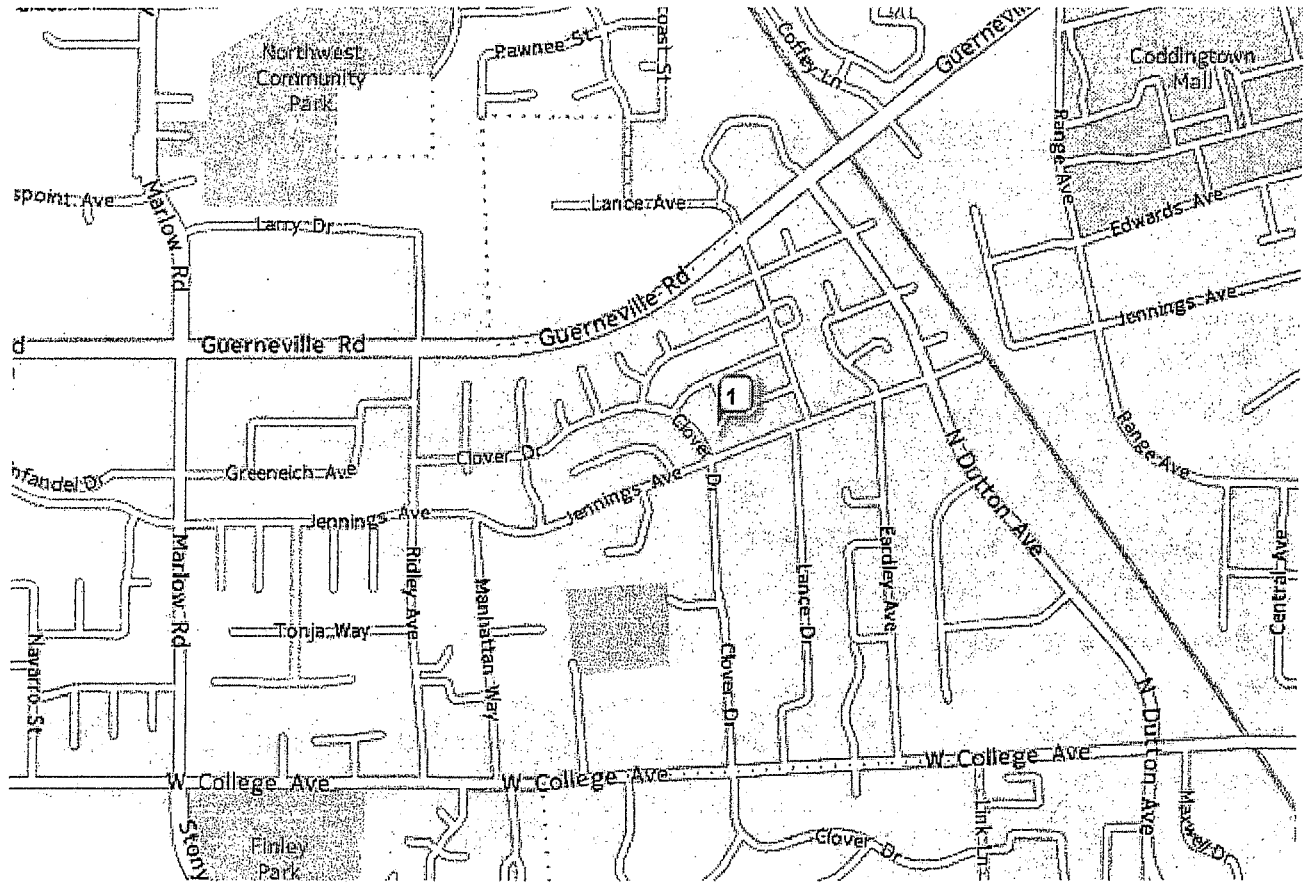
1136 Clover Dr, Santa Rosa, CA 95401-4512



# YAHOO! MAPS

WILD ROSE LIVING  
Residential Care for the Elderly  
*Capacity 6*

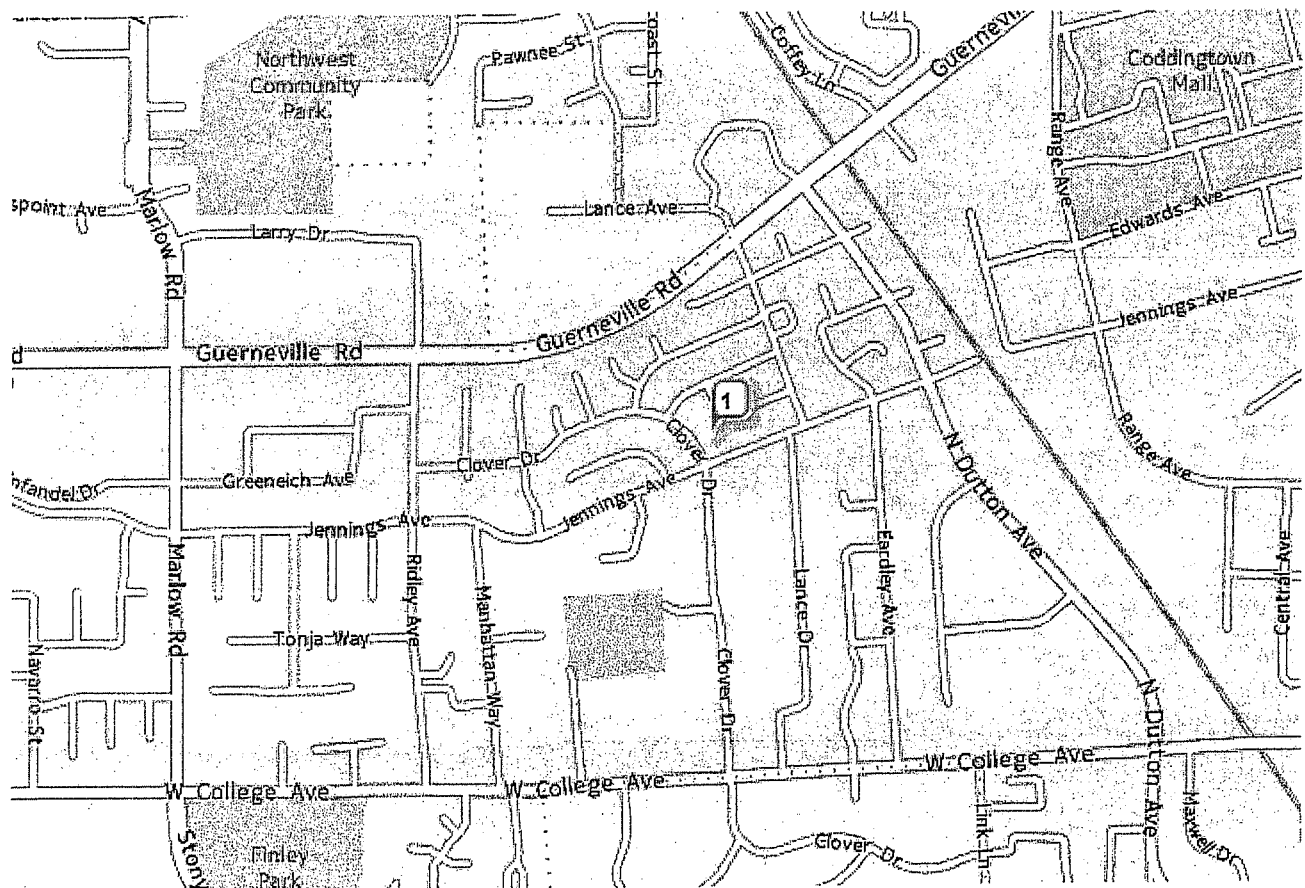
1601 Clover Dr, Santa Rosa, CA 95401-4513





Facility No: 496800937 Capacity: 0006  
License Status: Licensed  
SARAH'S SENIOR RESIDENTIAL CARE

1601 Clover Dr, Santa Rosa, CA 95401-4513

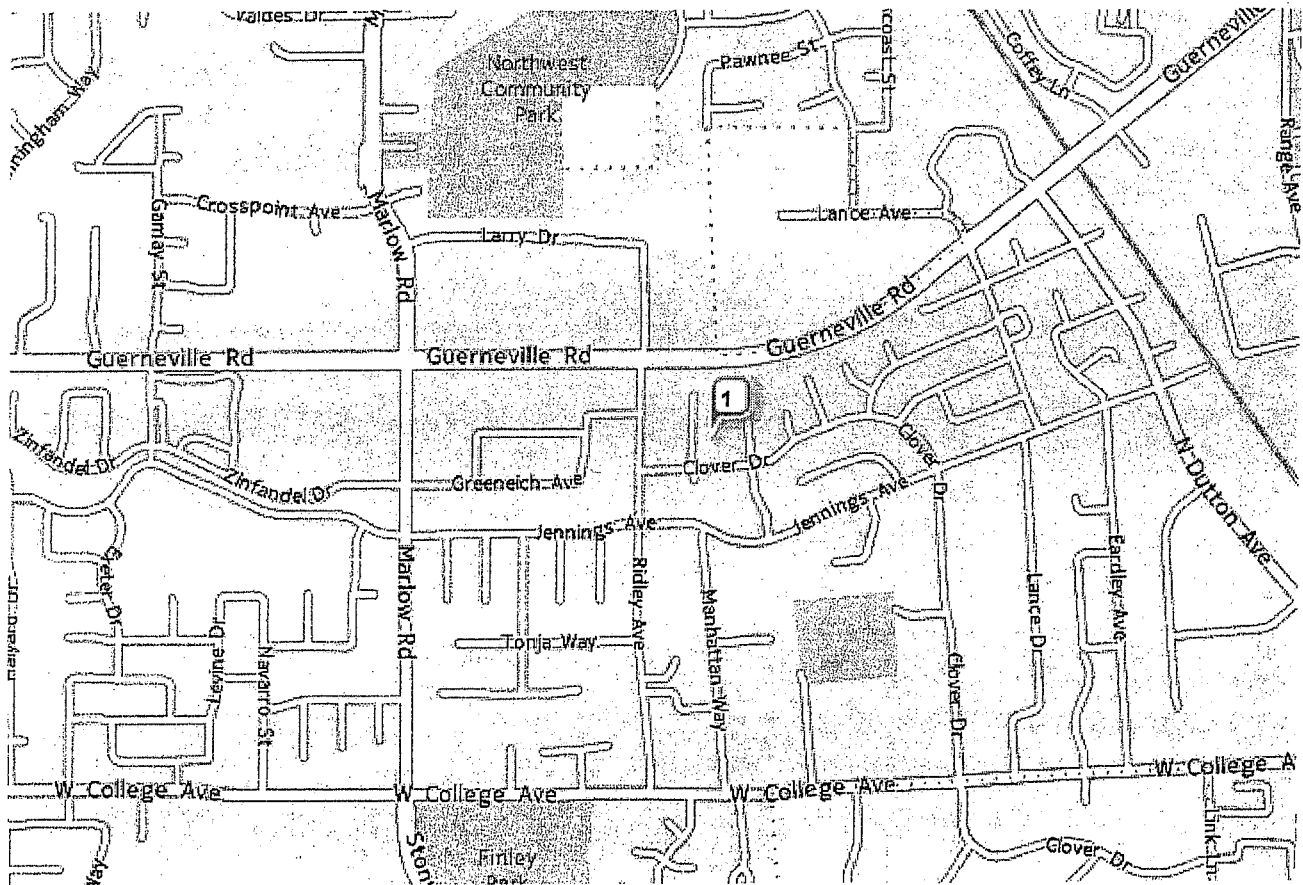




# YAHOO! MAPS

Facility No: 496801402 Capacity: 0004  
License Status: Licensed  
WIMBLEDON HOUSE 2  
Adult Residential Care Facility

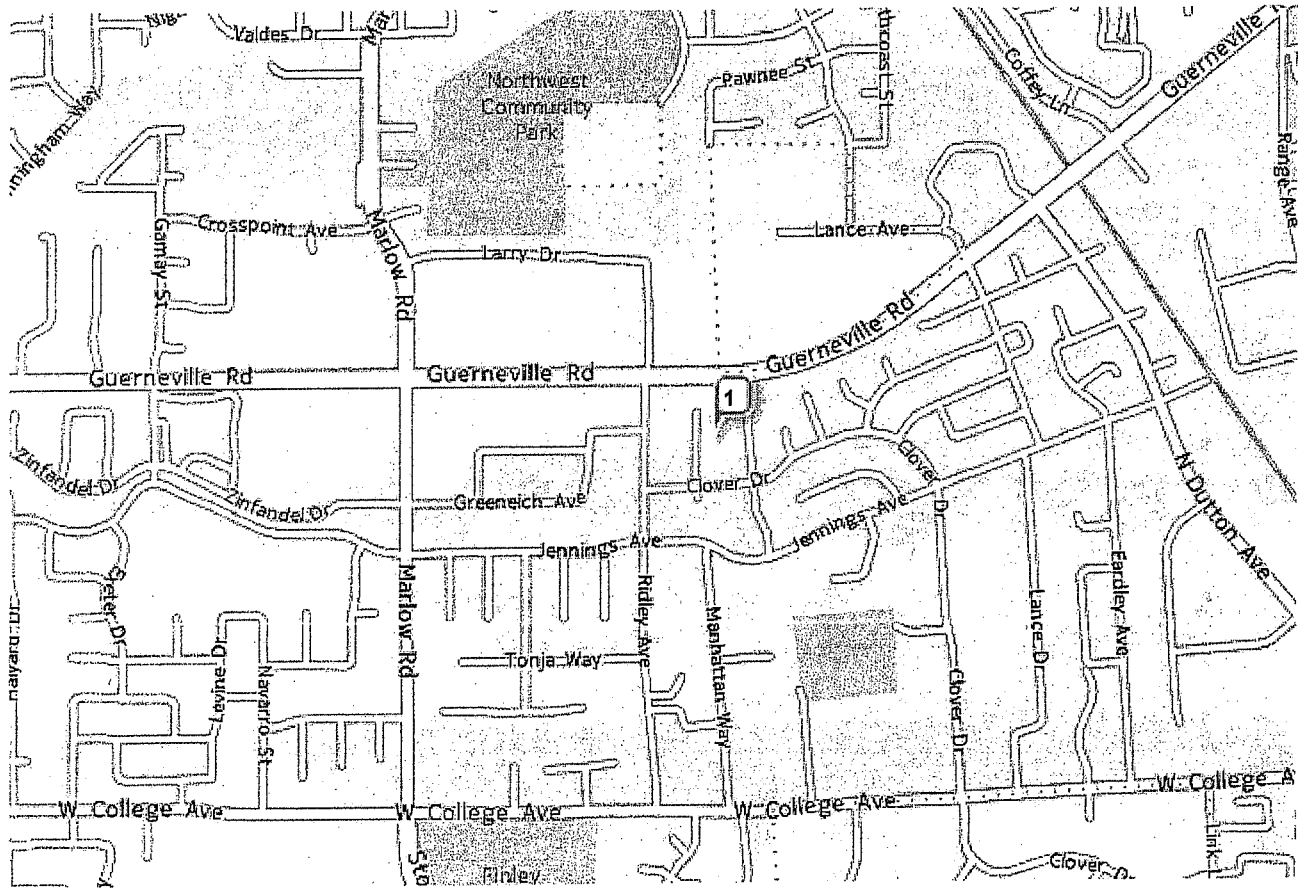
1604 Elmendorf Pl, Santa Rosa, CA 95401-4551





PARAGON PLACE  
Adult Residential Facility  
*Capacity 3*

1616 Elmendorf Pl, Santa Rosa, CA 95401-4551



**“ The Rose “ Women and Children’s Emergency Shelter  
Is a Ministry of the  
Redwood Gospel Mission**

“The Rose” is a shelter for single women and women with children.

Our services include:

- Providing immediate physical needs of food, clothing, shelter
- Individual counseling
- Bible studies
- Referrals

In the event that a Rose guest causes a concern to a neighbor the following procedure will insure that Rose staff is informed and can respond quickly.

Staff are on site **Monday thru Sunday, from 4:00pm to 9:00am**

Rose office # **573-0490**

Rose staff **4:00pm to 12:00am:**

Sandra Kates	Shelter Manager / e-mail <a href="mailto:skates@srmission.org">skates@srmission.org</a>
Denise Ceinar	Case Manager
Carly McFarland	Case Manager
Maria Cuevas	Staff

Rose staff **12:00am to 9:00am:**

Debbie Hutchingson	Night staff
Barbara Penny	Night staff

If you are unable to reach a staff person immediately, please feel free to contact:

**Jeff Gilman Executive Director**

Office # **578-1830**  
Cell # **975-2635**  
e-mail [jgilamn@srmission.org](mailto:jgilamn@srmission.org)

## Melinda Grosch

---

**From:** TODD R SMITH [toddrsmith123@verizon.net]  
**Sent:** November 11, 2012 12:04 AM  
**To:** akako22846@yahoo.com; Annalyce Lasource; Dave; design@glennjenkins.com; eireeyes7@yahoo.com; Glenn Jenkins Wild Rose Drive; Greg Wonderwheel; Jane McCoy; Jennifer Shipp; kellyshomemail@gmail.com; Marilyn Holmes; mcgillicuddy2424@sbcglobal.net; palmerrick8@comcast.net; Robin McGillicuddy; Ron Tyler; Tim Hughes; Jeff Gilman The Rose; Melinda Grosch; Sandra Kates The Rose; Tom Lynch  
**Subject:** The Rose meeting

Thanks to everyone who attended the meeting last night with The Rose and the neighbors.

Here are a couple big points we discussed.

1. Jeff and The Rose staff feel confident that they can address all the to do issues in the "issues and thoughts" email.
2. It came to light that the description of the request of the Manna house program moving to The Rose (item 14 in the issues and thoughts e-mail) - created a different impression than what was intended. The intention was not clear.

Here's what we said in item 14:

"14- Manna House type program - We feel we have landed on being strongly resistant to the expansion to include Manna House on the property. While we do understand and appreciate the intended benefit for the women in the program, we feel the property is too small for all that would involve. This includes increased traffic, the increase of visitors and family on weekends, additional classes and workshops and volunteers. There is no way this added increase wouldn't spill over to outside the building with additional voices, garbage pick up, vehicles and foot traffic. It is simply too much for this small street. We understand that the Manna women are currently arriving each afternoon by van to help with the running of The Rose and we understand that will continue and we support it."

Here's the clarification:

Our intended focus was meant to be on the increase in people from 30 to 50. However, reading it, made it seem like we opposed Manna House on the property. To say it more clearly now, we're not opposed to the inclusion of Manna House at The Rose. The general consensus at the meeting - after listening to Jeff describe the benefits of both programs combined - is that putting Manna House and The Rose together would be a positive change for the women involved. It's not the Manna House program - but rather, the the requested increase in the number of people from 30 to 50 to which we're opposed. We feel it's too much for this small street.

It seems that a key component is that Manna House and The Rose need to be consolidated in order to keep both programs running. I thought about a compromise. At this point I'm only speaking for myself but it would look like this. The Rose would house the current 15 Manna House participants and 15 of the homeless shelter guests from The Rose. Before moving Manna House - and in preparation for that transition - as The Rose guests graduate from the shelter program - new guests would not be accepted until 15 shelter guests remain. New prospective guests would need to be referred to other emergency shelters. Both Manna House and The Rose would be consolidated (more efficient and beneficial) and the total number would remain at 30 people. It seems better to me to

have the increased benefits of a combined Manna House and Rose program for 30 people at The Rose - than not to have those benefits for any of the women if the consolidation doesn't happen.

Feel free to brainstorm and chime in with any other ideas.

Sincerely,

Todd R. Smith

## Melinda Grosch

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**From:** TODD R SMITH [toddrsmith123@verizon.net]  
**Sent:** November 06, 2012 11:57 PM  
**To:** akako22846@yahoo.com; Annalyce Lasource; Dave; design@glennjenkins.com; eireeyes7@yahoo.com; Glenn Jenkins Wild Rose Drive; Greg Wonderwheel; Jane McCoy; Jennifer Shipp; kellyshomemail@gmail.com; Marilyn Holmes; mcgillcuddy2424@sbcglobal.net; palmerrick8@comcast.net; Robin McGillicuddy; Ron Tyler; Tim Hughes; Jeff Gilman The Rose; Melinda Grosch; Sandra Kates The Rose; Tom Lynch  
**Subject:** The Rose issues & thoughts for upcoming meeting

Hi Everyone,

Here are the main issues and thoughts we'd like to discuss at the upcoming meeting with Jeff. I'm sending them out now (before we have a confirmed meeting date) so that everyone involved can have a little time to think about them before the meeting. Thanks to Glenn who did a lot of work to get these items put together on paper in a concise and thoughtful way.

Here are some positive steps taken by The Rose so far ...

- The portion of the flag driveway that was being used for parking is now roped off.
- The compost bin is being brought in off the street after it is picked up and they are storing it back farther on the property - out of sight of the neighbors.
- The slamming screen door issue is currently being worked on - and may be solved.
- They gave available neighbors a tour of The Rose, answered neighbor's questions and handed out The Rose rules and guest contract (which we e-mailed to neighbors for whom we have e-mail addresses).
- Jeff and Sandra are working on an informational flyer about The Rose which includes contact information. They plan to hand deliver this flyer to the neighbors. This will insure that everyone in the neighborhood is included - beyond the limited neighbor e-mail list we have.

Here are the items for the meeting:

1- expansion... Will The Rose expand for the purposes of 30 guests for the 24/7 usage?

a) Jeff said their plan was to start construction some time next summer. That is nine months away. The board seemed ready to grant the change to 24/7 immediately. Our concern with this is that, those of you that have toured the facility remember the tightness of the layout. What space they have presently barely works for the night time accommodations. Would thirty women and children plus staff and volunteers really be able to spend a day together in that house? Our notes say there was a small living room, the community/dining room and a small sunroom off the kitchen.

Our feeling is that the floor plan squeaks by currently because the majority of their hours in the house are quiet/sleep time. How they make this work is of course up to The Rose, but our concern is that it will result in large numbers of women and children escaping the confines of the house and congregating outside. For adjacent neighbors, noise is a huge issue and while we hope the fence will help with that it will not eliminate it. Our concern is that until the renovations are complete that the house will not hold the capacity of people and activities that Jeff says are planned for the guests. The new floor plan looks like it will create more space for meeting rooms and community space as well as bedrooms. Until then where are they going to have classes and workshops and tutoring they say they have in mind?

b) What is the plan for The Rose during the reconstruction? How can The Rose do the construction during the day if the facility is open to guests? Maybe their plan is to wait until construction is complete, in which case things would stay as they are until the project is finished. Could this be an agreement The Rose must make? 24/7 waits until renovation is complete?

2- the children's play area / daycare center.... We would like to discuss the placement of this. Is it true that a daycare facility would not be able to open in our zone? The current situation works now because the space for children to play is on the back of the house. It works because it faces a strip of blackberry thicket and a more dense city housing area. That area already has playgrounds, bbq and sport areas and experiences these sounds on a daily basis. They are part of the design of the development. If due to the enlargement of the Mission and the concern about smoking in proximity to children, The Rose decides to move the play area to the far east end of their property, beyond the parking lot - we will have the sounds of a playground from 7 am until 8 pm up against the neighbor's property lines. No fencing will eliminate this noise. Anytime the children become restless inside the house - they will be out there with their mother's. Anytime the women need to get out of the house they will be there, in the driveway or out on the street.

We would want a commitment that the play area be permanently located on the back of the house. According to the drawings - there is a width of 20.5 feet between the house and the southern property line. This width runs the length of the house, approximately 143 feet.... surely there is room for the play area to expand along here and still be separated from the smoking area by a number of yards and a fence.

3- fence - We feel very strongly about the fencing. We would want it to run the entire length of Jenkins' Southern property line and the entire length of Jenkins' Western property line. Additional specifics are needed for fence requests along the O'Malley and McGillicuddy property lines. We would request it be six foot fence with two feet of double lattice. If there is a possibility of the fence being higher along the southern border that would be preferable. However we are very concerned about the trimming of trees to create this fence and are adamant about it being built with the loss of as little greenery as possible. The tree and shrub border of our property is very important to the neighbors. The adjacent neighbors would want to be involved in the decisions regarding the placement and design of the fence.

4- parking - We appreciate the changes that have been made to the parking situation in the flag driveway and assume it will stay the same going forward.

The new parking lot will be paved as planned to reduce the sound of cars parking and turning.

5- smoking - We'd like a commitment that the smoking area stays on the back of the property.

6- lighting - All lights will have shields and be on movement detectors where applicable.

7- trees - We would request that some thought be given to increasing the number of trees to be added to the property. At least two trees are going to be removed to increase the parking area. Trees add additional privacy and sound dispersion and would help to further diminish the impact of the increased traffic planned for The Rose. We would like an agreement regarding the number of trees and when they will be planted.

8- second story addition - We would like agreement on the planting of mature trees to reduce the complete loss of our privacy due to this expansion and the creation of two windows that will have view of Jenkins' entire property.

9- comings and goings - We still have questions regarding the comings and goings of the guests and

staff. The original document from the County stated that all guests would arrive and depart in facility vehicles, but the Mission's own rules state that guests must keep their excess belongings in their car... can The Rose commit to this rule or not?

10- staff - With three shifts, changing each day, that will increase traffic from the current levels. We would request the midnight shift and eight am shift be mindful of the neighbors with their conversations outside the buildings. Much of the noise we hear is from the staff, calling and shouting to guests, guests shouting back to the staff, mother's shouting at children, etc. If these sounds continue or increase, the result would be a constant series of complaints to the The Rose and the County.

11- van and vehicles - Idling times kept to the limits imposed by the County of five minutes.

12- personal cars belonging to guests - This will be kept to a minimum and will not result in an increase in the approved number of parking spaces.

13- volunteer cars - This sounds like it could be numerous cars each day. With one space taken for the van, two spaces taken by the staff, that leaves a maximum of four spaces left. With over lap between shifts and a possible guest vehicle, The Rose would be over their allotted spaces.

14- Manna House type program - We feel we have landed on being strongly resistant to the expansion to include Manna House on the property. While we do understand and appreciate the intended benefit for the women in the program, we feel the property is too small for all that would involve. This includes increased traffic, the increase of visitors and family on weekends, additional classes and workshops and volunteers. There is no way this added increase wouldn't spill over to outside the building with additional voices, garbage pick up, vehicles and foot traffic. It is simply too much for this small street. We understand that the Manna women are currently arriving each afternoon by van to help with the running of The Rose and we understand that will continue and we support it.

15- Big Dumpster - We need to figure out a placement of the big dumpster bin - farther back form the street - to make it more hidden from the view of surrounding neighbors' houses. Jeff said he'd consult with the waste management company to see what ideas and options they have.

Thanks everyone!

-Todd (just one of the Wild Rose Drive neighbors) Smith



## Melinda Grosch

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**From:** Jeff Gilman [jgilman@srmission.org]  
**Sent:** October 17, 2012 10:00 AM  
**To:** 'TODD R SMITH'  
**Cc:** tlynch@sonic.net; Melinda Grosch; Kevin O'Malley; Becky Hays; 'Sandra Kates'  
**Subject:** RE: Thanks for having us over for a tour - cc & next steps

Hi Todd,

Thanks a lot. I'll respond to the questions below in your message.

Blessings,  
Jeff

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**From:** TODD R SMITH [mailto:toddrsmith123@verizon.net]  
**Sent:** Tuesday, October 16, 2012 8:41 PM  
**To:** Jeff Gilman  
**Cc:** Sandra Kates The Rose  
**Subject:** Re: Thanks for having us over for a tour - cc & next steps

Jeff,

Thanks for your kind comments. It is a good group of people.

Keeping Tom Lynch and Melinda Grosch in the loop would be great so we can all learn together. The more we all understand, the better off we'll all be.

I don't have their e-mail addresses - so I'd love it if you could cc them and cc me at the same time so I have their e-mail contact info.

**As you see, I included Tom's and Melinda's addresses in the cc line. But here they are as well. Tom Lynch (tlynch@sonic.net); Melinda Grosch (Melinda.Grosch@sonoma-county.org)**

The neighbors haven't been able to get together again yet. I need to type up my notes and then the neighbors will meet and discuss and I can put together a list of any concerns to be resolved from our meeting and then any additional concerns that have not been brought up yet.

I heard from some neighbors that they were happy to see that you've roped off the driveway parking spaces. Another great step in the right direction. :) Thanks for listening, remembering and acting on that!

One thing I know that needs to be addressed is the big dumpster. We need to figure out a placement of the bin that is farther back from the street to make it more hidden from the view of surrounding neighbors' houses and that works for the waste management company. We may need to consult with the waste management company to see what ideas and options they have.

**Great idea. We can call North Bay and see what help they can give. We will get right on it and follow up with you.**

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~~The slamming screen door needs some attention. I'm not sure if there is a commercial type door~~

shock that can close the door more controlled and therefore more quietly. I know from my own personal experience with screen doors - the consumer door shocks (even the 'Heavy Duty' ones at Hardware stores - that I've tried - and I've tried a lot of them) still allow a screen door to slam somewhat. They slow down the close rate (adjustable) but then right at the end they release and the door makes a bang or if you adjust the shock to close the door quietly - then the door usually doesn't close or latch all the way. Maybe there is a commercial door company that can give us suggestions.

**We will have a solution for that before this week is out.**

Figuring out the property line and planning where the future fence would go to preserve trees that run along that line is something that will need to be addressed. Getting feedback from and working with the adjoining neighbors who value those trees will be important.

A few neighbors asked a question after the tour that we weren't sure about. They wondered who gets to stay at The Rose currently - during the day before The Rose opens and who currently gets to stay overnight? This came up because when we took the tour in the kitchen, there were women sitting at the kitchen table that we met who were there during the day (before you were open). Were they guests, or volunteers from Manna House or simply there as part of the tour for that one day? Let me know and I'll let everyone else know when we meet.

**We wanted to have you meet some of the guests. They were simply there as part of the tour for that one day.**

I liked the list of Shelter Rules. It gives a good sense about the environment and expectations. Also, it was great that those rules were handed out to us at the end of the tour. Another example that your staff was listening and acting right on the spot. Very much appreciated.

I thought you did a great job responding in a straight forward and candid way when some neighbors confronted you with their frustration about your knowledge / handling / lack of handling of past issues. You took responsibility and didn't side step or belittle their concerns. Well done. I hope we'll all be able to work together with such clarity.

I'll let you know the next step once the neighbors have met again and we get their input.

Thanks!

-Todd

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**From:** Jeff Gilman <jgilman@srmission.org>  
**To:** 'TODD R SMITH' <toddrsmith123@verizon.net>  
**Cc:** 'Sandra Kates' <skates@srmission.org>  
**Sent:** Tuesday, October 16, 2012 2:09 PM  
**Subject:** RE: Thanks for having us over for a tour

Hi Todd,

We will definitely create an information/communication sheet for the neighbors. Our Staff can hand deliver it.

I also think the tour was a great step. I was delighted at the positive (for the most part) spirit of the meeting. It is clearly a compassionate and open minded group of neighbors. I really appreciate your leadership with them.

Do you have any thoughts on our next steps. I understood from our meeting that the neighbors wanted to meet apart from us to debrief. Has that happened? What concerns are yet to be resolved from our meeting together? Are there other concerns which had not been brought up that we need to be aware of?

With your permission, I would like to keep Tom Lynch and Melinda Grosch in the loop. May I cc them?

Blessings to you,

Jeff

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**From:** TODD R SMITH [<mailto:toddrsmith123@verizon.net>]

**Sent:** Sunday, October 14, 2012 8:52 AM

**To:** [jgilman@srmission.org](mailto:jgilman@srmission.org); [skates@srmission.org](mailto:skates@srmission.org)

**Subject:** Thanks for having us over for a tour

Hi Jeff and Sandra,

Thanks so much for having us over and giving us a tour of The Rose! :) I think that is a great step to helping everyone (The Rose and private residents) become better neighbors.

I noticed that the compost bin was brought back into The Rose for storage right after pickup day. That's great! It's little things like that which can make a big difference to the neighbors. Thanks so much for staying on top of that. :)

Below is the information I sent out to those in the neighbors for whom I have e-mail addresses. Please let me know if I got any of the information wrong.

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Here is the direct number to call for The Rose whenever there is an immediate issue that needs attention.

707-573-0490

The plan is that this number will get you to a staff person who can immediately address the situation or assign someone to address the situation.

If you leave your number with them then they can call you back if needed.

Here is Jeff Gilman's mobile phone number

707-975-2635.

Call him if you're not able to get through to the staff.

Here is Jeff Gilman's e-mail.

[jgilman@srmission.org](mailto:jgilman@srmission.org)

The current plan is to e-mail him when there is an issue at The Rose so he is in the loop and can proactively implement solutions to address issues in the future.

-----  
I'm not sure if we want to create some sort of note that can be passed out to every house in the neighborhood with the above info since I only have e-mail for a limited number of residents. Let me know your thoughts on that.

Below is my contact info in case you need to reach me.

Thanks again!

Todd R. Smith

1111 Wild Rose Drive

707-843-7110 home phone

415-377-7130 mobile phone (best to reach me quickly)

[toddrsmith123@verizon.net](mailto:toddrsmith123@verizon.net)

## Melinda Grosch

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**From:** Jeff Gilman [jgilman@srmission.org]  
**Sent:** October 29, 2012 9:20 AM  
**To:** tlynch@sonic.net; Melinda Grosch  
**Cc:** Kevin O'Malley  
**Subject:** FW: Wild Rose

I wanted to pass this on to encourage you that we are continuing to make positive steps.  
Jeff Gilman

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**From:** GlennJenkins [mailto:[glenn@glennjenkins.com](mailto:glenn@glennjenkins.com)]  
**Sent:** Saturday, October 27, 2012 11:02 AM  
**To:** [jgilman@srmission.org](mailto:jgilman@srmission.org)  
**Subject:** Wild Rose

hi Jeff,

i wanted to write to thank you for taking the time to meet with us and give a tour of the facility. i appreciate you and Becky and Sandra speaking with us and helping us to understand the way your Mission works and your interest in trying to make it a good fit for the neighborhood. i also appreciate the care you are taking to listen to our grievances as we work through this process. we have noticed the guests and staff cleaning up and the change in the parking situation. that is a terrific start.

i know the next step is to get together again before the County meeting and come to some possible agreements. i look forward to working on this together.

best,

glenn

glenn jenkins

charmed life design studio  
415.559.5147

[www.glennjenkins.com](http://www.glennjenkins.com)  
[design@glennjenkins.com](mailto:design@glennjenkins.com)

Resolution Number

County of Sonoma  
Santa Rosa, California

March 21, 2013  
UPE11-0102 Melinda Grosch

**RESOLUTION OF THE BOARD OF ZONING ADJUSTMENTS,  
COUNTY OF SONOMA, STATE OF CALIFORNIA, GRANTING A  
USE PERMIT TO REDWOOD GOSPEL MISSION, FOR  
PROPERTY LOCATED AT 1048 WILD ROSE DRIVE, SANTA  
ROSA; APN 037-021-054.**

**WHEREAS**, the applicant, Redwood Gospel Mission, filed a Use Permit application with the Sonoma County Permit and Resource Management Department for residential care facility located at 1048 Wild Rose Drive, Santa Rosa; APN 037-021-054; Zoned RR (Rural Residential) B6-5 acre density, VOH (Valley Oak Habitat); Supervisorial District No 5; and

**WHEREAS**, in accordance with the provisions of law, the Board of Zoning Adjustments held a public hearing on September 20, 2012 at which time all interested persons were given an opportunity to be heard. The Board of Zoning Adjustments continued this item to a date and time uncertain to allow the applicant and neighborhood time to work on improved communication and resolution of issues raise during the hearing;

**WHEREAS**, in accordance with the provisions of law, the Board of Zoning Adjustments held a second public hearing on March 21, 2013, at which time all interested persons were given an opportunity to be heard; and

**WHEREAS**, this project has been found to be categorically exempt from CEQA Guidelines.

**NOW THEREFORE BE IT RESOLVED** that the Board of Zoning Adjustments makes the following findings:

1. The project is consistent with the RR (Rural Residential) General Plan land use and Zoning designation, which includes residential care facilities and temporary emergency shelters. The parcel is served by public sewer and water and the building does not exceed the maximum lot coverage criteria.
2. The establishment, maintenance or operation of the use for which application is made will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area. The particular circumstances in this case are: 1) The residential care facility shall not serve more than 50 women and children at any one time; 2) Hours of operation shall be 24 hours a day, 365 days a year; 3) Outside activities shall be limited to 7:00 a.m. to 7:00 p.m.; 4) An on-site smoking area shall be established and smoking shall be prohibited elsewhere on the property; 5) Adequate trash and cigarette butt receptacles shall be provided on-site. Recycling containers shall also be available on-site; 6) Private areas for phone calls shall be provided on-site to eliminate calls made outside; 7) Participants in the facilities program shall pick-up trash and cigarette butts along Wild Rose Drive from West College Avenue to Clover Drive on a weekly basis; 8) Vehicle idling times shall be limited to five minutes; and 9) Residents of the facility shall be transported only in facility vehicles;
3. It is the determination of the Department that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to the Provisions of

Resolution #  
March 21, 2013  
Page 2

Title 14 of the California Administrative Code, Section 15301 because it is an addition to an existing structure and minor expansion of an existing use.

**BE IT FURTHER RESOLVED** that the Board of Zoning Adjustments hereby grants the requested Use Permit, subject to the Conditions of Approval in Exhibit "A", attached hereto.

**BE IT FURTHER RESOLVED** that the Board of Zoning Adjustments designates the Secretary as the custodian of the documents and other material which constitute the record of proceedings upon which the Board's decision herein is based. These documents may be found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

**BE IT FURTHER RESOLVED** that the Board of Zoning Adjustments' action shall be final on the 11<sup>th</sup> day after the date of the Resolution unless an appeal is taken.

**THE FOREGOING RESOLUTION** was introduced by Commissioner \_\_\_\_\_, who moved its adoption, seconded by Commissioner \_\_\_\_\_, and adopted on roll call by the following vote:

Commissioner  
Commissioner  
Commissioner  
Commissioner  
Commissioner

Ayes:      Noes:      Absent:      Abstain:

**WHEREUPON**, the Chair declared the above and foregoing resolution duly adopted; and

**SO ORDERED.**



# Sonoma County Board of Zoning Adjustments **MINUTES**

Sonoma County Permit and Resource Management Department  
2550 Ventura Avenue, Santa Rosa, CA 95403  
(707) 565-1900 FAX (707) 565-1103

Date: March 21, 2013  
Meeting No.: 13-003

## ROLL CALL

### Commissioners

Greg Carr  
Shawn Montoya  
Paula Cook  
Tom Lynch  
Jason Liles, Chair

### Staff Members

Jennifer Barrett  
Melinda Grosch  
Sue Dahl  
David Hurst, Chief Deputy County Counsel

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**1:00 PM** Call to order and Pledge of Allegiance

**Approval of Minutes –**

**Correspondence**

**Board of Supervisors Actions**

**Commissioner Announcements/Disclosures**

**Public Appearances**

**Items scheduled on the agenda**

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## REGULAR CALENDAR

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Item No.1 Time:	1:05 p.m	File:	UPE12-0102
Applicant:	Redwood Gospel Missions	Staff:	Melinda Grosch
Con't from:	November 15, 2012		
Env. Doc:	Categorical Exemption		
Proposal:	Request for a Use Permit to add a residential care facility to an existing women's and children's emergency shelter. The emergency shelter currently provides housing for up to 30 women and children. The residential care facility will provide care and rehabilitation services for an additional 20 women for a total of 50 people being served at the site. The hours of operation will be 24 hours a day, seven days a week.		
Location:	1048 Wildrose Drive, Santa Rosa		



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APN: 037-021-054                      Supervisorial District: 5  
Zoning: RR (Rural Residential), B6-5 acre density, VOH (Valley Oak Habitat)

**Melinda Grosch** summarized the staff report, which is incorporated herein by reference.

**Commissioner Lynch** and **Commissioner Cook** met with neighbors and the applicant. The neighbors opposed increasing the number of beds, but were willing to accept the 24 hour operation. The applicant said they need 50 to make the project work. Commissioner Lynch stated that more could be done to provide privacy, but the applicant said without 50 beds they can't afford to make changes.

**Public Hearing Opened.** 1:15 p.m.

**Speakers:** **Jeff Gillman, Executive Director**, thanked the commissioners for attempting to resolve issues.

**Steve Burdlebough**, Co-Chair of Friends of the Homeless, supports the project. Homelessness is not necessarily the fault of the homeless person, and there is no place that the demand is being met. Burdlebough appreciates the neighbors trying to work with the Redwood Gospel Mission. Facilities need to be a certain size to justify the staff and be able to run will, and a 24 hour operation is important.

**Tim Hughes, Wildrose Drive**, stated he had met with the neighbors and the applicant, and agreed that the neighbors want to keep the beds at 30 while supporting a 24/7 hour operation, which will keep people from wandering around during the day. Commissioner Liles asked if outreach had been done, whether issues of smoking, loud talk, garbage and parking have been addressed, and Mr. Huges said that it seemed to be improved after the last meeting and cigarette smoke does not blow his way.

**Glen Jenkin, Wildrose Drive**, closest neighbor, said a good job has been done to mitigate noise, there is no more parking on driveway, smoking is being done behind the building and they seem to have plan for daycare behind the building. Staff seems to have tried to address problems. Hughes supports the 24/7 operation but not increasing density with beds and staff. They still need to work out the fencing by putting a solid fence where the chain link fence currently stands between his property and the mission, and there is still a lot of traffic in and out.

**Gregory Wonderwheel, Wildrose Drive**, stated that the categorical exemption category is incorrect, and if there is a 67% increase in population, it will change the use of the residential area and is that it will not be a minor or negligible change. An initial study needs to be done and mitigation measures incorporated into the project.

**Adrienne Lauby, Cotati**, thanked The Rose for supporting women. There are 4,500 homeless people in the County who don't have place to sleep, and this is especially hard for elderly women, who find shelter in 24 hour diners and sleep outside. Is a crisis situation, and something needs to be done right now. Elderly women need to be able to sleep inside at night.

**Ann Scott, Santa Rosa**, is interested in homelessness, said that every situation is complicated and met with opposition. She wondered what she would do if she became homeless, especially in winter when it is cold.

**Jeff Gillman**, on rebuttal, stated that he invited the neighbors to tour the facility, and found them to be cordial. He stated that he understands their concerns.

**Public Hearing Closed: 1:45**

The commissioners supported the 24/7 operation, but not an increase in density. Mr. Gillman said that they need 50 beds for financing. The commissioners stated that if the applicant shows good faith he could come back after a year to ask for expansion. This was the fair thing to do with consideration for the neighbors.

**Change in Draft Conditions:**

Condition 11 – Modified to allow operation 24 hours, seven days a week, but not include the increase in the number of women being served at this site.

Action: **Commissioner Lynch** motion to approve 24 hours no additional beds, seconded by **Commissioner Cook** and passed with a unanimous vote.

Appeal Deadline: ten days

Resolution No.:

Carr: Aye

Montoya: Aye  
Ayes: 5

Cook: Aye  
Noes: 0

Liles: Aye  
Absent: 0

Lynch: Aye  
Abstain: 0

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Minutes approved May 2, 2013



# Sonoma County Board of Zoning Adjustments STAFF REPORT

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue, Santa Rosa, CA 95403

(707) 565-1900 FAX (707) 565-1103

**FILE:** UPE11-0102  
**DATE:** September 20, 2012  
**TIME:** 1:10 p.m.  
**STAFF:** Melinda Grosch, Project Planner

**Appeal Period: 10 calendar days**

## SUMMARY

**Applicant:** Redwood Gospel Mission c/o Jeff Gilman

**Owner:** Same

**Location:** 1048 Wild Rose Drive, Santa Rosa  
APN: 037-021-054 Supervisorial District No.: 5

**Subject:** Use Permit

**PROPOSAL:** Request for a Use Permit to add a residential care facility to an existing women and children's emergency shelter approved under UPE02-0026. The emergency shelter provides housing for up to 30 women and children. The residential care facility will provide care and rehabilitation services for an additional 20 women for a total of 50 people being served at the site. The hours of operation will be 24 hours a day, seven days a week on a 0.67 acre parcel.

**Environmental Determination:** Exempt, Section 15301 because it is a minor addition to an existing residential structure and expansion of an existing use.

**General Plan:** Rural Residential 5 acres per dwelling unit.

**Specific/Area Plan:** None

**Land Use:**

**Ord. Reference:** Sonoma County Zoning Code Section 26-18-20(l)

**Zoning:** RR (Rural Residential) B6-5acre density, VOH (Valley Oak Habitat)

**Application Complete for Processing:** June 15, 2012

**RECOMMENDATION:** Approve with Conditions.

## **ANALYSIS**

### **Background:**

Since 1999 the Redwood Gospel Mission has owned the subject property. For the first three years they operated the site as a Small Residential Care Facility (which did not require a Use Permit). In 2002 they applied for a Use Permit for a Large Residential Care Facility for 30 people. The Use Permit was granted in January 2003. The facility is an emergency shelter for women operating from 4:00 p.m. to 8:00 a.m. seven days a week. In 2003 the County code did not identify emergency shelters as a separate type of use from residential care facilities and these were allowed in the Rural Residential zoning district. So although an emergency shelter would not be allowed under today's code this is a legal non-conforming use.

In December 2011 the Redwood Gospel Mission applied for a Use Permit to expand the facility to include a rehabilitation program operated at another site. The proposal includes some additions to the existing structures. The request was posted for a waiver of the public hearing. Several Requests for hearing were made so the item was scheduled for a public hearing.

### **Project Description:**

Redwood Gospel Mission operates another facility within the City of Santa Rosa which is a women's recovery center. This program requires that women live on-site for 10 to 15 months to complete the program. The Redwood Gospel Mission is trying to consolidate its services and would like to accommodate the 20 people in the recovery program at the Wild Rose Drive site. This would require that the facility operate 24 hours a day seven days a week since those in the recovery program are living at the center full-time. The facility would continue to offer up to 30 women and children emergency shelter during the night.

The facility will require five full-time and five part-time employees. The applicant proposes adding 1,900 sq. ft. of space to the existing residence for a total of 7,173 sq. ft. of space to accommodate the additional people. The original facility has six individual and shared bedrooms and two dorms. After the remodel there will be 14 individual or shared bedrooms and no dorm facilities. The facility will have two shared living spaces (living rooms), a kitchen, a laundry room, three offices, a dining room, a meeting room, seven bathrooms, and some storage areas.

### **Site Characteristics:**

The 0.67 +/- acre site is located in an unincorporated County pocket surrounded by the City of Santa Rosa commonly known as the "Clover Drive Area." The site is a flat, rectangular parcel set back from the road. Access to Wild Rose Drive is via a flag driveway on the northern side of the property. The site is served by city sewer and water.

### **Surrounding Land Use and Zoning:**

To the north, east and west is the Clover Drive neighborhood which is all designated RR (Rural Residential) with a 5 acre density. To the south is the City of Santa Rosa which is also residential. The neighborhood is located along West College Avenue across from the G&G Shopping Center.

## DISCUSSION OF ISSUES

### Issue #1: General Plan and Zoning Consistency

The General Plan designation of Rural Residential 5 acres per dwelling unit allows for group care facilities, both Residential Community Care Facilities and Transitional Housing. The Zoning Code provides the following definitions for these facilities.

**Residential community care facility** means a home licensed by the state which is regularly used as a community care facility, health facility, care facility for the elderly or alcoholism recovery facility (as defined by the California Health and Safety Code); or facilities for the mentally disordered, handicapped persons or dependent and neglected children (as defined by the California Welfare and Institutions Code).

- a) **Small residential community care facility** means a residential care facility serving six (6) or fewer persons.
- b) **Large residential community care facility** means a residential care facility serving seven (7) or more persons

**Transitional housing** means supportive housing for persons or families in transition from homelessness to permanent housing. A homeless person or family may live in a transitional unit for a period of from six (6) months to two (2) years while receiving supportive services that enable independent living, after which time the assisted unit shall recirculate to another eligible recipient.

No planning permits are required for Small Residential Community Care Facilities but a Use Permit is required for Large Community Care Facilities. The Use Permit received in 2003 was for the change from a small facility to a large facility. The requested Use Permit is for a further increase in size and for additional services. The facility would become a home for the rehabilitation of women recovering from drug or alcohol abuse and this service would be a 24 hour a day use, 365 days a year. The facility will be consistent with the General Plan and Zoning designations.

The RR (Rural Residential) zoning designation allows up to 30% lot coverage. The lot is 29,185.20 sq. ft. and 30% is 8,755.56 sq. ft. The proposed addition of 1,900 square feet to the 5,273 square foot footprint of the existing building results in a 7,173 square foot footprint. The lot coverage will be 24.5% which is less than the maximum allowed by the 30% lot coverage regulation. At 22-feet high the building is consistent with the height limitations (maximum allowed height is 35-feet), and meets or exceeds the RR setbacks of 20-feet front and rear and 5-feet from the side property lines.

### Issue #2: Litter

Neighbors have noticed an increase in the amount of litter in the neighborhood including cigarette butts, bottles, and fast food wrappings. The areas nearest the facility seem to be the most impacted by trash leading the neighbors to conclude that it comes from people being served by this facility. Because it is difficult to pinpoint where trash actually comes from it would be in the applicant's interest to ensure that adequate trash receptacles and cigarette butt

receptacles are available around the facility. If smoking is not permitted on the premises then clients must be prevented from smoking out on the street and dropping cigarette butts and other trash along the public right-of-way.

Staff recommends that the residents of the facility participate in daily clean-up of the site, driveway, and along Wild Rose Drive from West College to Clover Drive to remove all cigarette butts and other litter.

**Issue #3:** Loitering and Noise

Several neighbors mentioned that the people who are part of the group being served by this facility are loitering along Wild Rose Drive smoking, talking on their cell phones, and disturbing the neighborhood, in general.

Facility rules should include rules prohibiting clients from leaving the site to make phone calls, smoke or otherwise socialize, especially between the hours of 7:00 p.m. and 7:00 a.m. If necessary, a private area for making phone calls should be provided on-site. Staff recommends that an enclosed smoking area be provided on-site. If clients cannot abide by the rules they should be prohibited from making use of this facility.

Providing solid wood, six foot high fencing along the northerly property boundary to cut down on noise impacts and provide additional screening to adjoining properties, particularly in the parking lot area, should help to reduce impacts to the single family dwelling to the north. Installation of a fence along the northerly property line is a condition of approval

**Issue #4:** Traffic/Parking

Several neighbors raised the issue of excessive traffic and vehicle idling in the early mornings. The current Use Permit only allows vehicles owned and operated by the facility to be located on-site for pick-up and drop-off of clients. Employees would arrive in their own vehicles. If facility vehicles need to be run in the morning to warm up (i.e., defrost and/or un-fog the windshield, etc.) the idle time should be limited to 5 minutes or less for noise and air quality reasons.

The applicant is requesting that the conditions of approval for the existing facility be modified to only require new residents (as opposed to all residents) to be transported by facility vehicles. Staff does not recommend this change in light of the existing complaints about traffic, and the concern about the ability to provide an adequate amount of on-site parking for residents, employees, and facility vehicles.

Additionally, limiting the hours when clients come and go from the site as much as possible would provide additional neighborhood compatibility. The average single family dwelling generates 10 vehicle trips-per-day. As proposed, the site will be serving 50 clients with five full-time and five part-time employees resulting in substantially higher daily trips than a single family residence. The trips for employees alone will be 20 daily trips (10 roundtrips). Limiting the number of trips occurring during a.m. or p.m. peak hours will help to reduce the impact on surrounding residences.

The site has seven parking spaces five of which will be occupied by staff during the day. This leaves two spots on-site for vehicles belonging to the facility. If residents are allowed to use

their own vehicles they may not park outside the designated parking area or on-street. Staff feels that the option of residents being allowed to use their own vehicle will be severely limited by the site's parking limitations.

**Issue #5:** Neighborhood Compatibility

Several neighbors raised the issue of whether a facility of this size would be compatible with the neighborhood. Staff feels that with the recommended operational measures suggested above, compatibility can be achieved. Additionally, providing the neighborhood with an emergency contact number for the on-site manager which they can use if there appears to be chronic violations will help to ease frustrations with about things such as litter, noise, and loitering.

**ALTERNATIVES**

1. Deny the Use Permit – the site would continue to be used as an emergency shelter for up to 30 women and children under the existing 2002 Use Permit.
2. Recommend a reduced facility serving fewer people in each program.

**STAFF RECOMMENDATION**

Approve the request for a Use Permit to add a residential care facility to an existing women and children's emergency shelter approved under UPE02-0026. The emergency shelter provides housing for up to 30 women and children. The residential care facility will provide care and rehabilitation services for an additional 20 women for a total of 50 people being served at the site. The hours of operation will be 24 hours a day, seven days a week on a 0.67 acre parcel.

**FINDINGS FOR RECOMMENDED ACTION**

1. The project is consistent with the RR (Rural Residential) General Plan land use and Zoning designation, which includes residential care facilities and temporary emergency shelters. The parcel is served by public sewer and water and the building does not exceed the maximum lot coverage criteria.
2. The establishment, maintenance or operation of the use for which application is made will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area. The particular circumstances in this case are: 1) The residential care facility shall not serve more than 50 women and children at any one time; 2) Hours of operation shall be 24 hours a day, 365 days a year; 3) Outside activities shall be limited to 7:00 a.m. to 7:00 p.m.; 4) An on-site smoking area shall be established and smoking shall be prohibited elsewhere on the property; 5) Adequate trash and cigarette butt receptacles shall be provided on-site. Recycling containers shall also be available on-site; 6) Private areas for phone calls shall be provided on-site to eliminate calls made outside; 7) Participants in the facilities program shall pick-up trash and cigarette butts along Wild Rose Drive from West College Avenue to Clover Drive on a daily basis; 8) Vehicle idling times shall be limited to five minutes; 9) Residents of the facility shall be transported in the facility's vehicles only; 10) Residents shall not be out on the public right-of-way unless accompanied by Staff of the Facility.

3. It is the determination of the Department that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to the Provisions of Title 14 of the California Administrative Code, Section 15301 because it is an addition to an existing structure and minor expansion of an existing use.

**LIST OF ATTACHMENTS**

- EXHIBIT A: Draft Conditions of Approval
- EXHIBIT B: Proposal Statement
- EXHIBIT C: Letters Requesting a Hearing
- EXHIBIT D: Site Plan
- EXHIBIT E: Building Elevation
- EXHIBIT F: Draft Resolution



**SONOMA COUNTY BOARD OF ZONING ADJUSTMENTS**  
**Draft Conditions of Approval**

**Date:** September 20, 2012  
**Applicant:** Redwood Gospel Missions  
**Address:** 1048 Wild Rose Drive, Santa Rosa

**File No.:** UPE11-0102  
**APN:** 037-021-054

**Project Description:** A Use Permit to add a residential care facility to an existing women and children's emergency shelter approved under UPE02-0026. The emergency shelter provides housing for up to 30 women and children. The residential care facility will provide care and rehabilitation services for an additional 20 women for a total of 50 people being served at the site. The hours of operation will be 24 hours a day, seven days a week on a 0.67 acre parcel. Five full-time and five part-time employees work at the facility. The building will be expanded by 1,900 sq. ft. to a total of 7,173 sq. ft. building.

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**Prior to commencing the use, evidence must be submitted to the file that all of the following non-operational conditions have been met.**

**BUILDING:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

1. The applicant shall apply for and obtain building related permits from the Permit and Resource Management Department (PRMD). The necessary applications appear to be, but may not be limited to, site review, building permit, and grading permit.
2. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the most recent California Building Code (CBC), as determined by the PRMD Building Division. Such accessibility requirements shall apply to all new construction and remodeling and, where required by the CBC, to retrofitting of the existing structure.

**HEALTH:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

**PRIOR TO BUILDING PERMIT AND VESTING THE USE PERMIT:**

3. Connection shall continue to be made to public sewer.
4. A safe, potable water supply shall be provided and maintained.
5. Prior to issuance of a Use Permit Certificate or expanded use, provide the Project Review Health Specialist with the bacteriological (E.Coli and total coliform), arsenic and Volatile Organic Compounds by EPA Method 524.2 analysis results of a sample of your water tested by a State-certified lab. If the analysis shows contamination, the applicant will be required to treat the well per County Requirements and re-test the well.

A copy of the analysis shall be provided to the Project Review Health Specialist. If required, proof of installation of any device to remove contaminants must be shown.

If food is being prepared and served to residents, prior to issuance of a Use Permit Certificate or expanded use, plans and specifications for any facility serving food must be submitted to, and approved by, the Environmental Health Division of the Health Services Department. Contact the Environmental Health Division at 565-6565 for information. A letter of approval shall be provided to the PRMD Project Review Health Specialist from the Environmental Health Division verifying compliance with requirements of the California Uniform Retail Food Facility Law (CURFFL).

6. If food is being prepared and served to residents, a Food Industry Permit must be obtained from the Environmental Health Division of the Health Services Department prior to operation. A copy of a current permit shall be provided to the Project Review Health Specialist to verify compliance with the requirements of the California Uniform Retail Food Facility Law (CURFFL).
7. Noise shall be controlled in accordance with the standards set in the Noise Element of the Sonoma County General Plan.
8. Prior to issuance of a Use Permit Certificate or expanded use, the applicant shall submit a design for trash enclosures for review and approval to the Division of Environmental Health (Fees may apply). A copy of the approval letter from the Solid Waste Section of the Division of Environmental Health shall be provided to the Project Review Health Specialist.

**PUBLIC WATER AND SANITATION:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

9. The Applicant shall obtain a City of Santa Rosa Utility Certificate to provide evidence that the Applicant and the City of Santa Rosa have entered into an agreement for water service to this project, and shall submit a copy to the Sanitation Section of the Sonoma County Permit and Resource Management Department prior to issuance of a building permit.

**PLANNING:**

"The conditions below have been satisfied" BY \_\_\_\_\_ DATE \_\_\_\_\_

10. This Use Permit allows the site to be utilized as a large residential community care facility for the operation of an emergency homeless shelter for women and children (a maximum of 30 people in the shelter program) and a recovery program for 20 women for a total of 50 people on-site operating 24 hours a day seven days a week with those in the recovery program living at the center full-time. Five full-time and five part-time employees work at the facility. A maximum of four employees and two volunteers will be on the site at any one time. A minimum of two employees will remain at the facility from 6:00 p.m. to 8:00 a.m. The building will be expanded by 1,900 sq. ft. for a total of 7,173 sq. ft. The use shall be operated in accordance with the proposal statement and site plan located in File No. UPE11-0102 and as modified by these conditions.
11. This Use Permit (UPE11-0102) shall supersede all prior Use Permits, upon implementation or when all the pre-operational conditions have been met and this Use Permit is vested.
12. The residential community care facility shall provide screening, care, assessment, transportation, and education to its residents in accordance with the operational aspects of the proposal statement, except as modified by these conditions.
13. The hours of operation shall be 24 hours a day, seven days a week. Outside activities shall be limited to 7:00 a.m. to 7:00 p.m.
14. A "Designated Smoking Area" shall be established in an unenclosed area consistent with Sonoma County Code section 32-3. Designated Smoking Areas must be at least 25 feet away from any building or area where smoking is prohibited, must be conspicuously identified by signs as a smoking area, and shall be equipped with ash trays or ash cans.
15. Adequate trash and cigarette butt receptacles shall be provided on-site. Recycling containers shall also be available on-site.
16. Private areas for phone calls shall be provided on-site to eliminate calls made outside.
17. Participants in the facility's programs shall pick-up trash and cigarette butts along Wild Rose Drive

from West College Avenue to Clover Drive on a daily basis.

18. A six foot high, solid wood fence shall be constructed along the property's northerly boundary to help provide noise mitigations.
19. Vehicle idling times shall be limited to a maximum of five minutes.
20. On-site parking shall be limited to seven spaces and shall conform to Sonoma County design standards. The parking area and driveway design are subject to review and approval of Project Review Staff prior to construction.
21. There shall be no off-site parking associated with the facility. All new residents shall be transported to and from the facility in vehicles operated by the applicant. Residents may utilize private vehicles as long as on-site parking capacity is not exceeded. No on street parking is allowed.
22. The applicant shall install 8 bicycle parking rack spaces. The bike racks shall be installed prior to issuance of the Use Permit Operational Certificate. A bike rack is defined as a securely mounted stand or other device constructed so as to enable the user to secure the bicycle by locking the frame and at least one wheel. Racks must be easily usable with both U locks and cable locks. Racks must hold bicycles in a stable upright position and support bicycles so they resist falling over when bumped. Racks supporting a bike by wheel only, such as standard 'wire racks', are not acceptable. Racks must hold bikes with at least two points of contact. Please use Bicycle Parking Guidelines by the Association of Pedestrian and Bicycle Professionals which can be found here:  
[http://www.apbp.org/resource/resmgr/publications/bicycle\\_parking\\_guidelines.pdf](http://www.apbp.org/resource/resmgr/publications/bicycle_parking_guidelines.pdf)
23. Prior to issuance of building permits, an exterior lighting plan shall be submitted for design review by PRMD. Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted. All parking lot and street lights shall be full cut-off fixtures. Lighting shall shut off automatically after closing and security lighting shall be motion sensor activated.
24. Development on this parcel is subject to the Sonoma County Fire Safe Standards and shall be reviewed and approved by the County Fire Marshal/Local Fire Protection District. Said plan shall include, but not be limited to: emergency vehicle access and turn-around at the building sites), addressing, water storage for fire fighting and fire break maintenance around all structures. Prior to occupancy, written approval that the required improvements have been installed shall be provided to PRMD from the County Fire Marshal/Local Fire Protection District.
25. This use shall be constructed, maintained, and operated in conformance with all applicable county, state, and federal statutes, ordinances, rules, and regulations. A violation of any applicable statute, ordinance, rule or regulation shall be a violation of the Use Permit, subject to revocation.
26. The applicant shall pay all applicable development fees prior to issuance of building permits.
27. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of PRMD or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified Use Permit and additional environmental review.
28. The Director of PRMD is hereby authorized to modify these conditions for minor adjustments to respond to unforeseen field constraints provided that the goals of these conditions can be safely achieved in some other manner. The applicant must submit a written request to PRMD demonstrating that the conditions is infeasible due to specific constraints (e.g. lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. PRMD shall consult with affected departments and agencies and may require an application for modification of the approved permit. Changes to conditions that may be authorized by

PRMD are limited to those items that are not adopted standards or were not adopted as mitigation measures or that were not at issue during the public hearing process. Any modification of the permit conditions shall be documented with an approval letter from PRMD, and shall not affect the original permit approval date or the term for expiration of the permit.

The owner/operator and all successors in interest, shall comply with all applicable provisions of the Sonoma County Code and all other applicable local, state and federal regulations.

29. This permit shall be subject to revocation or modification by the Board of Zoning Adjustments if: (a) the Board finds that there has been noncompliance with any of the conditions or (b) the Board finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.

In any case where a Use Permit has not been used within two (2) year after the date of the granting thereof, or for such additional period as may be specified in the permit, such permit shall become automatically void and of no further effect, provided however, that upon written request by the applicant prior to the expiration of the two year period the permit approval may be extended for not more than one (1) year by the authority which granted the original permit pursuant to Section 26-92-130 of the Sonoma County Code.

**Project:**

**Redwood Gospel Mission**  
**"The Rose" Women's and Children's Shelter**  
1048 Wild Rose Drive  
Santa Rosa, California  
APN 037-021-054

**Property Owner:**

**Redwood Gospel Mission**  
PO Box 493  
Santa Rosa, CA 95402

**Proposal Statement**  
**June 2012**

In July of 1999 the Redwood Gospel Mission (RGM) purchased two attached units totaling 5,180 square feet on a 0.67-acre property located in the Clover Drive/Wild Rose Drive/Blossom Way County island surrounded by the City of Santa Rosa. The site is in the RR-20 (Rural Residential) zoning district. The surrounding land uses are residential. RGM initially operated a Small Residential Community Care Facility for three and a half years at the site.

On January 23, 2003 the RGM was granted a Use Permit (UPE02-0026) for a Large Residential Community Care Facility of 30 residents at the existing emergency shelter and a 650 square foot attached second dwelling unit was legalized. RGM has operated this shelter maintaining a positive relationship with the neighborhood for the last nine (9) years.

The RGM also currently operates a 10 to 15 month women's residential recovery program (transitional housing) on Dennis Lane, called Manna Home, located in the City of Santa Rosa where women work at developing recovery and life skills. Here women encounter a healing environment filled with grace and truth. This property was sold in 2009, but RGM still leases the home for it's programs. RGM would like to consolidate its' existing women's recovery program (Manna Home) to the Wild Rose Drive site. Manna Home has an existing Use Permit with the City of Santa Rosa.

In preparation for this Use Permit submittal, The RGM invited the surrounding neighbors to a meeting at the facility to discuss what we were proposing. No neighbors attended this meeting. Once the Use Permit Application was then filed with the County of Sonoma PRMD, public notice was then given to the neighbors of the Application. Three neighbors requested a public hearing on the Use Permit Application. The three neighbors and surrounding neighbors were then invited to another meeting at the facility on April 9, 2012. One neighbor attended this meeting. Another neighbor was out of town for this meeting and attempts are still being made to connect with this neighbor.

The RGM is requesting an increase from the currently allowed 30 residents to 50 residents. We would maintain the existing emergency shelter (large residential community care facility) capacity at 30 women and children, and add 20 women to the site from Manna Home for the long term recovery program (transitional housing). The entire facility would change to operate 24 hours a day seven days a week.

Being open 24 hours a day will allow the RGM to be a more effective neighbor, assisting with cleaning up litter, reducing neighborhood loitering and noise. We will also equip neighbors with a single contact number to use to address any ongoing concerns. The nature of our previous limited hours of operation created many of these issues as people would wait off the property for the facility to open.

A maximum of four employees and two volunteers will be on-site at any one time. A minimum of two staff members will remain at the facility from 6:00pm to 8:00am.

New residents would be transported to and from the facility in vehicles operated by the RGM. While this is the "normal" condition, on occasion, near the end of their stay in the long term recovery program, a resident obtains a private vehicle as a means of getting to and from employment.

The existing site is connected to the City of Santa Rosa for water and sewer service under an Out-of-Agency Agreement. The existing on-site well is used as a non-potable water source for irrigation only.

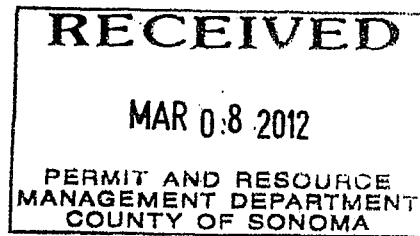
Future modifications to the existing structure are proposed, and attached as part of this application, to better accommodate the change in the number of guests.

Robin and David McGillicuddy

1024 Wild Rose Dr.

Santa Rosa Ca. 95401

3/8/12



To whom it may concern,

It has been recently brought to my attention that the Redwood Gospel Mission located at 1048 Wild Rose Dr. has applied for a use permit to increase the size of their shelter to house a total of 50 people. I also understand that this permit is to be granted without public hearing on the subject due to the increase being a minor land use alteration.

I fail to see how an increase to house 50 people two doors down from my home is minor alteration. I am also assuming that this 50 people doesn't include an increase in staff, parking necessities etc.

I am writing this letter to let you know that I as well as my neighbors would like the opportunity to voice our concerns over this project. I feel that this increase will greatly impact our quiet little neighborhood and we should have the opportunity to express these concerns in a public forum. I already have a number of existing issues with people loitering in the street as well as cigarettes and liquor bottles being dumped on my property.

Thank you for your time in this matter-

Robin McGillicuddy-

David McGillicuddy-

## Melinda Grosch

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**From:** Glenn Jenkins [design@glennjenkins.com]  
**Sent:** March 08, 2012 8:56 AM  
**To:** Melinda Grosch  
**Cc:** Glenn Jenkins  
**Subject:** 1048 Use Permit Hearing

Dear Melinda,

I appreciate the time you took to speak with me on the morning of March 5th. I have attempted to contact Jeff Gilman as you suggested and have not received a call back as of yet.

After much talk and consideration, we have decided that we would like to request a hearing on the Use Permit for 1048 Wild Rose Drive. There are many issues that need to be discussed regarding the changes that are planned for the property.

We have concerns regarding the number of residents. This would be an increase of over 65%. That is a very large change and would have a very large impact on our small street. This would in turn result in an increase of staff at the facility, auto traffic, shuttle vans and noise. While we support the Mission and the valuable work it does, we question if this location is appropriate to handle an increase of this size.

In the past year, we have already seen an increase in these elements. The Mission has been opened earlier to the women, there has been an increase in residents, we have had issues with groups smoking and sitting and parking on our property, groups sitting on the street waiting for the Mission to open, constant use of cell phones in front of our house.

- Exhaust from these vehicles running at idle and being warmed up.
- Loud conversion each morning and in the evenings.
- Shopping carts.
- bottles and trash
- Vehicles coming and going 24 hours a day

We have discussed the need for fencing numerous times in the past year with Manuel Hoyos, the property manager. We do believe some of these issues can be mitigated with the building of a soundproof fence along the perimeter of the property and clear rules to respect the neighborhood and a contact person to receive these concerns on the Mission staff. And we are aware that the staff already does make an effort to address these concerns.

However, we have additional concerns that need clarification. Especially on changing the property from an evening residence to a 24/7 residence and the impact that will have on our small street. Will there be a constant flow of residents coming and going? Will they be constantly leaving the facility to walk out on the street to smoke cigarettes and use their cellphones? This would have the effect of adding 15 residential units to one small property.



We were also informed of a change to the population of the facility regarding treatment for transitional drug users. We are unclear as to what this means. This would appear to be a change in the category of care. Will this result in more licensed staff, more 911 calls, more parking issues.

In an effort to get answers and voice our concerns regarding these issues, we would request a hearing.

We appreciate you time on this matter.

Sincerely,

Glenn Jenkins  
1038 Wild Rose Drive  
Santa Rosa, CA 95401  
415.559.5147

## Melinda Grosch

---

**From:** Kenneth O'Neal [akako22846@yahoo.com]  
**Sent:** March 11, 2012 9:20 AM  
**To:** Melinda Grosch  
**Subject:** Redwood Gospel Missions

To Whom It May Concern:

I'm writing in to object to the expansion of the shelter at 1048 Wild Rose Drive. My family and I bought our home and moved in about 20 years ago and this quiet little "county island" has turned into anything but quiet. The only people who lived on this small horseshoe road were homeowners. Now there is more traffic with some speeding through here late at night, all sorts of non-homeowner foot traffic, more police activity for whatever reason, and more trash and litter on the sides of the road.

Since this small community reluctantly agreed to let this shelter come to be – another halfway house of some sort opened a few houses down the road in spite of objections from the community. Now there is more traffic than ever. The first shelter at 1048 agreed to bring their clients in by van. This agreement was quickly reneged upon and people either come in their cars or walk in. Is this place supposed to also build a larger parking area? With strangers constantly walking by, it is no surprise that our home was broken into and robbed... a home where we did not even lock our doors at night when we first moved in. Can you even imagine a place like that? I had to immediately install security screens on the front and back doors! I felt it necessary to purchase weapons for home security. And the worst part to being violated like that is my wife is apprehensive at night when I have to leave her alone for work.

I strongly object to this expansion!

Sincerely,

Kenneth D. O'Neal  
Concerned homeowner on Wild Rose Drive



WILD ROSE DRIVE

239.23'

EXISTING DRIVEWAY

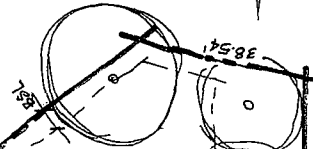
147.28'

231.32'

AC PAVING  
GRAVEL

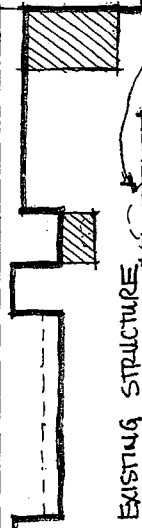
200.79'

EXISTING PARKING



REMOVE EXISTING TREE

HATCHED AREAS INDICATE NEW BUILDING AREA (21600 sq ft)



EXISTING STRUCTURE

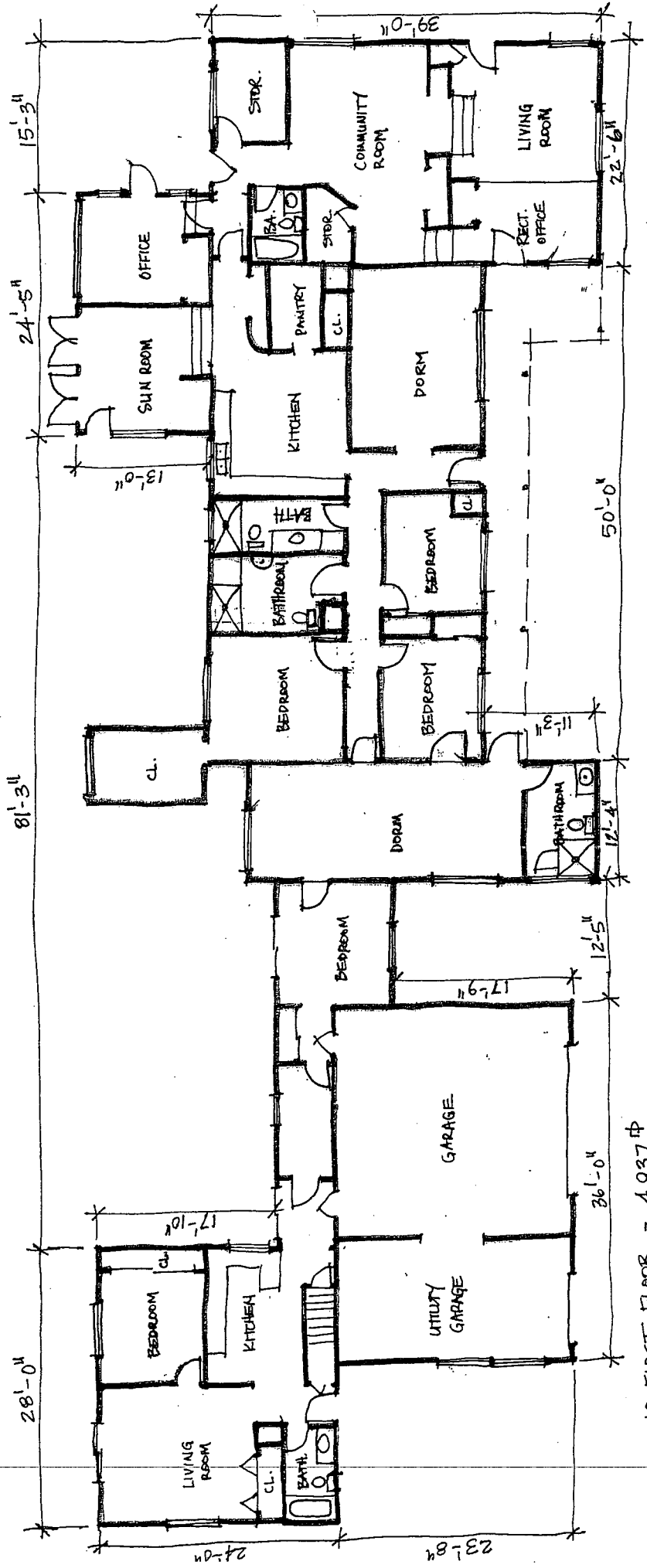
EXISTING WELL FOR IRRIGATION ONLY

265'

EXISTING TREES

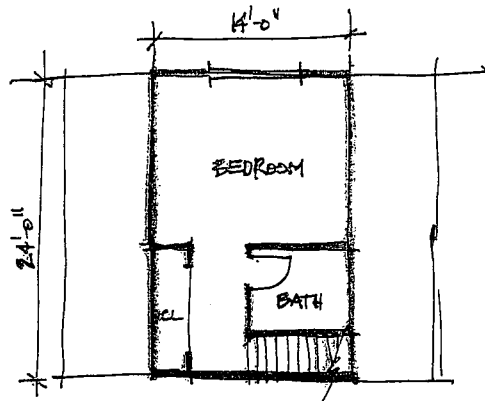
SCALE: 1" = 30'-0"

EXISTING SITE PLAN

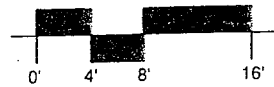


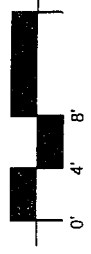
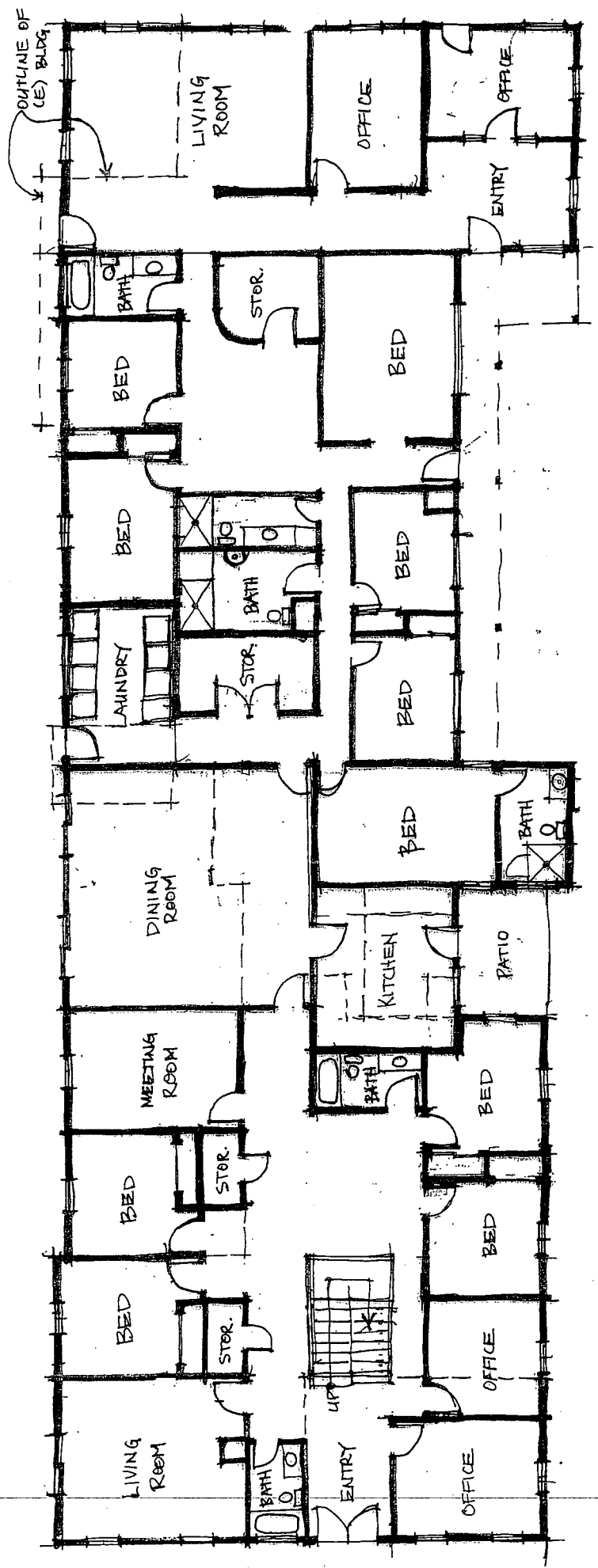
EXISTING FIRST FLOOR - 4,937 sq ft



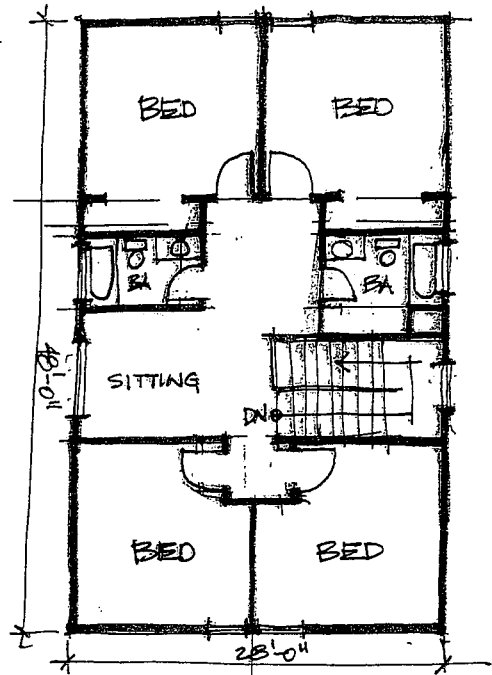


EXISTING SECOND FLOOR - 336 #

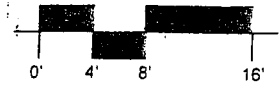




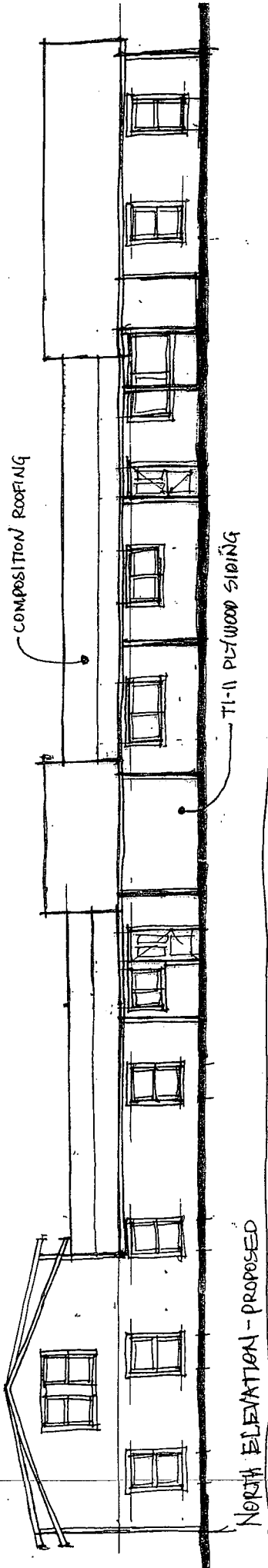
FIRST FLOOR - PROPOSED



SECOND FLOOR - PROPOSED

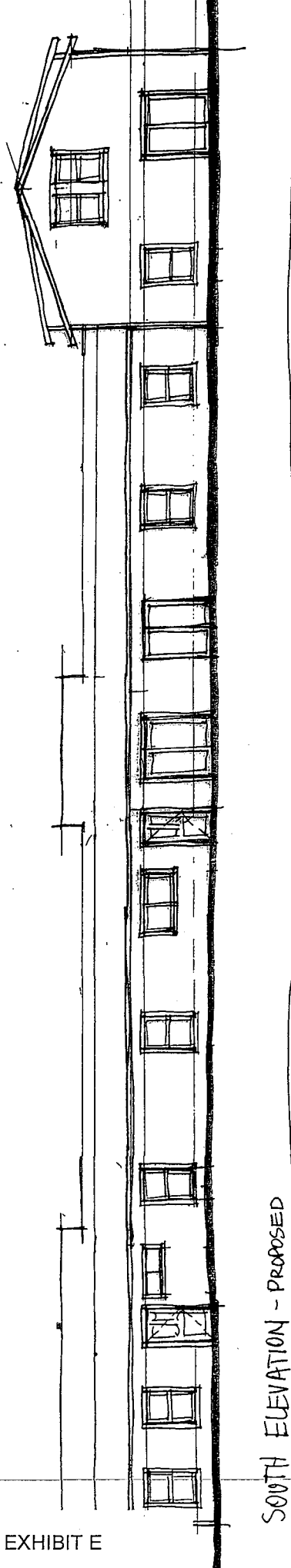






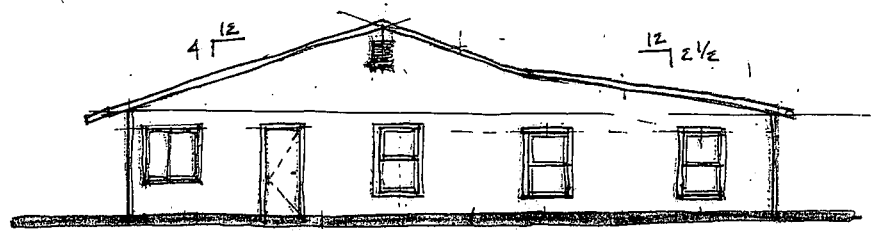
NORTH ELEVATION - PROPOSED

EXHIBIT E

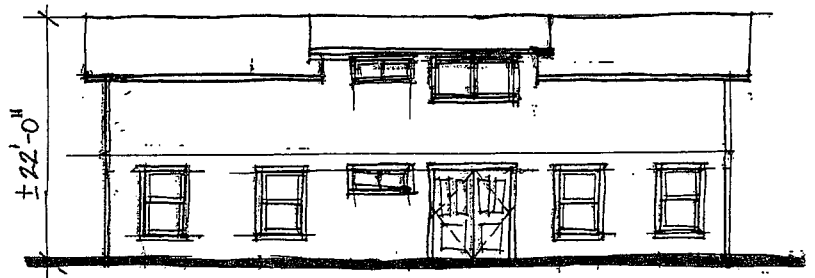
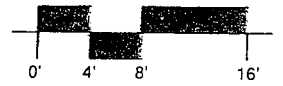


SOUTH ELEVATION - PROPOSED





WEST ELEVATION - PROPOSED



EAST ELEVATION - PROPOSED



Resolution Number

County of Sonoma  
Santa Rosa, California

September 20, 2012  
UPE11-0102 Melinda Grosch

**RESOLUTION OF THE BOARD OF ZONING ADJUSTMENTS,  
COUNTY OF SONOMA, STATE OF CALIFORNIA, GRANTING A  
USE PERMIT TO REDWOOD GOSPEL MISSION, FOR  
PROPERTY LOCATED AT 1048 WILD ROSE DRIVE, SANTA  
ROSA; APN 037-021-054.**

**WHEREAS**, the applicant, Redwood Gospel Mission, filed a Use Permit application with the Sonoma County Permit and Resource Management Department for residential care facility located at 1048 Wild Rose Drive, Santa Rosa; APN 037-021-054; Zoned RR (Rural Residential) B6-5 acre density, VOH (Valley Oak Habitat); Supervisorial District No 5; and

**WHEREAS**, in accordance with the provisions of law, the Board of Zoning Adjustments held a public hearing on September 20, 2012, at which time all interested persons were given an opportunity to be heard; and

**WHEREAS**, this project has been found to be categorically exempt from CEQA Guidelines.

**NOW THEREFORE BE IT RESOLVED** that the Board of Zoning Adjustments makes the following findings:

1. The project is consistent with the RR (Rural Residential) General Plan land use and Zoning designation, which includes residential care facilities. The parcel is served by public sewer and water and the building does not exceed the maximum lot coverage criteria.
2. The emergency shelter was approved under a previous Use Permit and will continue as a legal non-conforming use as a part of the residential care facility.
3. The residential care facility shall not serve more than 50 women and children at any one time;
4. Hours of operation shall be 24 hours a day, 365 days a year;
5. Outside activities shall be limited to 7:00 a.m. to 10:00 p.m.;
6. An on-site smoking area shall be established and smoking shall be prohibited elsewhere on the property;
7. Adequate trash and cigarette butt receptacles shall be provided on-site. Recycling containers shall also be available on-site;
8. Private areas for phone calls shall be provided on-site to eliminate calls made outside;
9. Participants in the facilities program shall pick-up trash and cigarette butts along Wild Rose Drive from West College Avenue to Clover Drive on a daily basis;
10. Vehicle idling times shall be limited to a maximum of five minutes;
11. New residents of the facility shall be transported in the facility's vehicles. Residents of the program may use their own vehicles as long as the parking lot capacity is not exceeded. No

on-street or off-site parking is allowed.

**BE IT FURTHER RESOLVED** that the Board of Zoning Adjustments hereby grants the requested Use Permit, subject to the Conditions of Approval in Exhibit "A", attached hereto.

**BE IT FURTHER RESOLVED** that the Board of Zoning Adjustments designates the Secretary as the custodian of the documents and other material which constitute the record of proceedings upon which the Board's decision herein is based. These documents may be found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

**BE IT FURTHER RESOLVED** that the Board of Zoning Adjustments' action shall be final on the 11<sup>th</sup> day after the date of the Resolution unless an appeal is taken.

**THE FOREGOING RESOLUTION** was introduced by Commissioner \_\_\_\_\_, who moved its adoption, seconded by Commissioner \_\_\_\_\_, and adopted on roll call by the following vote:

Commissioner  
Commissioner  
Commissioner  
Commissioner  
Commissioner

Ayes:        Noes:        Absent:        Abstain:

**WHEREUPON**, the Chair declared the above and foregoing resolution duly adopted; and

**SO ORDERED.**



*Sonoma County Combined Planning  
Commission and Board of Zoning Adjustments*  
**MINUTES**

Sonoma County Permit and Resource Management Department  
2550 Ventura Avenue, Santa Rosa, CA 95403  
(707) 565-1900 FAX (707) 565-1103

Date: September 20, 2012  
Meeting No.: 12-009

**ROLL CALL**

**Commissioners**

Dick Fogg  
Shawn Montoya  
Paula Cook  
Tom Lynch  
Jason Liles, Chair

**Staff Members**

Jennifer Barrett  
Melinda Grosch  
Traci Tesconi  
Sue Dahl  
David Hurst, Chief Deputy County Counsel

**1:00 PM** Call to order and Pledge of Allegiance

**Minutes Approved**– July 12, 2012 - Combined Planning Commission and BZA - continued  
August 2, 2012 - BZA - approved

**Correspondence**

**Board of Supervisors Actions**

**Commissioner Announcements/Disclosures –**

**Public Appearances –**

**Items scheduled on the agenda** – Pam McVey, Kenwood, opposed the Ledson Winery proposal for a 50,000 case winery. The site is on Highway 12 in a community separator, on a state state scenic highway and the RR zone and will ruin the rural character of the neighborhood.

**BOARD OF ZONING ADJUSTMENTS REGULAR CALENDAR**

Item No.2 Time: 1:10 p.m. File: UPE11-0102  
Applicant: Redwood Gospel Missions Staff: Melinda Grosch  
Env. Doc: Categorical Exemption  
Proposal: Request for a Use Permit to add a residential care facility to an existing women's and children's emergency shelter approved under UPE02-0026. The emergency shelter provides housing for up to 30 women and children. The residential care facility will provide care and

rehabilitation services for an additional 20 women for a total of 50 people being served at the site. The hours of operation will be 24 hours a day, seven days a week.

Location: 1048 Wildrose Drive, Santa Rosa  
APN: 037-021-054 Supervisorial District: 5  
Zoning: RR (Rural Residential), B6 – 5 acre density, VOH (Valley Oak Habitat)

**Melinda Grosch** summarized the staff report, which is incorporated herein by reference.

**Questions from Commissioners: Commissioner Lynch** asked why no one is allowed on site during the day. **Staff Grosch** said that is a requirement of emergency shelters. Staff conditions the Use Permit based on what is requested.

**Commissioner Cook** asked staff to clarify Conditions 3, 4, 5 and 9, and asked if there was proper documentation from the City to grant the additional service on the utility certificate. **Staff Grosch** indicated that the City has said they will grant the advance. **Commissioner Cook** commented that it seems onerous to test water used for irrigation. **Staff Grosch** was not sure why this is required, and added that the area has contaminated water. **Commissioner Cook**, regarding Condition 14, asked where the smoking would take place. **Staff Grosch** said the ordinance requires an unenclosed area, and it may be located along the front porch area.

**Commissioner Montoya** expressed concern that seven parking spots may not be sufficient. **Staff Grosch** said it has to be worked out, and agreed that the parking is constrained.

**Commissioner Fogg** commented that the site is a County unincorporated pocket surrounded by City, and wondered if there are annexation plans and whether that raises issues. **Staff Grosch** said issues would be minimal because the property is already developed and said that the site was not flagged as imminently annexable. Use Permit conditions run with the land and would still apply if annexed.

**Public Hearing Opened** at 1:30 p.m.

**Jeff Gillman**, Executive Director of Redwood Gospel Mission, said he was in agreement with everything in the staff report. They want to provide services 24/7 to women and children. When the original permit was taken out, they had restricted hours based on neighborhood concerns. They wish to combine the programs at another facility and hope to expand the building next summer.

**Commissioner Fogg** asked where fence will go. Mr. Gillman said the fence on the north side of the property would be replaced. **Staff Grosch** said it would need to be solid board and batten fence and would go along parking area.

**Commissioner Montoya** asked how a 24/7 operation would help. Mr. Gillman said it would reduce in and out traffic, and they can provide classes and case management all daylong and have closer relationship with clients.

**Commissioner Lynch** asked how many kids would be at the facility and where everyone goes at 8 in the morning. Mr. Gillman said this is a source of distress, especially in the winter, as often the women and kids are on the streets.

**Commissioner Cook** asked about the location of an outdoor play area. Gillman said there is room at the east end of the facility. **Commissioner Cook** wondered if there was room nearby for a designated smoking area. Gillman said that smoking is prohibited at the mission, which is why people do it in the driveway. **Commissioner Cook** noted neighbor objections about smoke, and has the impression that there are management problems.

**Commissioner Cook** asked if Gillman had engaged the community by going door to door, and Mr. Gillman said he had only invited them to meetings.

**Commissioner Cook** asked if the applicant had discussed parking for staff with the G&G staff. The lot is rarely filled and G&G supports the community. Mr. Gillman said he had not but would consider doing so.

**Commissioner Cook** expressed concern because the project is not new, has been operating, and there is opposition. Usually a well run project does not have such problems.

#### **Public Hearing Opened. Speakers**

**Richard Palmer**, Wild Rose Drive resident for 20 years, said the area always has had problems. Things quieted down for awhile after the facility came in, but lately there have been problems. The first permit was for 12 people, and it was expanded to 30. He has found empty liquor bottles, been disturbed by cell phone conversations, is bothered by traffic all night long, and the neighborhood has been subjected to a lot of disturbance.

**Robin McGillicuddy**, Wild Rose Drive resident, also opposed the expansion, and said there has been a change in the atmosphere of the neighborhood in the last year. Traffic has significantly increased, there is loitering, lots of foot traffic, liquor bottles left around, domestic arguments, and people hanging out in yards at night. McGillicuddy could not comprehend what it will be like with increased populations. There are no street lights or sidewalks in the area. The neighbors have been very tolerant and expansion is not fair.

**Colleen O'Malley**, Wild Rose Drive resident and next door neighbor, said that the neighborhood supported the women's shelter at first. Things started to change about a year ago. Clients park along driveway, cars are left idling, and there is early morning noise. It starts up again at 4:00 p.m. with cars, cellphone conversations, smoking in the driveway, which goes on to 12:30 am. She found trash, bottles, cigarette butts, and a woman laying in her front yard. People relieve themselves in her yard, there is a can for cigarette butts on edge of street, trespassing issues, and profanity. It has been an appalling experience and she is concerned about increasing occupancy. The shelter is there due to the good will of the neighbors, and their trust has been abused.

**Jean Star**, who is terminally ill, stayed at Wild Rose, and said she understands fear and anger. She was informed that there is no smoking on the property and said some of the instances might be from other people than the shelter inhabitants. If someone receives a complaint she has seen the offender dismissed the same day, and the management is strict. Hardship is created by the requirement that the facility be vacated by 8:00 in the morning and that it is closed on weekends. The inhabitants need a safe place to go, especially in winter. Smoke could be addressed by putting ashtrays in the back yard.

**Todd Smith**, Wildrose Drive, is a family man and while supporting the mission and their work, he opposes further expansion because of daily vehicle traffic and overconcentration of people. The ratio of people living in shelters is much higher than the regular residents on the street and this is unfair. PRMD studied the traffic and the expansion will add 120 more vehicle trips per day, which is a significant increase. Parking will also be a problem. Most residents of the facility get picked up and the street was not designed for it. While the parcel can support the expansion, the neighborhood cannot. Smith asked who will be held accountable for problems.

**Penney Sefton-Kelley**, La Rose resident twice, is 58 years old and has lived and worked in area. She is now on permanent disability income. There are many people in her situation and it is hard to find housing. The shelter does not allow drugs and alcohol, and people are asked to leave if they are caught using. Kelley understands the fear, but facilities such as this are necessary and give back to the community. When she first came she felt bad about being there. She was helped and shown respect, which raised her up and gave her support to go and try to find housing again, which she did. Then she lost it because her rent was raised, so she went back. There are many women in her age group in the same position. The facility also helps young moms and kids.

**Gregory Wonderwheel**, Wild Rose Drive resident, opposes the expansion, saying it is not a NIMBY situation but a "camel's nose under the tent". Most neighbors accept the current usage, but object to the request to expand. It will saturate the neighborhood, and there are already three similar facilities on the block. Wonderwheel stated that the staff finding of compatibility is erroneous, and neighbors did not respond to the meeting invitation because there are problems. Wonderwheel also questioned whether the Categorical Exemption was accurate because he does not consider a 60% increase to be a minor expansion of an existing use.

**David Peritore**, Wild Rose Drive, supports the existing shelters and has rented to people coming out of the shelter. He feels he has done his part, is now married with kids and has seen increasing traffic, crime, theft and parking problems. He opposes the expansion, and added that the residents should already be commended for what they already allowed. There are three 3 shelters within 7 doors of his home.

**Crystal Hope Hollander**, mission resident, said Redwood Gospel Mission changed her life and she supports the expansion. It will help people get lives together and do better. Residents are not allowed to smoke or do illegal things. The staff run a positive place and want to help. She went in from off the street in winter, had no money and was cold. It was hard to be sober on the street. People want to change lives and do better need 24/7 access to housing.

**Tim Hughes**, Wild Rose Drive, supports the current facility but not the expansion. He asked what recourse neighbors would have if there were problems, and also thought it erroneous that the project was deemed a minor change for CEQA. He tried unsuccessfully to get the conditions of approval with sign-offs the 2003 Use Permit certificate.

**Glenn Jenkins**, Wild Rose Drive, commented that vans park and idle on narrow corner and cause most of the noise and fumes. Parking spaces are another source of loud noise, cigarette smoke, and cell phone calls. You can't see what is going on outside from inside the mission. People may follow rules at the mission, but then end up in front of his house. Jenkins opposed the expansion. Every morning is like the last day of summer camp.

**Cortina Davalos**, resident of Larose, is a victim advocate who became disabled and had to move there. Redwood Gospel Mission has been wonderful to her. The residents try to be quiet and considerate of neighbors. Mission staff is always concerned about neighbors. The residents know they are guests and appreciate it.

**Shirley Vang** was homeless and didn't have anywhere to go. Redwood Gospel Mission changed her life. She is in recovery now. At 22 she was on the street, and she cannot imagine what it would be like for women and kids in the cold in winter. The mission got her on her feet.

**Nancy Dervin**, volunteer for Redwood Gospel Mission programs through counseling, supports the expansion. They need the 24/7 use so women and kids don't need to be forced out during the winter. Dervin empathized with neighbors, but said the crime statistics for Sonoma County are lower for Wild Rose Drive than other areas in the community.

**Desiree Barnas**, mission supporter, said with every life situation comes change. She had health issues and received incredible support from Redwood Gospel Mission. They provide tools to change lives and help the community. They are helping women recreate their lives. Cell phone use was halted and they have transportation to cut down on foot traffic. The Redwood Gospel Mission acts for those who are not able to give back. Barnas said that there is a liquor store nearby and that is where the bottles and cigarettes are coming from.

**Christina Hill** asked for blessings and compassion. She worked most of life and was never homeless. To come to place where people open up and show you other options is a blessing. It is awesome to have resource where can reach out to those who need help. Sometimes have to overlook things and come to terms with the fact that the world is not perfect and neither are people. Residents at the mission are not allowed to be disrespectful. Hill expressed gratitude for the place and the neighborhood.

**Tamara Van de Drink**, has never been into drugs or homeless, and had all the same fears and stereotypes about drug addicts and criminals. At Larose there are 70 year olds, disabled, mothers and kids, everyday people. They are in bed by 10:00 and drugs and alcohol are not allowed. Van de Drink understands neighborhood concerns, thanked God for the opportunity that the mission provides.

**Annalyce LaJoue**, Wild Rose Drive, bought property on the street in 2002, and only in the last year noticed that the problems others have complained about. She was not opposed to the facility as is but opposes expansion. She suggested that the neighbor concerns might be ameliorated by making the facility 24/7.



**Bianca Broos**, volunteer for two years, noted a stigma about homelessness. As a community, we don't close our eyes to need, but work to find solutions together. She supported the request.

**Gingerlee Leeds** said the face of homelessness is changing all the time. She was a nurse for 23 years, married to her contractor husband who died. She lost everything and became disabled. The mission took her in.

**Ron Tyler**, Clover Drive resident since 59, said the neighborhood used to have a lot of bad activities. He was unaware of the project for long time. He opposes expansion. There is already yelling, screaming, car doors slamming, etc. Also, a 67% increase is not minor. The project should be redefined as a congregate care facility.

**Michael Bryant**, Santa Rosa, supports the expansion. A friend stayed there and quit smoking. All the problems should not be blamed on the facility.

**Thomas Morabito**, Sebastopol, thanked Redwood Gospel Mission for taking care of problems. Society is judged by how we treat least fortunate, and we should keep that in mind. Morabito sees more homeless people every week, and Sonoma County needs a residential facility for the mentally ill. All they offer now is jail time. Morabito supports the project.

#### **Commission Discussion.**

**Commissioner Cook** asked Gillman to explain in detail how new expanded facility will operate and walk through a typical day. Mr. Gillman stated they hope to combine the inpatient recovery services and the emergency housing in one place. They will provide a variety of about 25 daytime classes a week onsite, and to provide case management and counseling. They teach resume preparation, how to find jobs, and this needs to be done during the day because the services are hard to access at night.

**Commissioner Cook** asked about transportation. Gillman said that less than 5% have vehicles, and the mission provides transportation by vans. They also have ten bikes. Gillman added that management would have fewer problems if the facility was a 24 hour operation, as programs could be provided instead of the facility only being a shelter.

Mr. Gillman was not sure why the neighbors have not been happy with activities around the facility in the past year, and acknowledged that he should have done more public contact. **Commissioner Cook** said that there are 6,000 homeless people in the County, many elderly and disabled, and was concerned about the neighborhood complaints. Once a facility is established, there should be no complaints, and as it stands, she could not support the request.

Mr. Gillman stated that this is the first time he became aware of the problem, he thought things were OK but admitted he had not reached out as much as he should have. Gillman want neighbors to have 24 hour number, and will be more responsible to the neighborhood.

**Commissioner Montoya** asked if parking is allowed on the driveway, since it was not showing on the site plan. Gillman said it has been going on a long time, for convenience more than anything else, and could be stopped.

**Commissioner Fogg** agreed with Commissioner Cook on many issues, and asked for the location of the other three facilities in the area so he could have a better understanding of their impacts on the neighborhood.

**Commissioner Lynch** said that a designated smoking area could help. Gillman said he would be happy to provide it. Regarding parking, **Commissioner Lynch** commented that Gillman needed to develop a pick up and drop off plan at the east end of the facility. Fencing could be improved to increase privacy. Many neighbors raised their hands when asked if a fence would help, and perhaps a designated private cell phone area would help to address neighbor concerns.

**Public Hearing Closed at 3:20.**

**Commissioner Lynch** asked if the cumulative impacts of such type of facilities was monitored, as done for wineries. Staff Grosch said that this is done for large facilities. Commissioner Lynch said that the neighborhood has been sharing the burden, and that parking regulations need to be developed. Staff Grosch commented that the facility is required to provide parking on site for all employees and volunteers and those residents who own vehicles. This site is large and could accommodate parking as well as a play area for kids. Commissioner Lynch said he would prefer no parking on the driveway into the site where vehicles idling are disturbing neighbors.

**Commissioner Liles** concurred that parking, smoking, noise and communication issues need to be addressed. The applicant and neighbors need to work together. He commented that it is a remarkable neighborhood of polite and accepting people, which is rare. Commissioner Liles said the 24 hour phone contact is a good idea, as well as email.

**Commissioner Lynch** remarked that remodeling would make the facility more usable, and suggested allowing the facility to go to a 24 hour operation without the expanded number of beds. He recommended including a one year review.

**Commissioner Cook** said that the facility should not be a burden on the neighborhood and the applicant needs to do more work to reduce the impacts. The real issue is the services being provided and the importance of stability. She asked Mr. Gillman if he could still provide emergency beds and be a good neighbor if the population was not increased. Mr. Gillman said that he could, although their desire is to combine homeless women with women in recovery, which is in their best interest. Commissioner Cook said it seemed to make better financial sense to put the two groups together, and with fine-tuning that it could be a good project. She added that Community care licensing has the information on concentration which shows the scale and geographic distribution of the facilities.

**Commissioner Montoya** found the testimony to be moving and inspiring, and recommended that the applicant be given more time to work out issues to satisfy neighbors.

**Commissioner Fogg** said it would be in the applicant's best interest to work with neighbors, and was not ready to support the request. He asked that staff take a look at the CEQA exemption categories.

Action: **Commissioner Lynch** moved to continue to November 15 at 1:45. Seconded by **Commissioner Cook** and passed with a 5-0 vote. Public hearing continued for testimony on new information only.

Appeal Deadline:  
Resolution No.:

Fogg: Aye

Montoya: Aye  
Ayes: 5

Cook: Aye  
Noes: 0

Liles: Aye  
Absent: 0

Lynch: Aye  
Abstain: 0