

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

**TUESDAY**

**APRIL 15, 2014**

**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 that 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. While members of the public are welcome to address the Board, under the Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally may only listen.

**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 32)

**PRESENTATIONS/GOLD RESOLUTIONS**

(Items 1 through 6)

**PRESENTATIONS AT BOARD MEETING**

1. Adopt a Gold Resolution honoring the Graton Community Club on the occasion of their Diamond Jubilee Anniversary. (Fifth District)
2. Adopt two Gold Resolutions congratulating Darren Peterie and Tom Rusert, Co-Founders of Sonoma Birding, on being named the 2013 John Muir Conservationist of the Year. (First District)
3. **11:30 A.M.** – Adopt a Gold Resolution declaring April 15, 2014 as “Saralee Day” in Sonoma County in celebration of the life of the late Saralee McClelland Kunde and appointing her as a Permanent “Honorary” Board Director of the Sonoma County Fair and Exposition Board. (Countywide)

**PRESENTATIONS AT DIFFERENT DATE**

4. Adopt a Gold Resolution recognizing approximately 3,000 volunteers who served at the County during fiscal year 2012-2013, and adopt 16 Gold Resolutions recognizing the contributions of the selected Outstanding Volunteers. (Human Resources)
5. Adopt a Gold Resolution honoring Adam Earl Ferrick for achieving the Rank of Eagle Scout. (Second District)
6. Adopt a Gold Resolution commending Luz Navarette on her contributions and advocacy helping young people recognize their potential upon the occasion of her retirement from Santa Rosa Junior College. (Fifth District)

**SONOMA COUNTY WATER AGENCY**

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

7. Authorize the Chair to execute an agreement with Systems and Space, Inc. to design and install a high density records storage system for the amount of \$50,745; agreement terminates on December 31, 2014.

CONSENT CALENDAR (Continued)

8. Authorize the Chair to execute an agreement with Ascent Environmental, Inc. to provide environmental consultation for air quality, greenhouse gas, and climate change analysis support for the Russian River Fish Flow Project (\$60,000; agreement terminates on April 1, 2017).

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

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

**AND**

**SONOMA VALLEY COUNTY SANITATION DISTRICT**

(Directors: Gorin, Rabbitt, Rouse)

9. Authorize the Chair to execute an agreement with CH2M Hill to provide as-needed support for the maintenance, repair, design, programming, installation and related services for supervisory control and data acquisition systems for District facilities for the amount of \$450,000; agreement terminates on June 30, 2016.

**SONOMA VALLEY COUNTY SANITATION DISTRICT**

(Directors: Gorin, Rabbitt, Rouse)

10. Authorize the Chair to execute an agreement with Kleinfelder West, Inc. to provide geotechnical services for replacement of Sonoma Valley Trunk Main for the amount of \$175,966; agreement terminates on March 31, 2017; and Authorize the General Manager to execute license agreements with property owners to allow a Geotechnical investigation to be conducted in an amount not to exceed \$4,000 for all License Agreements. (2/3 vote required) (First District)

**AUDITOR-CONTROLLER TREASURER-TAX COLLECTOR**

11. Adopt a Resolution authorizing Property Tax Administration Charge for 2013-14 as provided by SB 2557 (Maddy).
12. Adopt a Resolution authorizing the Auditor-Controller Treasurer-Tax Collector to impound \$1,690,485 of 2013-14 property taxes derived from the assessment of business appeals in accordance with Section 26906.1 of the Government Code, State of California.

**CLERK-RECORDER-ASSESSOR**

13. Adopt a Resolution authorizing consolidation of all elections on measures called by jurisdictions that have submitted requests for consolidation with the June 3, 2014, Primary Election, as required by Elections Code §10400.

**COUNTY ADMINISTRATOR**

14. Approve Amended Sonoma County Library Joint Powers Authority Agreement and initiate recruitment process for Library Commissioners to be appointed by the County.

**COUNTY COUNSEL**

15. Approve and authorize County Counsel to execute an agreement for Sonoma County Counsel to provide Mendocino County Counsel with legal services of up to \$25,000 for a one year term.

CONSENT CALENDAR (Continued)

**BOARD OF SUPERVISORS**

16. Adopt Board Rules of Procedures 2014 update and repeal Resolution 56467 amending Board Rules.

**HEALTH SERVICES**

17. Authorize the Director of Health Services to execute an agreement with Alta Planning and Design to implement comprehensive reporting and evaluation activities for the Countywide Safe Routes to School Program for the period April 1, 2014 to September 30, 2014 in an amount not to exceed \$48,150.

**HUMAN RESOURCES**

18. Miscellaneous Classification and Compensation Changes – Adopt a Resolution to:
- (A) Amend the Department Allocation List for the Department of Health Services to delete 1.0 Full Time Equivalent (F.T.E.) Alcohol and Other Drug Services Assistant II, and to add 1.0 F.T.E. Alcohol and Other Drug Services Assistant III allocation, effective April 15, 2014.
  - (B) Amend the Department Allocation List for the District Attorney’s Office to delete 1.0 Full Time Equivalent (F.T.E.) Legal Staff Supervisor, and to add 1.0 F.T.E. Department Analyst allocation, effective April 15, 2014.
  - (C) Amend the Department Allocation List for the Human Services Department to delete 1.0 Full Time Equivalent (F.T.E.) Eligibility Worker II, and to add 1.0 F.T.E. Social Services Worker II allocation, effective April 15, 2014.

**PERMIT AND RESOURCE MANAGEMENT**

19. Adopt a Resolution and Conditions of Approval for a Lot Line Adjustment between four parcels under a Land Conservation Act Contract owned by Windy Gap, LLC located at 11560 Chalk Hill Road, Healdsburg, APNs 079-120-022, -019, -020, -021 and -023 (File No. LLA13-0047). (Fourth District)
20. Adopt a Resolution and approve a Lot Line Adjustment between three parcels involving Williamson Act land under a Land Conservation Act Contract, owned by Edward C. Gomez and Ellen Mack, Trustees; and Dutton Ranch Family Limited Partnership, located at 4500 Slusser Road, and 3970 & 3990 Laughlin Road, Windsor; APNs 066-280-049 & -029, APN 057-070-043, and APN 057-070-044 (File No. LLA13-0052). (Fourth District)
21. Adopt a Resolution issuing a roiling permit (Ordinance No. 3836R) and necessary permit extensions to Sonoma County Regional Parks for the improvements to the pile cap of the spillway under the Healdsburg Veteran’s Memorial Beach Dam and Spillway Repair Project. (4/5 vote required) (Fourth District)
22. Adopt a Resolution issuing a roiling permit (Ordinance No. 3836R) and necessary permit extensions to the City of Healdsburg for the Healdsburg Avenue Bridge Retrofit/Rehabilitation Project. (4/5 vote required) (Fourth District)

CONSENT CALENDAR (Continued)

**REGIONAL PARKS**

23. Accept and approve the Sonoma County Parks & Recreation Advisory Commission's 2013 Annual Report and 2014 Work Plan.
24. Increase the number of directors on the Sonoma County Regional Parks Foundation Board from 15 to 19 by adding four more at-large positions.

**TRANSPORTATION AND PUBLIC WORKS**

25. Approve professional services agreement for Geyserville Pedestrian Improvements (C13003) for Coastland Civil Engineering, Inc. in an amount not to exceed \$208,681 with a term ending December 31, 2015. (Fourth District)

**MISCELLANEOUS**

26. Approve Minutes of the Meeting of: (A) March 18, 2014 for the following: Community Development Commission, Sonoma County Water Agency, and Board of Supervisors. (B) March 21, 2014 Special Meeting of the Board of Supervisors. (C) March 25, 2014 for the following: Agricultural Preservation and Open Space District, Community Development Commission, Northern Sonoma County Air Pollution Control District, Sonoma County Public Financing Authority, Sonoma County Water Agency, and Board of Supervisors.

**APPOINTMENTS/REAPPOINTMENTS**

(Items 27 through 32)

27. Appoint Sean Bellach to the Sonoma Valley Citizens Advisory Commission (El Verano West seat) effective April 16, 2014 and expiring April 15, 2018. (First District)
28. Appoint Beth Lamb to the Sonoma County Fish and Wildlife Commission beginning April 15, 2014, at the pleasure of the Board. (Fifth District)
29. Appoint Kalia Mussetter to the Mental Health Board beginning April 15, 2014 through April 14, 2017. (Fifth District)
30. Reappoint Tricia Stocks to the Advisory Council to Area Agency on Aging, Sonoma County effective April 18, 2014 and expiring on April 17, 2016. (First District)
31. Reappoint Thomas Colbert to the Library Commission for a four year term, effective April 15, 2014, through April 15, 2018. (Fourth District)
32. Reappoint Leo Bartolotta to the Sonoma County Regional Parks Foundation Board for a term of two years from February 20, 2014 through February 20, 2016. (Fifth District)

**IV. REGULAR CALENDAR**

(Items 33 through 39)

**SONOMA COUNTY WATER AGENCY**

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

33. Approve Five Year Review and Update Report for the Sonoma Valley Groundwater Management Program and direct implementation of report recommendations. (First District)

**COUNTY COUNSEL**

34. **10:00 A.M.** – Conduct a public hearing and adopt a Resolution authorizing acquisition and condemnation of real property necessary for public purposes for the property identified as Lands Peach Tree Terrace and Corto Meno Sand & Gravel II, LLC (APN 019-320-019; 019-320-022; and 019-320-023), for the Highway 101 Interchange and Improvement Project at the Marin Sonoma Narrows, Caltrans Project No. 264089. (4/5 vote required) (Second District)

**COMMUNITY DEVELOPMENT COMMISSION**

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

**AND**

**BOARD OF SUPERVISORS**

35. Homeless Initiatives Report –
- (A) Accept a report on the status of the Winter’s cold weather response to assist homeless persons.
  - (B) Direct staff to continue work on the three components of a Homelessness Mitigation Plan.
  - (C) Authorize the Executive Director of the Community Development Commission to execute an amendment to the Fairgrounds Safe Parking Program funding agreement with Catholic Charities of the Diocese of Santa Rosa through June 30, 2014, to allow use of remaining funds for operation of a “scattered site” safe parking program on other properties at various to-be-determined locations throughout the County.

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

**COUNTY ADMINISTRATOR**

36. Adopt a Resolution authorizing the County general fund to purchase a parcel tax secured note from the Palm Drive Health Care District in an amount not to exceed \$1,800,000 to help cover the District’s transition costs resulting from their Chapter 9 bankruptcy filing and proposed closure. (4/5 vote required) (Fifth District)

**HUMAN RESOURCES**

**AND**

**AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT**

**COMMUNITY DEVELOPMENT COMMISSION**

**NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT**

**SONOMA COUNTY WATER AGENCY**

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

37. Accept staff report on a conceptual design for an Incentive Retirement Savings Plan which would include County contributions and matching of employee savings for retirement consistent with the Board’s Pension Reform goals.

REGULAR CALENDAR (Continued)

**TRANSPORTATION AND PUBLIC WORKS**

38. Adopt a Resolution introducing, reading title of and waiving further reading of an Ordinance of the County of Sonoma establishing a No Parking Zone on East Napa Street (#5506) at its intersection with Eighth Street East in Sonoma. (First Reading) (First District)

**BOARD OF SUPERVISORS**

39. Approve fee waiver in the amount of \$4,347 for permit and health fees for the Forestville Youth Park's annual parade and fundraiser. (Fifth District)

**NOTE:**

**11:30 A.M.** – Adopt a Gold Resolution declaring April 15, 2014 as “Saralee Day” in Sonoma County in celebration of the life of the late Saralee McClelland Kunde and appointing her as a Permanent “Honorary” Board Director of the Sonoma County Fair and Exposition Board. (Countywide) (Consent Item #3)

**V. CLOSED SESSION CALENDAR**

(Items 40 through 44)

40. 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. Employee organization: All. Unrepresented employees: All, including retired employees (Govt. Code Section 54957.6 (b)).
41. The Board of Supervisors will consider the following in closed session: Public Employee Performance Evaluation – Title: Permit and Resource Management Department Director (Govt. Code Section 54957(b)(1)).
42. The Board of Directors of the Sonoma County Water Agency will consider the following in closed session: Public Employee Performance Evaluation – Title: Sonoma County Water Agency General Manager (Govt. Code Section 54957(b)(1)).
43. The Board of Supervisors will consider the following in closed session: Existing Litigation – Name of Case: Sonoma County Association of Retired Employees (SCARE) v. Sonoma County United States District Court, Northern District: Case No. CV-09-4432 CW (Govt. Code Section 54956.9(d)(1)).
44. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel – Exposure to Litigation – RWQCB Letter dated March 14, 2014 concerning potential discharge violations concerning compost operations at the Central Disposal Site. (Govt. Code Section 54956.9(d)(2)).



**VI. REGULAR AFTERNOON CALENDAR**

(Items 45 through 50)

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

45. Report on Closed Session.
46. **PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA** (Comments are restricted to matters within the Board's 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. While members of the public are welcome to address the Board, under the Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally may only listen.)
47. Permit and Resource Management Department: Review and possible action on the following:
- a) Acts and Determinations of Planning Commission/Board of Zoning Adjustments
  - b) Acts and Determinations of Project Review and Advisory Committee
  - c) Acts and Determinations of Design Review Committee
  - d) Acts and Determinations of Landmarks Commission
  - e) Administrative Determinations of the Director of Permit and Resource Management

**PERMIT AND RESOURCE MANAGEMENT**

48. **2:10 P.M. – ORD14-0006 – (ALL DISTRICTS)**
- a) APPLICANT: County of Sonoma
  - b) LOCATION: Various
  - c) ASSESSOR'S PARCEL NO.: Various
  - d) ENVIRONMENTAL DOCUMENT: Categorical Exemption
  - e) REQUEST: Conduct a public hearing and adopt an Ordinance extending the Economic Stimulus Ordinance to allow automatic extension of time on land use permits and make an exception allowing vacation rentals in the Land Intensive Agriculture (LIA) zone (originating ordinance amended Chapter 26 of the Sonoma County Code), and find the project exempt from the California Environmental Quality Act (CEQA).

**COUNTY ADMINISTRATOR**

49. Receive presentation regarding the history, status and potential future of the Sonoma Development Center.
50. **ADJOURNMENTS**

**NOTE: The next regular meeting will be held on April 22, 2014.**

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

- 1. April 22<sup>nd</sup> (AM) – TEFRA Hearing for Sonoma Academy
- 2. April 22<sup>nd</sup> (PM) – Consolidated Fee Hearings
- 3. May 6<sup>th</sup> (PM) – ZCE13-0014; Zone Change, 505 Dusty Lane, Sebastopol
- 4. May 6<sup>th</sup> (PM) – UPE07-0008; Cornell Winery Use Permit Application, 100, 245, 420, 500 and 560 Spring Mountain Summit Trail in eastern Sonoma County
- 5. May 13<sup>th</sup> (AM) – NSCAPCD Fiscal Year 2014-15 budget Hearing
- 6. May 13<sup>th</sup> (PM) – GPA13-0013; General Plan Amendment
- 7. May 13<sup>th</sup> (PM) – ZCE13-0019; Zone Change, 701 Leveroni Road, Sonoma



County of Sonoma  
Agenda Item  
Summary Report

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

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

**To:** Board of Supervisors

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

Efren Carrillo 565-2241

**Supervisorial District(s):**

Fifth

**Title:** Gold Resolution

**Recommended Actions:**

Approve Gold Resolution honoring the Graton Community Club on the occasion of their Diamond Jubilee Anniversary. (Fifth District)

**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	\$		\$
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):**

**Staffing Impacts**

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

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

None.

**Attachments:**

Gold Resolution.

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

None.



# County of Sonoma

## State of California

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Date: April 15, 2014

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, Congratulating The Graton Community Club On The Occasion Of Their Diamond Jubilee**

**Whereas,** The Oak Grove Home and School Club was established in 1914 by a group of Graton women to support the students and families of Oak Grove School; and

**Whereas,** in 1916 the group purchased the Incubator building for \$500 to create a community center, and moved the building onto three lots at the corner of Edison and Main Streets, one purchased for \$100 and others donated by James H. Gray and Mr. and Mrs. George D. Wirts, and the club embarked on several major remodeling projects conducted by members and their families; and

**Whereas,** decade by decade, in good times and bad, the Graton Community Club - so renamed in 1923 - worked together on many projects to benefit the children in the community: providing school lunch, donating books, supporting science and nature studies through the Laura Griffith Huffine Nature Award at Oak Grove School and later at El Molino High School, purchasing eyeglasses, sending local children to Outdoor Education, Boy Scout, and Camp Fire Girls camp, making quilts, handmade dolls and toys for the Salvation Army orphanage at Lytton Springs, opening a branch of the Sonoma County Library in the building annex, sponsoring Santa Day for local children, supporting Project Graduation; and

**Whereas,** perhaps their greatest gift to the community has been their Santa Rosa Junior College Scholarship program, established in 1953 benefitting well over 150 local students in their support of higher education; and

**Whereas,** projects serving the greater community included: supporting Veterans at Letterman Hospital, sewing garments for the Red Cross, providing a polling place and a venue for candidate nights, concerts, supporting the Graton Fire Protection District, Graton Clean Up Day, Sebastopol Ambulance fund, designating the building as a disaster relief center with the Red Cross, hosting community meetings and events; and

**Whereas,** the Graton Community Club is famed for its semiannual flower shows – which began in 1923 with a Dahlia Tea, and include beautiful displays made by members, handmade crafts for sale, homemade lunch including cake, and home grown plant sales – all proceeds

Resolution #

Date:

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support the scholarship fund and building maintenance; and

**Whereas**, the Graton Community Club members have volunteered countless hours in order to support their philanthropic mission of supporting the Graton community and its children, Sonoma County at large, and are to be commended for sustaining and supporting the Club building as a community icon and gathering place of historic significance.

**Now, Therefore, Be It Resolved** that the Board of Supervisors congratulates the Graton Community Club on the occasion of its Diamond Jubilee, and commends its members for 100 years of service to the community of Graton and Sonoma County.

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

**To:** Board of Supervisors

**Board Agenda Date:** April 15, 2014

**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 two Gold Resolutions congratulating Darren Peterie and Tom Rusert, Co-Founders of Sonoma Birding, on being named the 2013 John Muir Conservationist of the Year. (First District)

**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>			
Resolutions			
<b>Related Items “On File” with the Clerk of the Board:</b>			



# County of Sonoma

## State of California

Date: April 15, 2014

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

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

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Congratulating Tom Rusert, Co-Founder of Sonoma Birding, on being named the  
2013 John Muir Conservationist of the Year**

**WHEREAS**, Tom Rusert has dedicated his considerable talents and energies to conservation efforts that have positively affected his community and thusly been named the Conservationist of the Year by the John Muir Association; and

**WHEREAS**, The mission of the John Muir Association is to celebrate the life, share the vision, and preserve the legacy of John Muir through education, preservation, advocacy and stewardship, in partnership with the National Park Service at the John Muir National Historic Site; and

**WHEREAS**, Tom Rusert is an individual “who has excelled in environmental protection, or made significant contributions to the advancement of conservation” and

**WHEREAS**, Tom Rusert and Darren Peterie co-founded Sonoma Birding based in Sonoma Valley, California in 2004 as a volunteer “citizen science” based conservation organization. Sonoma Birding established sustainable bird and nature-related activities and programs for all ages through a variety of partnerships in the United States and Canada; and

**WHEREAS**, The John Muir Association supports the National Park Service in sustaining the John Muir National Historic Site a center for education, inspiration, and advocacy of the legacy of John Muir. In keeping with this mission, each year since 1978, the John Muir Association has honored those who continue John Muir's legacy of environmental preservation; and

**WHEREAS**, in 2005, Tom and Darren established the traditional Audubon Christmas Bird Count in Sonoma Valley. The following year they established the Christmas Bird Count for Kids (CBC4Kids) which has become a movement with nearly 100 events and 3000 youngsters throughout North America; and

**WHEREAS**, in 2010 they hosted the California Western Burrowing Owl Consortium in 2010 and have created numerous science-based, bird-related programs for children, including the Pt. Reyes Bird Festival Birdathon for Kids; and

**WHEREAS**, In 2012 and 2013, they sponsored the Wine County Optics and Nature Festival,



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Date:

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attracting more than 1,000 people each year. For the past nine years, Sonoma Birding has hosted distinguished speakers from around the United States as part of their Wine Country Nature Lecture Series; and

**WHEREAS**, in 2013, The John Muir Association recognized Tom's outstanding contributions to education, advocacy and stewardship of the natural of the natural world, and

**Now, Therefore, Be It Resolved that the Board of Supervisors of Sonoma County hereby Congratulates Tom Rusert, Co-Founder of Sonoma Birding, on being named the 2013 John Muir Conservationist of the Year.**

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



# County of Sonoma

## State of California

Date: April 15, 2014

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

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

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Congratulating Darren Peterie, Co-Founder of Sonoma Birding, on being named the  
2013 John Muir Conservationist of the Year**

**WHEREAS**, Darren Peterie has dedicated his considerable talents and energies to conservation efforts that have positively affected his community and thusly been named the Conservationist of the Year by the John Muir Association; and

**WHEREAS**, The mission of the John Muir Association is to celebrate the life, share the vision, and preserve the legacy of John Muir through education, preservation, advocacy and stewardship, in partnership with the National Park Service at the John Muir National Historic Site; and

**WHEREAS**, Darren Peterie is an individual “who has excelled in environmental protection, or made significant contributions to the advancement of conservation” and

**WHEREAS**, Darren Peterie and Tom Rusert co-founded Sonoma Birding based in Sonoma Valley, California in 2004 as a volunteer “citizen science” based conservation organization. Sonoma Birding established sustainable bird and nature-related activities and programs for all ages through a variety of partnerships in the United States and Canada; and

**WHEREAS**, The John Muir Association supports the National Park Service in sustaining the John Muir National Historic Site a center for education, inspiration, and advocacy of the legacy of John Muir. In keeping with this mission, each year since 1978, the John Muir Association has honored those who continue John Muir's legacy of environmental preservation; and

**WHEREAS**, in 2005, Darren and Tom established the traditional Audubon Christmas Bird Count in Sonoma Valley. The following year they established the Christmas Bird Count for Kids (CBC4Kids) which has become a movement with nearly 100 events and 3000 youngsters throughout North America; and

**WHEREAS**, in 2010 they hosted the California Western Burrowing Owl Consortium in 2010 and have created numerous science-based, bird-related programs for children, including the Pt. Reyes Bird Festival Birdathon for Kids; and

Resolution #

Date:

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**WHEREAS**, In 2012 and 2013, they sponsored the Wine County Optics and Nature Festival, attracting more than 1,000 people each year. For the past nine years, Sonoma Birding has hosted distinguished speakers from around the United States as part of their Wine Country Nature Lecture Series; and

**WHEREAS**, in 2013, The John Muir Association recognized Darren's outstanding contributions to education, advocacy and stewardship of the natural of the natural world, and

**Now, Therefore, Be It Resolved that the Board of Supervisors of Sonoma County hereby Congratulates Darren Peterie, Co-Founder of Sonoma Birding, on being named the 2013 John Muir Conservationist of the Year.**

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

**To:** Board of Supervisors

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

Mike McGuire 565 3758

**Supervisorial District(s):**

Countywide

**Title:** Saralee McClelland Kunde Recognition and Appointment

**Recommended Actions:**

Adopt a Gold Resolution declaring April 15, 2014 as "Saralee Day" in Sonoma County in celebration of the life of the late Saralee McClelland Kunde and appointing her as a Permanent "Honorary" Board Director of the Sonoma County Fair and Exposition Board. (Countywide)

**Executive Summary:**

Saralee was a driving force behind many successful strategies to promote the Sonoma County Fair and Harvest Fair. Her relentless commitment to enhance our future farmers through 4-H and FFA, her ability to bring vintners together to collaborate and most importantly her efforts to share the farm way of life with the local community all contribute to her great legacy.

Saralee, who was 66, passed away January 26, 2014 following a courageous battle with cancer.

In honor of the late Saralee McClelland Kunde, a Sonoma County agricultural icon, the Sonoma County Board of Supervisor is declaring April 15, 2014 "Saralee Day", hosting the Travelling Sonoma County Fair for a lunchtime celebration open to the public at the County Center, and appointing her to the Sonoma County Fair Board as a permanent "Honorary" Director.

The 15 member Sonoma County Fair Board is appointed by the Board of Supervisors and oversees the management of the annual Sonoma County Fair and the fairgrounds facilities.

**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	\$		\$
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):**

<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)

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

**Attachments:**

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



# County of Sonoma

## State of California

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Date: April 15, 2014

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 THE FIFTEENTH DAY OF APRIL,  
TWO THOUSAND FOURTEEN AS SARALEE McCLELLAND KUNDE DAY IN  
SONOMA COUNTY AND HERBY APPOINTING THE LATE  
SARALEE McCLELLAND KUNDE AS A PERMENENT  
“HONORARY” BOARD OF DIRECTOR OF THE  
SONOMA COUNTY FAIR AND EXPOSITION BOARD**

**Whereas**, today, April 15, 2014 we celebrate the life of Saralee McClelland Kunde, (January 4, 1948 to January 26, 2014) a dairy ranchers' daughter who became a grower of prized wine grapes and an irresistible force for the celebration of Sonoma County agriculture; and

**Whereas**, revered as a superstar by others who work to promote the county's grapes, wines, milk and other bounty, and to preserve its ranch- and farmlands; and

**Whereas**, she championed the Sonoma County Harvest Fair since its inception and was key to the Select Sonoma County marketing campaign and the Russian River Valley Winegrowers; and

**Whereas**, she was a generous philanthropist who rallied others to contribute to myriad Sonoma County causes, among them the 4-H Center in Rohnert Park; and

**Whereas**, she was the county's Daffodil Queen, purchasing hundreds of thousands of bulbs and doling them to anyone who pledged to plant them alongside local highways and roads; and

**Whereas**, tireless and innovative, Kunde constantly enacted strategies to promote the Harvest Fair and the Sonoma County Fair, to challenge and inspire youth involved in 4-H and Future Farmers of America, fortify cooperation among grape growers and other producers, and introduce the general public to the farm experience; and

**Whereas**, Kunde often attributed her love of agriculture and her can-do spirit to her late Irish-American parents, Robert and Lillian "Sweet Lil" McClelland. In 1938, the couple bought a milk route in Marin County and subsequently entered the dairy business, hand-milking 18 brown Swiss cows. In 1964, Bob and Lil McClelland purchased a ranch in the Two Rock area west of Petaluma and created the dairy that today is operated by son George McClelland and his family; and

**Whereas**, born in Marin, Saralee hurled herself into the dairy operation and into 4-H, raising Holsteins and showing them at local fairs. As a young woman, she went to work in the Sonoma County Fair's premium office, and in 1980 was promoted to overseeing the prize-paying competitions and junior livestock auction. She would remain a creative force at the fair for the rest of her life. There she met her husband, Richard Kunde, a member of the Kunde family of grape growers and winemakers that set roots in Kenwood more than 100 years ago. They married in 1982; and

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Date:

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**Whereas,** The Kundes became wine-grape growers on the 265-acre vineyard estate they created on Slusser Road, between River Road and the Charles M. Schulz-Sonoma County Airport. The centerpiece of the estate, known as "Richard's Grove and Saralee's Vineyard," became the private park they created and shared generously with the community. Thousands of people raised millions of dollars in the grove they created; and

**Whereas,** we all were inspired by Saralee and will think fondly of her "Motto to Live By" that hung on her office and proclaimed: "Life should NOT be a journey to the grave with the intention of arriving safely in an attractive and well preserved body but rather to skid in sideways, chocolate in one hand, wine in the other, body thoroughly used up, totally worn out and screaming, 'WHOO HOO, what a ride!'"

**Now, Therefore, Be It Resolved** that the Sonoma County Board of Supervisors hereby recognizes April Fifteen, Two Thousand Fourteen as "Saralee McClelland Kunde Day" in Sonoma County and In honor of the late Saralee McClelland Kunde and all she did for our community, fair and for her unwavering passion for agriculture, the Sonoma County Board of Supervisors, along with the community, is appointing her to the Sonoma County Fair Board as a permanent "Honorary" Director.

**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 of Sonoma County

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

**Department or Agency Name(s):** Human Resources

**Staff Name and Phone Number:**

Sylvia Lemus, 565-1702

**Supervisorial District(s):**

All

**Title:** County Volunteer and Outstanding Volunteer Recognition.

### **Recommended Actions:**

1. Adopt a resolution recognizing approximately 3,000 volunteers who served at the County during fiscal year 2012-2013.
2. Approve 16 resolutions recognizing the contributions of the selected Outstanding Volunteers.

### **Executive Summary:**

Each year, the County of Sonoma recognizes the approximately 3,000 volunteers for National Volunteer Week, observed nationally from April 6 to April 13, 2014.

In the County of Sonoma, there have been individuals who have given of themselves through volunteerism for many years. The formal Volunteer Program, administered by the Human Resources Department, was established in January 1984.

The County benefits from the many volunteers committed to providing services that help to support the community. For example, volunteers act as tutors and mentors to abused and neglected children and offer support to the mentally ill. There are trained volunteers who assist with searches for lost and missing persons, as well as volunteers who respond to hazardous materials incidents. Volunteers groom and care for animals in the County shelter, guide visitors in County parks, assist with research, provide translation skills, and perform countless other meaningful deeds that benefit our community.

This year, the County's 30<sup>th</sup> Annual Volunteer Recognition Reception Event, coordinated and facilitated by the Human Resources Department, will be held on Thursday, April 17, 2014, from 3:45 to 6:00 p.m. at the Sonoma County Fairgrounds, Finley Hall Building. All of the County's many volunteers will be recognized at this event with special recognition to the 16 selected as this year's Outstanding Volunteers. The 16 outstanding volunteers were identified by departments and programs for which they volunteer as having contributed one or more of the following:



- An extraordinary number of hours in a year's period,
- A longstanding commitment to the department/program,
- An effort of exceptional quality,
- Participation in a project with wide-ranging impact, and/or
- Other actions the department considers invaluable or extraordinary.

This year's 16 Outstanding Volunteers who will be presented with gold resolutions at the event are:

1. **Stephen Newburn**, Community Development Commission - Administrative/Accounting Volunteer.
2. **Bill Reed**, District Attorney's Office, Family Justice Center – Family Justice Center Volunteer.
3. **Norma Giordano**, Department of Child Support Services – Office Assistant Volunteer
4. **Claire Short and Pat Seddon**, Department of Health Services, Animal Care & Control Division – Cat Cuddling, Dog Walking, and Website Photography Volunteers.
5. **Fred Leif**, Fire & Emergency Services – Radio Operator and Coast Unit Leader.
6. **Chief Michael Mickelson**, Fire & Emergency Services - Fire Chief, Wilmar Volunteer Fire Company.
7. **Lisa Steinman**, Fire & Emergency Services – Hazardous Material Response Team Volunteer.
8. **Pam Hughes**, Human Services Department, Valley of the Moon Children's Home – Library Volunteer.
9. **Richard Rapp**, Probation Department – Juvenile Hall Volunteer.
10. **Max Johnson**, Permit & Resources Management Department – Special Projects Volunteer.
11. **Dennis and Laura Jaques**, Regional Parks – Park Trail Monitor.
12. **Karin Lease**, Regional Park – Park Trail Monitor.
13. **Phil Sutsos**, Sheriff's Office – Reserve Deputy Volunteer.
14. **Steve Ellis**, Sheriff's Office - Search and Rescue Volunteer.
15. **Eileen Adams**, Sheriff's Office – Volunteers in Policing (VIP).
16. **Kim Pearson**, University of California Coop Extension – Sonoma County Master Gardener.

**Prior Board Actions:**

Since 1984 the Board has, annually, adopted a resolution recognizing the efforts of its County volunteers in honor of National Volunteer Week; and also adopted separate resolutions to recognize individuals selected as Outstanding Volunteers.

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

County provides volunteer opportunities for citizens to participate and learn about county government and services. Volunteers enhance and augment the services provided to the community.

**Fiscal Summary - FY 13-14**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$ 5720		\$ 5720
Add Appropriations Req'd.	\$ 0	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 5720</b>	<b>Total Sources</b>	<b>\$ 5720</b>

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

These budgeted recurring annual costs are divided between the Volunteer Recognition Reception, Outstanding Volunteers, and the Jefferson Awards events. No additional appropriations are being requested.

**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 staffing impact.

**Attachments:**

Seventeen resolutions; one for National Volunteer Week, and 16 for Outstanding Volunteers.

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

None.



County of Sonoma  
State of California

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Date: April 15, 2014

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, in  
Observance of National Volunteer Week to Appreciate and Recognize the Invaluable  
Contribution that Volunteers Made to the County Government During Fiscal Year 2012-2013.**

**Whereas**, National Volunteer Week 2014 is observed April 6 to April 13, 2014; and

**Whereas**, the County of Sonoma recognizes that the involvement of volunteers is vitally important in augmenting essential public services provided by County departments to our community; and

**Whereas**, the contribution of these volunteers is an important asset to the County and to our community, adding approximately 5.6 million dollars' worth of services, as well as immeasurably enhancing the quality of public services to our community; and

**Whereas**, it is important to recognize the efforts of these volunteers in honor of National Volunteer Week 2014, by hosting the 30th Annual Volunteer Recognition Reception on April 17, 2014, in their honor; and

**Now, Therefore, Be It Resolved** that this Board of Supervisors expresses its gratitude, respect, and sincere appreciation to these volunteers and recognizes the importance of their contribution to the county and community during National Volunteer Week.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



County of Sonoma  
State of California

Date: April 15, 2014

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

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

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Recognizing The Valuable Contribution of Outstanding Volunteers for 2013.**

**Whereas**, the County of Sonoma recognizes the value and importance of volunteer skills and energy; and

**Whereas**, Stephen Newburn came to Community Development Commission as an enthusiastic volunteer while on summer break from school, and even with the competing obligation of school, has managed to volunteer over 900 hours in 2013; and

**Whereas**, Stephen has been extremely reliable, available, flexible, open-minded, and most importantly, willing, to take on any task from loan interest calculations and loan database projects in the accounting department, to records management projects throughout the CDC; and

**Whereas**, he often shares his vast knowledge of obscure informational facts which keeps staff entertained; and

**Whereas**, Stephen is highly committed to the program and even takes the bus from Rohnert Park three times a week to get to the office; and

**Now, Therefore, Be It Resolved**, on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby expresses its sincere and heartfelt appreciation to Stephen Newburn for his valuable contribution.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



County of Sonoma  
State of California

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Date: April 15, 2014

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,  
Recognizing The Valuable Contribution of Outstanding Volunteers for 2013.**

**Whereas**, the County of Sonoma recognizes the value and importance of volunteer skills and energy; and

**Whereas**, Bill Reed has volunteered more than 311 hours since, November 13, 2012, when he joined The Family Justice Center Sonoma County (FJCSC) as a volunteer; and

**Whereas**, Bill makes himself available to volunteer his time whenever needed, and always keeps updated on protocol so that he can best serve victims of family violence that access the Center; and

**Whereas**, he creates a warm and welcoming atmosphere for everyone who enters the Family Justice Center, often times making friends with members of the public that are attempting to seek services; and

**Whereas**, Bill's former careers in law enforcement and with the District Attorney's Office give him a strong connection and background to address the difficult work at the Family Justice Center; and

**Whereas**, Bill is a highly regarded volunteer who treats everyone he meets with courtesy and respect; and

**Now, Therefore, Be It Resolved**, on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby expresses its sincere and heartfelt appreciation to Bill Reed for his valuable contribution.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

Resolution #

Date:

Page 2

**So Ordered.**



County of Sonoma  
State of California

---

Date: April 15, 2014

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

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

---

4/5 Vote Required

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**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Recognizing The Valuable Contribution of Outstanding Volunteers for 2013.**

**Whereas**, the County of Sonoma recognizes the value and importance of volunteer skills and energy; and

**Whereas**, Norma Giordano, after retiring as a Legal Secretary from Child Support Services in 2002, has returned for 12 years to assist with a variety of clerical assignments, volunteering 273 hours in 2013 alone; and

**Whereas**, Norma volunteers on a regular basis because she likes to be on the go, enjoys the variety of assignments, but mostly, because she treasures the relationships she has developed over the past 30 years; and

**Whereas**, Norma provides a great deal of knowledge and mentoring to the legal support staff; and

**Whereas**, Norma completes every assignment with attention to detail and her efforts help relieve the workload on the staff and her co-workers; and

**Now, Therefore, Be It Resolved**, on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby expresses its sincere and heartfelt appreciation to Norma Giordano for her valuable contribution.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



County of Sonoma  
State of California

---

Date: April 15, 2014

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

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

---

4/5 Vote Required

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**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Recognizing The Valuable Contribution of Outstanding Volunteers for 2013.**

**Whereas**, the County of Sonoma recognizes the value and importance of volunteer skills and energy; and

**Whereas**, Claire Short and Pat Seddon have been committed volunteers at the animal shelter for over four years, and they are as devoted today as they were the first day, coming in at least once a week; and

**Whereas**, Claire and Pat started out as Canine and Feline Kennel Assistants (dog walkers and cat cuddlers), doing a wonderful job training the dogs and loving the cats, and their efforts have increased the quality of service to the animals; and

**Whereas**, Claire and Pat have done a magnificent job photographing the bunnies, cats, dogs, goats, and other animals at the shelter and together have produced stunning shelter animal portraits that are highlighted on the website; and

**Whereas**, Claire did an outstanding job photographing shelter animals for the "Glamorous Animals of the Sonoma County Animal Shelter - 2014 Calendar"; and

**Whereas**, the shelter staff, volunteers, community, and especially the animals under the county's care have been greatly served by the photographic contributions of Claire and Pat; and

**Now, Therefore, Be It Resolved**, on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby expresses its sincere and heartfelt appreciation to Claire Short and Pat Seddon for their valuable contribution.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:



Resolution #

Date:

Page 2

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



County of Sonoma  
State of California

Date: April 15, 2014

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

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

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Recognizing The Valuable Contribution of Outstanding Volunteers for 2013.**

**Whereas**, the County of Sonoma recognizes the value and importance of volunteer skills and energy; and

**Whereas**, Fred Leif has been a Radio Operator and Coast Unit Leader in the Fire & Emergency Service, Auxiliary Communications Services (ACS) since April 2003; and

**Whereas**, Fred has spent innumerable hours working quietly behind the scenes, encouraging, supporting, guiding, mentoring and giving wise counsel to others in the ACS program; and

**Whereas**, he has developed programs over the years that have added great value to emergency communications and ACS; and

**Whereas**, Fred is one of our hardworking volunteers who does not look for recognition, but always smiles and says "thank you", because he is doing exactly what he loves; and

**Now, Therefore, Be It Resolved**, on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby expresses its sincere and heartfelt appreciation to Fred Leif for his valuable contributions.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



County of Sonoma  
State of California

---

Date: April 15, 2014

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

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

---

4/5 Vote Required

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**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Recognizing The Valuable Contribution of Outstanding Volunteers for 2013.**

**Whereas**, the County of Sonoma recognizes the value and importance of volunteer skills and energy; and

**Whereas**, Chief Michael Mickelson started volunteering with the Wilmar Volunteer Fire Company 38 years ago at the age of nine, when he would open barn doors as his first assignment and has become an exemplary leader and responder; and

**Whereas**, Chief Mickelson has attended over 220 emergency calls and 98% of the training in 2013, thereby providing an extremely valuable presence in the community for his department, and is instrumental in leading the Wilmar Volunteer Fire Company; and

**Whereas**, Chief Mickelson leads by example and promotes a high level of skill, proficiency, and scene safety, ensures that the department provides additional training to the volunteers, and has implemented an Explorer Firefighter program which trains young people to join the department or volunteer once they turn 18; and

**Whereas**, Chief Mickelson enjoys working with the Board of Directors, firefighters and the community; and

**Now, Therefore, Be It Resolved**, on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby expresses its sincere and heartfelt appreciation to Chief Michael Mickelson for his valuable contributions.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Resolution #

Date:

Page 2

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



County of Sonoma  
State of California

---

Date: April 15, 2014

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

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

---

4/5 Vote Required

---

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Recognizing The Valuable Contribution of Outstanding Volunteers for 2013.**

**Whereas**, the County of Sonoma recognizes the value and importance of volunteer skills and energy; and

**Whereas**, Lisa Steinman began volunteering with the Hazmat Team through the Gold Ridge Fire Department in 2013, and has shown a remarkable degree of dedication, and has rapidly acquired a wide range of skills in emergency response; and

**Whereas**, she is continuing to quickly learn job skills that support the team and is one of the team members that volunteers the most hours; and

**Whereas**, Lisa maintains a consistently positive, team-oriented attitude and thereby is nominated as the Hazmat 2013 Outstanding Volunteer; and

**Now, Therefore, Be It Resolved**, on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby expresses its sincere and heartfelt appreciation to Lisa Steinman for her valuable contribution.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



County of Sonoma  
State of California

Date: April 15, 2014

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

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

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Recognizing The Valuable Contribution of Outstanding Volunteers for 2013.**

**Whereas**, the County of Sonoma recognizes the value and importance of volunteer skills and energy; and

**Whereas**, Pam's interest in serving at-risk children, and her passion for reading has made her the perfect fit as the "library lady" at Valley of the Moon Children's Center; and

**Whereas**, Pam Hughes has been a volunteer with the Valley of the Moon Children's Center since 2009, and her exceptional effort has helped take a fledgling children's book collection and turned it into a living library that is responsive to the interests of the children; and

**Whereas**, Pam has developed a carefully curated library from books donated from the local community, which meets her goal of piquing children's interest to encourage them to read; and

**Whereas**, she has been one of the most committed volunteers and has provided exceptional service and consistency to the children at Valley of the Moon Children's Center; and

**Now, Therefore, Be It Resolved**, on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby expresses its sincere and heartfelt appreciation to Pam Hughes for her valuable contribution.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

Resolution #

Date:

Page 2

**So Ordered.**



County of Sonoma  
State of California

Date: April 15, 2014

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

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

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Recognizing The Valuable Contribution of Outstanding Volunteers for 2013.**

**Whereas**, the County of Sonoma recognizes the value and importance of volunteer skills and energy; and

**Whereas**, Richard Rapp started volunteering at Juvenile Hall in 2005, and in 2011 was asked to become the first volunteer Tutor Coordinator at Los Guilicos; and

**Whereas**, aside from overseeing the tutoring process, Richard, a retired teacher, finds time to personally tutor and donated 105 hours in 2013; and

**Whereas**, Richard has worked hard to help expand the program to the current twelve active tutors, and plans to bring on five to eight more in the near future; and

**Whereas**, Richard enjoys providing the residents with the means to problem solve, resulting in an increased self-esteem for the residents; and

**Whereas**, staff at Juvenile Hall admire Richard's professionalism, high standards, and great work integrity; and

**Whereas**, Richard has given residents hope and pride through the successes experienced by the residents; and

**Now, Therefore, Be It Resolved**, on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby expresses its sincere and heartfelt appreciation to Richard Rapp for his valuable contributions.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:



Resolution #

Date:

Page 2

**So Ordered.**



County of Sonoma  
State of California

---

Date: April 15, 2014

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

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

---

4/5 Vote Required

---

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Recognizing The Valuable Contribution of Outstanding Volunteers for 2013.**

**Whereas**, the County of Sonoma recognizes the value and importance of volunteer skills and energy; and

**Whereas**, Max Johnson has been a reliable and capable volunteer at PRMD since September 2006, and has shared his time between the Information Services Department and PRMD's Building/Plan Check Division; and

**Whereas**, he works independently scanning historic maps and reference documents, including many fragile and irreplaceable documents to make them more accessible to staff, thereby increasing productivity and efficiency; and

**Whereas**, Max has initiated many process improvements through his suggestions, which have helped the departments gain efficiencies and many of the resources that staff at PRMD use on a daily basis are now readily available due to Max's diligent and significant efforts; and

**Whereas**, Max is a valued member of the PRMD team and always has a bright smile and cheery word for the other staff; and

**Now, Therefore, Be It Resolved**, on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby expresses its sincere and heartfelt appreciation to Max Johnson for his valuable contributions.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

Resolution #

Date:

Page 2

**So Ordered.**



County of Sonoma  
State of California

Date: April 15, 2014

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

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

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Recognizing The Valuable Contribution of Outstanding Volunteers for 2013.**

**Whereas**, the County of Sonoma recognizes the value and importance of volunteer skills and energy; and

**Whereas**, Dennis and Laura Jaques, County of Sonoma retirees, have spent close to a thousand hours volunteering at Spring Lake Park in the past three years; and

**Whereas**, during that time they have helped with park landscaping by maintaining trails, removing invasive plants and weeds, pruning overgrown trails, spreading mulch and raking leaves, and have repainted bathrooms, curbs and signs, as well as serving as camp hosts; and

**Whereas**, Dennis and Laura also make time to volunteer at department events such as the Tolay Fall Festival, the Spring Lake Water Bark, and the Healdsburg Water Carnival; and

**Whereas**, their commitment to give back after their years of County service is truly inspiring and Sonoma County Regional Parks is extremely fortunate to work with this fun, hardworking couple; and

**Now, Therefore, Be It Resolved**, on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby expresses its sincere and heartfelt appreciation to Dennis and Laura Jaques for their valuable contributions.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**

Resolution #

Date:

Page 2



County of Sonoma  
State of California

---

Date: April 15, 2014

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

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

---

4/5 Vote Required

---

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Recognizing The Valuable Contribution of Outstanding Volunteers for 2013.**

**Whereas**, the County of Sonoma recognizes the value and importance of volunteer skills and energy; and

**Whereas**, Karin Lease has volunteered to walk the park trails and report back on their condition for the last nine years; and

**Whereas**, Karin has volunteered thousands of hours on projects such as, mapping invasive plants, picking up litter, reporting on hazardous conditions, and participating in workdays; and

**Whereas**, Karin is a champion for our outdoor lands and cares passionately about their preservation, which accounts for her logging thousands of miles patrolling our park trails; and

**Whereas**, Karin is always willing to go above and beyond in her volunteer service to Sonoma County Regional Parks; and

**Now, Therefore, Be It Resolved**, on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby expresses its sincere and heartfelt appreciation to Karin Lease for her valuable contributions.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



County of Sonoma  
State of California

---

Date: April 15, 2014

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

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

---

4/5 Vote Required

---

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Recognizing The Valuable Contribution of Outstanding Volunteers for 2013.**

**Whereas**, the County of Sonoma recognizes the value and importance of volunteer skills and energy; and

**Whereas**, Reserve Deputy Sheriff, Phil Sutsos, was appointed in 1986, and has volunteered nearly 8,000 at the Sonoma Valley Substation; and

**Whereas**, Phil has assisted patrol with cover/transportation unit, in addition to special events including Infineon Raceway, Bohemian Grove, Cinco de Mayo, and the Sebastopol Apple Blossom Parade; and

**Whereas**, Phil serves as Battalion Chief with Petaluma Fire and as his volunteer Fire service career draws near a close, he and his wife contemplate a move to Montana, and the Sheriff's Office is grateful for his contribution of 28 years of service; and

**Whereas**, Phil has earned the respect of his colleagues, both his fellow volunteer Reservists and the Full-time regular Deputy staff, for his many years of service; and

**Whereas**, Phil is a great example of a citizen volunteer worthy of emulation; and

**Now, Therefore, Be It Resolved**, on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby expresses its sincere and heartfelt appreciation to Phil Sutsos for his valuable contributions.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Resolution #

Date:

Page 2

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**





County of Sonoma  
State of California

Date: April 15, 2014

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

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

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Recognizing The Valuable Contribution of Outstanding Volunteers for 2013.**

**Whereas**, the County of Sonoma recognizes the value and importance of volunteer skills and energy; and

**Whereas**, Steve Ellis became a member of Search and Rescue (SAR) in March of 2004, and has volunteered over 2,850 hours, leading the team in 2013 alone with his 580 volunteer hours and 96% attendance rate during incidents and exercises; and

**Whereas**, throughout his Search and Rescue career he has acquired additional skills and proficiency as mentor, duty officer, field team leader, plan chief, interviewer, recruiting chair, ropes crew member, overhead member, and executive committee member; and

**Whereas**, Steve has recently established a SAR team investigation crew, in addition to his regular responsibilities, and began training volunteers for the crew; and

**Whereas**, Steve has assisted SAR operations by providing much needed guidance and information regarding SAR personnel matters, operations and procedures; and

**Now, Therefore, Be It Resolved**, on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby expresses its sincere and heartfelt appreciation to Steve Ellis for his valuable contributions.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



County of Sonoma  
State of California

Date: April 15, 2014

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

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

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Recognizing The Valuable Contribution of Outstanding Volunteers for 2013.**

**Whereas**, the County of Sonoma recognizes the value and importance of volunteer skills and energy; and

**Whereas**, Eileen Adams began her Volunteer In Policing (VIP) service with the Sheriff's Office in July 2005, and she has contributed nearly 5,300 hours, averaging 12 hours per week; and

**Whereas**, most of her time has been volunteering VIP Patrol, under the direction of Chief Bret Sackett and his Sergeants at Sonoma Police Department; and

**Whereas**, in addition to her patrol work, Eileen has also worked many special projects including special computer programs, "Every 15 Minutes," Hall of Justice Tours, NASCAR and many special events; and

**Whereas**, Eileen always wears a smile, and is a pleasure for co-workers and the citizenry to whom she offers assistance; and

**Now, Therefore, Be It Resolved**, on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby expresses its sincere and heartfelt appreciation to Eileen Adams for her valuable contributions.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**



# County of Sonoma

## State of California

---

Date: April 15, 2014

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

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

---

4/5 Vote Required

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### **Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Recognizing The Valuable Contribution of Outstanding Volunteers for 2013.**

**Whereas**, the County of Sonoma recognizes the value and importance of volunteer skills and energy; and

**Whereas**, Kim Pearson joined the Sonoma County Master Gardeners in 2011, and has volunteered over 1,200 hours in the last three years as a master gardener; and

**Whereas**, Kim has assumed a major responsibility for the Bloomin' Backyards Garden Tour held in 2012, was a significant contributor of crafts for the Garden Tour in 2014, has contributed to County Fair booths, and has been a speaker on Sustainable Landscaping; and

**Whereas**, Kim has created the Sonoma County Master Gardener Pinterest page and proposed a new project propagating plants and developing an innovative new education class at Jail Industries; and

**Whereas**, Kim has helped with the development of the program Garden Sense program, which is an important new effort in partnership with the Sonoma County Water Agency to help educate homeowners on water conservation practices in their home landscapes; and

**Whereas**, the Sonoma County Master Gardeners feel that the 'energizer bunny' pales in comparison to her energy and contributions; and

**Now, Therefore, Be It Resolved**, on behalf of the citizens of the County of Sonoma, this Board of Supervisors hereby expresses its sincere and heartfelt appreciation to Kim Pearson for her valuable contributions.

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

**To:** Board of Supervisors

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** No Vote Required

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

**Staff Name and Phone Number:**

Supervisor David Rabbitt, 707/565-2242

**Supervisorial District(s):**

Second District

**Title:** Gold Resolution

**Recommended Actions:**

Gold Resolution Honoring Adam Earl Ferrick for Achieving the Rank of Eagle Scout

**Executive Summary:**

**Prior Board Actions:**

**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>

<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: April 15, 2014

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

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

---

4/5 Vote Required

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**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
HONORING ADAM EARL FERRICK FOR ACHIEVING THE RANK OF EAGLE SCOUT**

**WHEREAS**, the Boy Scouts of America have a long and impressive history of preparing young men to assume responsibility in their communities; and

**WHEREAS**, Adam Ferrick, as a member of Boy Scouts of America, has worked diligently in scouting for six years; and

**WHEREAS**, Adam plans to continue his education by attending Santa Rosa Junior College in the fall focusing on general education courses with the goal of transferring to a four year college or university; and

**WHEREAS**, Adam has earned 22 merit badges which include archery, aviation, bird study, camping, canoeing, cinematography, citizenship in the community, citizenship in the nation, citizenship in the world, communication, emergency preparedness, energy, environmental science, fingerprinting, first aid, fly fishing, geology, mammal study, personal fitness, rifle shooting, small boat sailing and swimming; and

**WHEREAS**, Adam fulfilled the leadership requirement for his Eagle Scout project when he carefully planned and coordinated details to construct eight wooden benches for the Sonoma Mission which were constructed at the Petaluma Adobe, where he oversaw the construction and insured they were accurate replicas of the original benches, and then delivering the benches to the Sonoma Mission; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Sonoma County Board of Supervisors commends Adam Earl Ferrick on joining the outstanding group of Eagle Scouts.

**BE IT FURTHER RESOLVED** that the Sonoma County Board of Supervisors appreciates the effort which went into achieving that goal and anticipates that Adam Earl Ferrick will have the heart and spirit of an Eagle throughout his adult life.

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:**  
(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:** April 15, 2014

**Vote Requirement:** Majority

**Department or Agency Name(s):** Board of Supervisors (5<sup>th</sup> District)

**Staff Name and Phone Number:**

**Supervisorial District(s):**

Supervisor Efren Carrillo, 565-2241

Fifth

**Title:** Gold Resolution

**Recommended Actions:**

Approve Gold Resolution commending Luz Navarette on her contributions and advocacy helping young people recognize their potential upon the occasion of her retirement from Santa Rosa Junior College. (Fifth 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):**

**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:**

Gold Resolution

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

None.



# County of Sonoma

## State of California

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Date: April 15, 2014

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, Commending Luz Navarrette For Her Dedication To Students And Encouraging Their Potential**

**Whereas,** for forty two years, Luz Navarrette has dedicated her professional life to helping students recognize their potential and break barriers through her work as an educator, counselor, and supportive program founder with particular emphasis on first generation high-risk students; and

**Whereas,** Luz has been immersed in the pursuit of education and her culture from an early age, having been educated in both Mexico and the United States, resulting in a unique understanding of both cultures; and

**Whereas,** while at Loyola Marymount University in the pre-med program, Ms. Navarrette became involved with Upward Bound – a program that helps prepare under-represented high school students for college – and changed her major to pursue a career in counseling; and

**Whereas,** as a community member, Luz Navarrette has volunteered her time as a Board member and volunteer to numerous organizations and is the recipient of many community service awards for her efforts – in addition, she founded the Santa Rosa Dia de los Muertos event and continues to shepherd that project; and

**Whereas,** in 1988, Luz co-founded the Puente Project which she then fostered throughout the state under contract with the University of California, still offers counseling and skill building to at risk teens; in 1997 she began working with the Healthcare Workforce Development Program, establishing the Pipeline Mentorship Program for future healthcare Leaders and working with re-entry and Hope Center students.

**Now, Therefore, Be It Resolved** that the Board of Supervisors congratulates Luz Navarrette on the occasion of her retirement and thanks her for her inspiring leadership and role as an educator.

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

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

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

Corlin Gabriel 707-524-3794

**Supervisorial District(s):**

All

**Title:** High Density Filing System

### **Recommended Actions:**

Authorize Chair to execute an agreement with Systems and Space, Inc. to design and install a high density records storage system for the amount of \$50,745; agreement terminates on December 31, 2014.

### **Executive Summary:**

This item requests approval for the Chair to execute an agreement with Systems and Space, Inc., (\$50,745 through December 31, 2014) for design and installation of a high density records storage system.

### HISTORY OF ITEM/BACKGROUND

The Sonoma County Water Agency (Water Agency) maintains a large number and wide variety of records in its Records Room. The current physical records filing system is no longer adequate or efficient. The installation of a new high-density storage filing system and work area will provide increased storage capacity, versatility, safety, security, and efficiency. The new filing system requires less floor space, enabling the addition of two new standing height work tables which will create the necessary space for document review and organization, increasing productivity and efficiency. The new system is also lower in height than the current shelving, eliminating the need for portable stands or ladders to access shelves, thereby enhancing accessibility and safety.

General Services and the County Architects Office were consulted. It was determined that the use of an outside consultant was appropriate. ISD Records Management was also contacted to discuss long term goals for records management and, determined that although the transition to a paper-free records system for "new records" is in our future, we will continue to have an extensive need for physical files for historical and vital records.

**SELECTION PROCESS**

On June 2, 2013, the Water Agency issued a Request for Proposals to four firms identified through internet and telephone book searches. The Request for Proposals was also posted on the Water Agency’s website.

Services requested included design and installation of a high-density records storage filing system in the Water Agency’s Records Room and associated work furniture.

Two firms submitted Proposals:

1. Advent Office Furniture, DBA AAA Business Supplies & Interiors, Santa Rosa, CA
2. Systems & Space, Inc., Pleasanton, CA

Based on the evaluation and scoring of the proposals, Systems & Space, Inc. was determined to be the most qualified because their proposal showed the greatest responsiveness to the work requirements; had the most complete implementation plan; and contained excellent professional references demonstrating their ability to perform the work in accordance with good practices common to the industry.

**SERVICES TO BE PERFORMED**

Under the proposed Agreement, the Consultant will design and install a high density records filing system and work areas for the Water Agency’s Records Room to provide increased storage capacity, versatility, safety, security, work station flexibility, and efficiency.

The cost of services will not exceed \$50,745; the proposed Agreement terminates on December 31, 2014.

**Prior Board Actions:**

None

**Strategic Plan Alignment**      Goal 3: Invest in the Future

County Goal 3: Invest in the Future by protecting diverse, historical and vital records.  
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	\$ 50,745	Water Agency Gen Fund	\$ 50,745
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 50,745</b>	<b>Total Sources</b>	<b>\$ 50,745</b>

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

FY 2013/2014 appropriation of \$50,745 is from the Water Agency General Fund. No additional appropriation is required.

**Staffing Impacts**

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

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

None.

**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:**  
(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:** April 15, 2014

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

Anne Crealock / 547-1348

**Supervisorial District(s):**

All Districts

**Title:** Air Quality, Greenhouse Gas, and Climate Change Analysis Support for the Fish Flow Project

### **Recommended Actions:**

Authorize Chair to execute an agreement with Ascent Environmental, Inc. to provide environmental consultation for the Russian River Fish Flow Project (\$60,000; agreement terminates on April 1, 2017).

### **Executive Summary:**

This item recommends an agreement with Ascent Environmental, Inc. to provide an environmental consultation and create an Environmental Impact Report (Impact Report) for the Sonoma County Water Agency's (Water Agency) Russian River Fish Flow Project (Project).

The Impact Report will address the potential environmental impacts associated with the Project including an analysis of air quality, greenhouse gas, and climate change impacts. Due to the specific skills and knowledge needed for analysis of these impacts, the Water Agency requires additional expertise and support to complete the Project's Impact Report.

### SELECTION PROCESS

The Water Agency's Environmental Resources Section staff work on a variety of projects ranging from environmental document preparation to water quality, wildlife, and fisheries studies. Environmental Resources Section managers determined that additional consultants will be necessary to complete specialized work that includes analysis of air quality, greenhouse gas, and climate change impacts.

On February 9, 2012, Water Agency issued a Request for Qualifications to 40 consulting firms for a variety of services relating to environmental resources projects including California Environmental Quality Act and National Environmental Policy Act compliance, and invited statements of qualifications from those firms interested in providing a variety of services relating to environmental resources projects.

The Water Agency received 20 responses. Of those 20, the Water Agency determined that the following 19 firms met the minimum qualifications stated in the Request for Qualifications and were placed on a short list for selection when environmental services are needed to complete future projects:



1. Alnus Environmental, Oakland, California
2. Analytical Environmental Services (AES), Sacramento, California
3. Ascent Environmental, Sacramento, California
4. Brelje & Race, Santa Rosa, California
5. ECORP Consulting, Inc., Rocklin, California
6. ESA, Petaluma, California
7. ESSA, Vancouver, BC Canada
8. GHD, Santa Rosa, California
9. Horizon Water and Environment, Oakland, California
10. Inter-Fluve, Hood River, Oregon
11. LSA Associates, Inc., Point Richmond, California
12. M Cubed, Oakland, California
13. Monk and Associates (M&A), Walnut Creek, California
14. Parsons, Walnut Creek, California
15. Prunuske Chatham, Inc., Sebastopol, California
16. RMC Water and Environment, Walnut Creek, California
17. Tom Origer and Associates, Rohnert Park, California
18. URS Corporation, San Francisco, California
19. Vollmar Natural Lands Consulting, Berkeley, California

The Water Agency used a competitive selection process to create the environmental consultant short list. The minimum qualifications consisted of the firms' work experience, professional qualifications, and quality of work during the selection process. Those firms located within Sonoma County received additional points toward the overall score. Ascent Environmental, Inc. (Consultant) was selected from this short list.

In November 2013, Water Agency staff met with 3 consulting firms from the short list above (ESA, Horizon, and Ascent) to discuss the Impact Report qualifications and experience related to air quality, greenhouse gas, and climate change analysis. From these 3, the Consultant was selected because of the Consultant's extensive experience working on complex analyses related to air quality, greenhouse gas, and climate change including California Environmental Quality Act support for the California Air Resources Board's AB 32 Scoping Plan. Consultant also has extensive experience related to water supply and river flow management. Due to this experience and the Consultant's excellent track record in creating thorough and legally defensible California Environmental Quality Act documents, Water Agency staff selected the Consultant to perform air quality, greenhouse gas, and climate change analysis in support of the Project's Impact Report.

#### SERVICES TO BE PERFORMED

Under the proposed Agreement, Consultant will:

1. Support the Water Agency's efforts to complete the air quality, greenhouse gas, and climate change analysis for the Project's Impact Report.
2. Conduct an Air Quality and Greenhouse Gas Emissions Analysis.
3. Conduct a Climate Change Influences and Resilience Analysis.
4. Conduct a Climate Change Cumulative Impact Analysis.
5. Support Water Agency with responses to public comment on the Draft Impact Report.
6. Provide analysis first drafts, draft editing, and final drafts for use by Water Agency for the Project's Impact Report.
7. Engage in any other work related to the Fish Flow Project upon Water Agency authorization. The cost of services will not exceed \$60,000; the term end date is April 1, 2017.

**Prior Board Actions:**

12/11/2012: Approved agreement between Water Agency and Steve Grinnell, P.E. for Russian River Hydrologic Index, Modeling, Environmental Compliance and Regulatory Approval. Cost \$76,500 (fiscal year 2012/2013).

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

The Project supports Goal 2 by protecting, maintaining, and managing parks, public lands and open space systems that promote recreation, health, agricultural viability, and protects watersheds, promotes biodiversity, and contributes to local economic vitality. The specific analysis carried out by the Consultant contributes assistance to the water and energy plan that maximizes renewable energy, reduces water use and greenhouse gas production, and supports the economy.

Water Agency Sanitation Goals and Strategies, Goal 1: Meet or exceed environmental regulations and public health standards.

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 60,000	Water Agency Gen Fund	\$ -0-
Add Appropriations Req'd.	\$ -0-	State/Federal	\$ -0-
	\$	Planning/Restoration - Fees/Other	\$ 60,000
	\$	Use of Fund Balance	\$ -0-
	\$	Contingencies	\$ -0-
	\$		\$
<b>Total Expenditure</b>	<b>\$ 60,000</b>	<b>Total Sources</b>	<b>\$ 60,000</b>

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

FY 2013/2014 appropriation of \$60,000 is from the Watershed Planning/Restoration fund. No additional appropriation is required.

**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:**

None.

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

Agreement (4 Copies)

DT:\FILESERVER\DATA\CL\AGENDA\AGREES\04-15-2014 WA CLIMATE CHANGE  
ANALYSIS FOR FISH FLOW PROJECT ENVIRONMENTAL IMPACT REPORT\_SUMM.DOCM

CF/45-0-21 ASCENT ENVIRONMENTAL, INC. (AGREE FOR AIR QUALITY, GREENHOUSE GAS, AND  
CLIMATE CHANGE ANALYSES SUPPORT FOR THE FISH FLOW PROJECT ENVIRONMENTAL IMPACT  
REPORT) TW 13/14-087 (ID 4961)



## County of Sonoma Agenda Item Summary Report

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

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

**To:** Board of Directors, Sonoma County Water Agency, Occidental, Russian River and Sonoma Valley County Sanitation Districts

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

**Department or Agency Name(s):** Sonoma County Water Agency, Occidental, Russian River, and Sonoma Valley County Sanitation Districts

**Staff Name and Phone Number:**

Eric Wilhelm / 524-1172

**Supervisorial District(s):**

All

**Title:** Data Acquisition System

### **Recommended Actions:**

Authorize Chair to execute an agreement with CH2M Hill to provide as-needed support for Supervisory Control and Data Acquisition systems and related services for the amount of \$450,000; agreement terminates on June 30, 2016.

### **Executive Summary:**

This item requests approval for the Chair to execute an agreement with CH2M Hill (\$450,000 through June 30, 2016) for as-needed supervisory control and data acquisition system support and related services.

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

The Sonoma County Water Agency, Occidental County Sanitation District, Russian River County Sanitation District, and Sonoma Valley County Sanitation District (Water Agency) require support services for the maintenance, repair, design, programming, installation, and other related services of supervisory control and data acquisition, programmable logic controllers, human machine interface, variable frequency drivers, and controllers at its facilities. The Water Agency owns and operates Airport/Larkfield/Wikiup, Geyserville, and Penngrove Sanitation Zones and also operates the Occidental, Russian River, and Sonoma Valley County Sanitation Districts under contract with these entities. The Water Agency currently uses various equipment and protocols in supervisory control and data acquisition system operations.

#### **SELECTION PROCESS**

On June 27, 2013, the Water Agency issued a Request for Qualifications, which posted to the Water Agency's web site and was sent to 6 firms.

4 of the firms solicited provided responses as well as 2 additional firms who became aware of the Request for Qualifications via the Water Agency's website.

- 1) CH2M Hill, Redding, California
- 2) Tesco Controls, Sacramento, California
- 3) Nor Cal Controls, Placerville, California
- 4) JSP Automation, Sacramento, California
- 5) Sierra Controls, Carson City, Nevada
- 6) ZSI Inc., Sonoma, California

The following criteria were used to evaluate each firm: responsiveness to work requirements, professional qualifications and overall performance commitment, demonstrated ability to perform the work in accordance with good practices common to the industry, and cost. In addition, a 5% local preference weighting was given to firms from Sonoma County. The following Water Agency staff were part of the evaluation process:

Engineering Programming Manager  
Assistant General Manager  
Principal Engineer  
Engineer  
Operations Coordinator  
Senior Network Analyst  
Programmer Analyst

CH2M Hill (Consultant) was selected to perform the work because Consultant is a multidiscipline engineering firm with extensive experience supporting municipalities across the United States in the water and wastewater industry. They bring experience across a wide range of technologies which can assist the Water Agency not just with programmable logic controllers and human machine interface systems, but also with radio communications and integrating operational data with the software asset management system currently in use by the Water Agency.

#### SERVICES TO BE PERFORMED

Under the proposed Agreement, the Consultant will provide as-needed support services including but not limited to assistance with system integration, programming, repairs to existing computers, consulting, design, installation, documentation, AutoCAD drawings, training, maintenance, and after hours and emergency on-site service for the supervisory control and data acquisition system operations.

The cost of services will not exceed \$150,000 in fiscal year 2013/2014, \$150,000 in fiscal year 2014/2015, and \$150,000 in fiscal year 2015/2016; the term end date is June 30, 2016. The total agreement amount is \$450,000.

#### **Prior Board Actions:**

06/15/2010: Approved agreement between Sonoma County Water Agency, the Russian River County Sanitation District, and the Sonoma Valley River County Sanitation District and ZSI, Inc. for computer maintenance services at wastewater treatment plants and water systems. Cost

\$461,495; term end June 30, 2013

**Strategic Plan Alignment**      Goal 3: Invest in the Future

County Goal 3: Invest in the Future – Additional resources are necessary to maintain a reliable communication and SCADA infrastructure foundation on which to efficiently conduct water/wastewater operations today and in the future.

Water Agency Organizational Goals and Strategies, Goal 5: Enhance workforce capabilities.

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 150,000	Water Agency Gen Fund	\$ 0
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Water Transmission Fund Fees/Other	\$ 150,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 150,000</b>	<b>Total Sources</b>	<b>\$ 150,000</b>

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

FY 2013/2014 appropriation of \$150,000 is from the Water Transmission fund. FY 2014/2015 appropriation of \$150,000 and 2015/2016 appropriation of \$150,000 will be budgeted in those fiscal years.

**Staffing Impacts**

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

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

N/A

**Attachments:**

N/A

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

Agreement (4 Copies)



## County of Sonoma Agenda Item Summary Report

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

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

**To:** Board of Directors, Sonoma Valley County Sanitation District

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** 2/3 - SVCSD

**Department or Agency Name(s):** Sonoma Valley County Sanitation District

**Staff Name and Phone Number:**

Vic Swift 707-547-1975

**Supervisorial District(s):**

First

**Title:** Geotechnical Services for Replacement of Sonoma Valley Trunk Main

### **Recommended Actions:**

1. Authorize Chair to execute an agreement with Kleinfelder West, Inc. to provide geotechnical services for the amount of \$175,966; agreement terminates on March 31, 2017.
2. Authorize the General Manager to execute License Agreements with property owners to allow a Geotechnical investigation to be conducted in an amount not to exceed \$4,000 for all License Agreements.

### **Executive Summary:**

This item requests approval for the Chair to execute an agreement with Kleinfelder West, Inc. (\$175,966 through March 31, 2017) and authorize the General Manager to execute License Agreements in a form approved by County Counsel to access properties (in amount not to exceed \$4,000) for geotechnical and related services for the design and construction of new sewer trunk main.

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

The Sonoma Valley County Sanitation District (District) conducted a Wet Weather Overflow Study published in March 2002 which evaluated the District's sewer capacity. This effort is the fourth segment of pipe to be replaced in a multi-year systematic effort to replace aging and deteriorating infrastructure. In October 2011, the District conducted a Phase I Environmental Site Assessment from Studley Street at 6th Street West to Happy Lane in Sonoma. In August 2012, the District conducted a Geotechnical Investigation for the Agua Caliente Creek Crossing which occurs along a small portion of the overall project. Due to the depth of the trunk main, which exceeds 30 feet in some spots, it is necessary to conduct a geotechnical investigation for the balance of the fourth segment outside of the Agua Caliente Creek Crossing area. Portions of the proposed sewer alignment are outside of the District's current right of way. In order to obtain soil samples at these locations, District needs to obtain license agreements from the property owners.

## SELECTION PROCESS

The Sewer Trunk Main Replacement (Sixth Street West to Happy Lane) project will help alleviate wet weather overflows along the collection system. Recommendations on the soil conditions and groundwater are needed in order to facilitate the design and construction of the project. Since the District does not have any geotechnical engineers on staff, an outside geotechnical engineer firm is required.

On June 7, 2013, the District issued a Request for Proposal which posted to the Sonoma County Water Agency web site and was sent to 17 firms.

The 4 firms listed below submitted proposals:

1. Brunsing Associates, Santa Rosa, CA
2. Cal Engineering & Geology Inc., Walnut Creek, CA
3. Delta Group, Rocklin, CA
4. RGH Consultants, Santa Rosa, CA

The following criteria were used to evaluate each firm: Responsiveness to the work requirements, professional qualifications, demonstrated understanding of the project requirements and ability to perform the work, compliance with Disadvantaged Business Enterprise outreach, proposed schedule, and costs.

After a thorough review of the proposals received on July 10, 2013, it was determined that none of the submittals met the requirements for Disadvantaged Business Enterprise. On September 19, 2013, the District reissued the Request for Proposal with an additional requirement of attendance at a mandatory project information meeting on October 8, 2013. The Request for Proposal was posted to the web site and sent to 15 firms.

The 10 firms listed below attended a mandatory project information meeting on October 8, 2013 and submitted proposals:

1. Brunsing Associates, Santa Rosa, CA
2. Cal Engineering & Geology Inc., Walnut Creek, CA
3. Kleinfelder West, Inc., Santa Rosa, CA
4. BSK Associates, Livermore, CA
5. AGS Inc., San Francisco, CA
6. Fugro Consultants Inc., Oakland, CA
7. Hatch Mott MacDonald, Pleasanton CA
8. Geosphere Consultants Inc., San Ramon, CA
9. Engeo Inc., San Francisco, CA
10. Moore Twining Associates Inc., Sacramento , CA

The following criteria were used to evaluate each firm: Responsiveness to the work requirements, professional qualifications, demonstrated understanding of the project requirements and ability to perform the work, compliance with Disadvantaged Business Enterprise outreach, proposed schedule, and costs. Technical Writing Specialists and a Department Analyst of the Sonoma County Water Agency evaluated if the proposals met the Disadvantaged Business Enterprise requirements. The proposals that



were determined to pass the Disadvantaged Business Enterprise requirements were evaluated by Engineer IIIs of the Sonoma County Water Agency.

After a thorough review of the proposals received on October 30, 2013, it was determined that the below 6 submittals met the requirements for Disadvantaged Business Enterprise:

1. Brunsing Associates, Santa Rosa, CA
2. Kleinfelder, Santa Rosa, CA
3. BSK Associates, Livermore, CA
4. Fugro Consultants Inc., Oakland, CA
5. Hatch Mott MacDonald, Pleasanton CA
6. Moore Twining Associates Inc., Sacramento , CA

Kleinfelder West, Inc. (Consultant) was selected based on demonstrated experience and qualifications to perform the required work, including extensive geotechnical engineering expertise on trenched and trenchless sewer and water installation projects, working within Caltrans right of way, and on conducting trench shoring and dewatering evaluations.

The hiring of Consultant for this agreement causes no conflict of interest and is not based on any financial incentive provided to District or its employees and representatives.

**SERVICES TO BE PERFORMED**

Under the proposed Agreement, the Consultant will provide geotechnical engineering services for the design and construction of new sewer trunk main, including, but not limited to, soil sampling, testing, analyses, preparation of geotechnical engineering report with applicable project design recommendations, and construction support services.

The cost of services will not exceed \$175,966; the term end date is March 31, 2017.

**Prior Board Actions:**

n/a

<b>Strategic Plan Alignment</b>	Goal 1: Safe, Healthy, and Caring Community – This item supports the County Strategic plan Goal 1 by providing a sanitary means of conveying sewage while reducing the potential for future wet weather overflows.
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Water Agency Sanitation Goals and Strategies, Goal 1: Meet or exceed environmental regulations and public health standards.

<b>Fiscal Summary - FY 13-14</b>			
<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$ 179,966	Water Agency Gen Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other Trunk Main Phase 4 fund	\$ 179,966
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 179,966</b>	<b>Total Sources</b>	<b>\$ 179,966</b>
<b>Narrative Explanation of Fiscal Impacts (If Required):</b>			
FY 2013/2014 appropriation of \$179,966 is from the Trunk Main Phase 4 fund. No additional appropriation is required.			
<b>Staffing Impacts</b>			
<b>Position Title (Payroll Classification)</b>	<b>Monthly Salary Range (A – I Step)</b>	<b>Additions (Number)</b>	<b>Deletions (Number)</b>
<b>Narrative Explanation of Staffing Impacts (If Required):</b>			
<b>Attachments:</b>			
n/a			
<b>Related Items "On File" with the Clerk of the Board:</b>			
Agreements (4 Copies)			

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CF/70-712-21 Kleinfelder West, Inc. (Agree for Geotechnical Services for Replacement of Sonoma Valley Trunk Main) TW 12/13-158 (ID 4698)



## 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:** April 15, 2014

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

Randy Osborn (707) 565-3294

**Supervisorial District(s):**

Countywide

**Title:** 2013-14 Property Tax Administration Charge

### **Recommended Actions:**

Adopt a Resolution Authorizing Property Tax Administration Charge for 2013-14

### **Executive Summary:**

During 1990-1991, the State Legislature gave Counties the authority, under SB2557, to collect Property Tax Administration Costs from local taxing agencies as reimbursement for processing their property taxes. This authorization was codified in Section 97 of the Revenue and Taxation Code (now Section 95 of the Revenue and Taxation Code).

The purpose of this action is for the county auditor to report the charges for Property Tax Administration Costs in 2013-2014 to the legislative body and any other jurisdiction or person that requests the information.

In accordance with the code, jurisdictions will be charged in 2013-2014 based on their share of actual costs for 2012-2013. A worksheet is attached (Attachment 1) that summarizes the actual Property Tax Administration Costs for 2013-2014. Also attached is a worksheet (Attachment 2) that shows the actual costs distributed to each taxing jurisdiction in 2013-2014 with a comparison to 2012-2013 charges. Costs are allocated based on each jurisdiction's proportionate share of annual property taxes.

The 2013-2014 Property Tax Administration charge of \$10,535,188 increased by \$66,723 or 0.64% compared to the 2012-2013 charge, and is equivalent to 1.6% of the total property tax levy. The increase is attributable to a \$278,566 or 2.2% increase in property tax administration costs combined with a \$211,843 or 10.9% increase in other revenue sources that provide reimbursement of property tax administration costs. The revenue increase is mainly attributable to increases in Redevelopment Dissolution Administration and Supplemental Collection Fees.

As with past years, in accordance with Revenue and Taxation 95.3, the county auditor will not charge county school districts, community college districts, Educational Revenue Augmentation Fund (ERAF), and county offices of education for their proportionate amounts of property tax administrative costs. During 1991-92, the State Legislature deleted schools from the list of agencies to be charged annually. Effective 1992-93, Revenue and Taxation 95.3 was amended authorizing counties to charge ERAF for the proportional share of costs for 1992-93 only. Attachment 2 includes school amounts for your information only. All other agencies (special districts, cities

and redevelopment successor agencies) will be charged.

The net cost of \$10,535,188 is paid by property tax administration charges totaling \$2,500,738 from districts, cities and redevelopment successor agencies with the County General Fund paying \$8,034,450. If schools were not exempted from these charges by State action, schools would pay \$6,084,713 and the County General Fund cost would be \$1,949,737.

**Prior Board Actions:**

October 23, 1990: First established a charge for Property Tax Administration. Each year thereafter annual approval of Property Tax Administration Charges.

**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):**

**Staffing Impacts**

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

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

**Attachments:**

Resolution authorizing Property Tax Administrative Charge for 2013-14, Attachment #1 - Property Tax Administration Cost Summary and Attachment #2 - Property Tax Administration Costs per taxing jurisdiction.

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

County Property Tax Administrative Costs (SB 2557) Guidelines from the California Property Tax Manual.



County of Sonoma  
State of California

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Date: April 15, 2014

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 Property Tax Administration Costs To Be Charged During 2013-2014.**

**Whereas,** California Revenue and Taxation code Section 95.3 authorizes counties to establish and reduce property tax revenues for charges from jurisdictions and redevelopment successor agencies for reimbursement of County expenses incurred with respect to the assessment, collection and allocation of property taxes, and

**Whereas,** in Resolution No. 90-1989, the Sonoma County Board of Supervisors directed that property tax administration costs to be collected from all jurisdictions and redevelopment successor agencies pursuant to Revenue and Taxation Code Section 97 (now Section 95.2), the amount of such costs to be set annually; and

**Whereas,** the Auditor submitted documents, on file with the Clerk of the Board, the amounts to be charged to each jurisdiction and redevelopment successor agency pursuant to state law (Attachment 2), and the proposed method of calculating the allocation of property tax administrative costs to each jurisdiction and redevelopment successor agency receiving a share of property taxes (on file with Clerk).

**Now, Therefore, Be It Resolved** by the Board of Supervisors of the County of Sonoma the foregoing recitals are true and correct, and that the Board hereby finds and determines as follows:

1. A Property Tax Administration Costs for the assessment, collection and allocation of property taxes shall be charged to each jurisdiction and redevelopment successor agency receiving a share of property taxes collected by the County of Sonoma to the extent authorized by law.

2. In the event a court in the proper exercise of its jurisdiction finally determines that calculations directed by this resolution are unlawful as applied to any entity, the County Auditor is directed to recalculate the property tax administrative costs retrospectively to comply with the requirements of any such judicial decision, and is further directed to comply with the remaining provisions of this resolution, to the extent permitted by law.

Resolution #

Date:

Page 2

3. The provisions of this resolution shall be deemed to be severable, and if any part of this resolution, or any state law authorizing it, should be declared unconstitutional on its face or as applied, the remaining portions of this resolution would still have been adopted.

4. Any claim or challenge with respect to the amount or calculation of the charge must be filed with the Board of Supervisors within 120 days of adoption of this resolution. At the claimant's request, the Board or its designee shall hold a hearing at which evidence shall be taken, and the decision of the Board or its designee shall be final

**Be It Further Resolved** the Board hereby approves the SB2557 Property Tax Administration Costs to be charged during 2013-2014 based on 2012-2013 actual costs prepared and submitted by the Auditor and attached hereto as Attachments 1 & 2. The Auditor is hereby authorized to deduct and collect these amounts.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**

ATTACHMENT 1

ACTUAL 2012-2013 COSTS OF TAX ADMINISTRATION  
FOR CALCULATING 2013-2014 SB 2557 CHARGES

DEPARTMENTAL COSTS

Assessor .....	\$	9,672,170
Auditor-Controller-Treasurer-Tax Collector .....		2,924,443
Property Characteristics .....		12,995
Assessment Appeals .....		79,679
Total Cost .....	\$	<u>12,689,287</u>

OFFSETTING REVENUE

Supplemental Tax Admin .....	\$	422,186
Delinquency Fees .....		242,400
Redemption Fees .....		33,130
Flat Charge Fees .....		516,094
Assessment/Tax Collector Fees .....		91,830
Assessors Fees .....		4,159
Sale of Property (Real & Tax Def.) .....		40,527
Treasury Admin Fee .....		117,687
Redevelopment Dissolution Admin Fee .....		186,299
Unsecured Collection Fees .....		316,036
Sale of Maps & Prop. Char. Data .....		65,820
Assessment Appeals Filing Fees.....		47,513
Other .....		70,418
Less Total Revenue .....	\$	<u>2,154,099</u>

NET COST \$ 10,535,188



ATTACHMENT 2

ACTUAL 2013-2014 SB2557  
PROPERTY TAX ADMINISTRATION  
FEE SCHEDULE

	2013-14 ACTUAL PROPERTY TAX ADMIN FEE	2012-13 ACTUAL PROPERTY TAX ADMIN FEE
COUNTY SHARE	1,949,736.71	1,942,381.84
AGENCIES CHARGED	2,500,737.60	2,470,631.02
AGENCIES NOT CHARGED	6,084,713.69	6,055,452.14
<b>TOTAL</b>	<b>10,535,188.00</b>	<b>10,468,465.00</b>
<hr/>		
<b><u>FUND TITLE</u></b>		
COUNTY LIBRARY	213,579.87	212,687.80
<b><u>SPECIAL DISTRICTS UNDER BOARD OF SUPERVISORS</u></b>		
GENERAL #1 SOCO WATER AGENCY	78,002.53	77,676.01
SPRING LAKE PARK SCWA	25,168.56	25,061.51
ZONE 1A LAGUNA-MARK WEST	77,644.34	77,791.16
ZONE 2A PETALUMA BASIN	20,554.15	20,225.07
ZONE 3A VALLEY OF THE MOON	13,010.96	12,782.00
ZONE 5A LOWER RUSSIAN RIVER	2,675.94	2,669.46
ZONE 8A SO COASTAL WATER SHED	2,191.32	2,187.91
TOTAL WATER AGENCY	219,247.80	218,393.12
CSA #41 MULTI-SVCS LIGHTING	10,155.92	10,102.10
BLUEBIRD MEADOWS LIGHTING	10.54	10.47
STARR VIEW LIGHTING	10.54	10.47
TOTAL LIGHTING DISTRICTS	10,177.00	10,123.04
BITTNER LANE PERMANENT RD	21.07	20.94
MILL CREEK LANE PERMANENT RD	179.10	177.96
MIRABEL HEIGHTS PERMANENT RD	21.07	20.94
MONTE ROSA DIV #1 PERMANENT RD	31.61	20.94
PEAKS PIKE PERMANENT ROAD	73.75	73.28
TOTAL PERMANENT RD DISTRICTS	326.60	314.06
NO SO CO AIR POLLUTION	1,632.95	1,622.61
CSA #41, ZONE 3 ROSELAND	516.22	533.89
CSA #41, ZONE35 SO VLY REC & PK	1,738.31	1,695.89
CSA #40 FIRE SERVICES	47,682.26	48,165.41
TOTAL COUNTY SERVICE AREAS	49,936.79	50,395.19
<b>TOTAL SPECIAL DISTRICTS UNDER BOARD OF SUPERVISORS</b>	<b>281,321.14</b>	<b>280,848.02</b>

ATTACHMENT 2

ACTUAL 2013-2014 SB2557  
PROPERTY TAX ADMINISTRATION  
FEE SCHEDULE

	2013-14 ACTUAL PROPERTY TAX ADMIN FEE	2012-13 ACTUAL PROPERTY TAX ADMIN FEE
<b><u>SPECIAL DISTRICTS UNDER LOCAL BOARDS</u></b>		
GREEN VALLEY CEMETERY	147.49	146.56
SHILOH CEMETERY	5,309.73	5,359.85
TOTAL CEMETERY DISTRICTS	5,457.22	5,506.41
CLOVERDALE FIRE	7,269.28	7,087.15
BENNETT VALLEY FIRE	8,038.35	8,060.72
BODEGA BAY FIRE	3,666.25	3,643.03
FORESTVILLE FIRE	14,854.62	14,812.88
GLEN ELLEN FIRE	12,378.85	12,195.76
GRATON FIRE	9,565.95	9,568.18
RUSSIAN RIVER FIRE	7,522.12	7,621.04
KENWOOD FIRE	10,461.44	10,311.44
MONTE RIO FIRE	3,813.74	3,925.67
RINCON VALLEY FIRE	59,344.71	59,984.30
ROSELAND FIRE	6,784.66	6,898.72
SCHELL-VISTA FIRE	10,693.22	10,615.02
VALLEY OF THE MOON FIRE	49,041.30	48,071.19
WINDSOR FIRE	14,380.53	14,341.80
GOLD RIDGE FIRE	18,984.41	18,979.33
RANCO ADOBE FIRE	34,955.75	34,975.14
TIMBER COVE FIRE	1,875.26	1,884.32
GEYSERVILLE FIRE	12,378.85	11,871.24
OCCIDENTAL CSD ZNII - FIRE	3,181.63	3,151.01
TOTAL FIRE DISTRICTS	289,190.92	287,997.94
CLOVERDALE HOSPITAL	442.48	450.14
MARIN-SONOMA MOSQ. ABATEMENT	29,056.05	28,872.03
BAY AREA AIR QUALITY MANAGEMENT	16,719.34	16,655.33
CAMP MEEKER RECREATION & PARK	769.07	879.35
DEL RIO WOODS RECREATION & PARK	1,011.38	994.50
MONTE RIO RECREATION & PARK	1,390.64	1,423.71
RUSSIAN RIVER RECREATION & PARK	2,591.66	2,627.58
TOTAL RECREATION & PARK DISTRICTS	5,762.75	5,925.14
GOLD RIDGE RES. CONSERVATION	326.59	324.52
SOUTHERN SO CO RES. CONSERV.	874.42	858.41
SOTOYOME-SANTA ROSA RES. CONS.	589.97	596.70
TOTAL RES. CONSERVATION DISTRICTS	1,790.98	1,779.63
OCCIDENTAL COMMUNITY SVC, ZONE 1	326.59	334.99
CAZADERO COMMUNITY SERVICE	3,413.40	3,454.59
TOTAL COMMUNITY SERVICE DISTRICTS	3,739.99	3,789.58

ATTACHMENT 2

ACTUAL 2013-2014 SB2557  
PROPERTY TAX ADMINISTRATION  
FEE SCHEDULE

	2013-14 ACTUAL PROPERTY TAX ADMIN FEE	2012-13 ACTUAL PROPERTY TAX ADMIN FEE
FORESTVILLE WATER DISTRICT	1,927.94	1,957.60
SONOMA MOUNTAIN WATER	84.28	83.75
<b>TOTAL COUNTY WATER DISTRICTS</b>	<b>2,012.22</b>	<b>2,041.35</b>
BODEGA BAY PUBLIC UTILITY	5,151.71	5,108.61
<b>TOTAL SPECIAL DISTRICTS UNDER LOCAL BOARDS</b>	<b>359,323.66</b>	<b>358,126.16</b>
<b>TOTAL ALL SPECIAL DISTRICTS</b>	<b>640,644.80</b>	<b>638,974.18</b>
<b><u>CITIES</u></b>		
PETALUMA	106,426.47	104,370.60
SEBASTOPOL	16,613.99	16,456.43
SONOMA	23,114.20	22,727.04
SONOMA ANNEX	1,706.70	1,685.42
SANTA ROSA	309,597.57	309,395.48
CLOVERDALE	16,160.98	15,817.85
HEALDSBURG	11,251.58	11,148.92
ROHNERT PARK	42,562.16	42,324.00
COTATI	6,647.70	6,595.13
TOWN OF WINDSOR	57,005.90	56,990.32
<b>TOTAL CITIES</b>	<b>591,087.25</b>	<b>587,511.19</b>
<b><u>COUNTY AS REDEVELOPMENT SUCCESSOR AGENCY</u></b>		
ROSELAND	19,753.48	20,539.13
THE SPRINGS	30,467.76	30,463.23
RUSSIAN RIVER	52,307.21	50,929.08
<b>TOTAL COUNTY AS REDEVELOPMENT SUCCESSOR AGENCY</b>	<b>102,528.45</b>	<b>101,931.44</b>
<b><u>CITIES AS REDEVELOPMENT SUCCESSOR AGENCIES</u></b>		
PETALUMA CENTRAL BUSINESS DIST	25,695.32	26,391.00
PETALUMA COMMUNITY DEVELOPMENT	166,951.12	164,333.96
PETALUMA CBD-Amended Area	12,926.68	13,933.53
<b>TOTAL PETALUMA</b>	<b>205,573.12</b>	<b>204,658.49</b>
SANTA ROSA GATEWAY	29,782.98	26,820.21
SANTA ROSA CENTER PROJECT	5,720.61	6,396.23
SANTA ROSA CENTER PROJECT PHASE II	18,963.34	19,063.07
SANTA ROSA CENTER PROJECT PHASE III	5,710.07	5,673.91
SOUTHWEST SANTA ROSA	59,871.47	56,205.19
SANTA ROSA GRACE BROS	5,710.07	4,658.47
<b>TOTAL SANTA ROSA</b>	<b>125,758.54</b>	<b>118,817.08</b>

ATTACHMENT 2

ACTUAL 2013-2014 SB2557  
PROPERTY TAX ADMINISTRATION  
FEE SCHEDULE

	2013-14 ACTUAL PROPERTY TAX ADMIN FEE	2012-13 ACTUAL PROPERTY TAX ADMIN FEE
SEBASTOPOL	43,531.40	41,088.73
SONOMA AMENDED	34,407.92	33,007.07
SONOMA COMMUNITY DEVELOPMENT	87,010.12	84,679.41
TOTAL SONOMA	121,418.04	117,686.48
CLOVERDALE	40,149.60	39,047.37
HEALDSBURG SOTOYOME COMMUNITY DEV	149,957.87	145,051.05
ROHNERT PARK	165,539.41	162,187.93
COTATI	53,824.28	52,939.03
TOWN OF WINDSOR	47,144.97	48,050.25
<b>TOTAL CITIES AS REDEVELOPMENT SUCCESSOR AGENCIES</b>	<b>952,897.23</b>	<b>929,526.41</b>
<b>TOTAL ALL REDEVELOPMENT SUCCESSOR AGENCIES</b>	<b>1,055,425.68</b>	<b>1,031,457.85</b>
<b>TOTAL AGENCIES TO BE CHARGED</b>	<b>2,500,737.60</b>	<b>2,470,631.02</b>
<b>AGENCIES NOT CHARGED:</b>		
<b><u>SONOMA COUNTY SCHOOLS</u></b>		
ERAF AUGMENTATION TRUST	1,371,555.06	1,365,799.69
<b><u>SCHOOLS GENERAL:</u></b>		
<b><u>ELEMENTARY SCHOOL DISTRICTS</u></b>		
ALEXANDER VALLEY UNION	17,161.82	15,294.43
BELLEVUE UNION	52,254.53	52,499.35
BENNETT VALLEY UNION	26,380.11	26,254.91
CINNABAR	5,099.03	5,045.80
DUNHAM	326.59	334.99
FORESTVILLE UNION	20,754.32	20,717.09
FORT ROSS	3,202.70	3,182.41
GRAVENSTEIN UNION	16,930.05	16,917.04
GUERNEVILLE	7,880.32	7,956.03
HARMONY UNION	17,983.57	17,974.35
HORICON	14,475.35	14,634.91
KENWOOD	19,574.38	19,000.26
LIBERTY	4,919.93	4,941.12
MARK WEST UNION	58,902.24	59,869.15
MONTE RIO UNION	6,036.66	6,228.74

ATTACHMENT 2

ACTUAL 2013-2014 SB2557  
PROPERTY TAX ADMINISTRATION  
FEE SCHEDULE

	2013-14 ACTUAL PROPERTY TAX ADMIN FEE	2012-13 ACTUAL PROPERTY TAX ADMIN FEE
MONTGOMERY	4,466.92	4,480.50
OAK GROVE UNION	20,554.15	20,748.50
OLD ADOBE UNION	82,638.01	80,921.23
PETALUMA CITY	80,362.41	79,078.78
PINER-OLIVET UNION	36,557.10	35,236.85
RINCON VALLEY UNION	101,232.62	101,313.80
ROSELAND	9,555.42	9,578.65
SANTA ROSA CITY	171,070.38	172,614.52
SEBASTOPOL UNION	33,849.56	33,582.84
TWIN HILLS UNION	19,605.98	19,607.43
WAUGH	13,042.56	13,137.92
WEST SIDE UNION	11,272.65	10,887.20
WILMAR UNION	9,018.12	8,772.57
WRIGHT	29,351.03	29,950.28
TOTAL ELEMENTARY SCHOOL DISTRICTS	894,458.51	890,761.65
<b><u>HIGH SCHOOL DISTRICTS</u></b>		
WEST SON. CTY. UNION HIGH (ANALY)	117,562.16	117,613.20
HEALDSBURG UNION HIGH	174,631.28	170,468.48
PETALUMA CITY JT HIGH	254,993.69	251,463.00
SANTA ROSA CITY HIGH	718,952.83	720,094.30
TOTAL HIGH SCHOOL DISTRICTS	1,266,139.96	1,259,638.98
<b><u>UNIFIED SCHOOL DISTRICTS</u></b>		
CLOVERDALE UNIFIED	18,721.03	18,843.24
COTATI-ROHNERT PARK UNIFIED	179,698.70	179,534.17
GEYSERVILLE UNIFIED	11,262.12	11,462.97
SONOMA VALLEY UNIFIED	439,422.69	433,404.92
WINDSOR UNIFIED	184,355.25	183,072.52
TOTAL UNIFIED SCHOOL DISTRICTS	833,459.79	826,317.82
SO CO JT JUNIOR COLLEGE	604,298.38	601,769.24
<b>TOTAL SCHOOLS GENERAL</b>	<b>3,598,356.64</b>	<b>3,578,487.69</b>
SCHOOL SERVICE ADMIN	211,441.22	210,531.30
TOTAL SCHOOL SERVICE	211,441.22	210,531.30
<b><u>AREA WIDE UNIFICATION FUNDS (AWUF)</u></b>		
WEST SON. CTY UHSD AWUF (ANALY)	109,924.15	109,981.69
HEALDSBURG HI,ELEM-AWUF	68,710.50	67,029.58
PETALUMA HI,ELEM-AWUF	160,029.51	157,812.11
SANTA ROSA HI,ELEM-AWUF	319,500.65	320,000.04

ATTACHMENT 2

ACTUAL 2013-2014 SB2557  
PROPERTY TAX ADMINISTRATION  
FEE SCHEDULE

	2013-14 ACTUAL PROPERTY TAX ADMIN FEE	2012-13 ACTUAL PROPERTY TAX ADMIN FEE
POINT ARENA HI,ELEM-AWUF	16,750.95	16,937.98
TOTAL HI, ELEM-AWUF	674,915.76	671,761.40
CLOVERDALE UNIF-AWUF	58,512.43	58,895.58
GEYSERVILLE UNIF-AWUF	43,636.75	44,449.10
TOTAL UNIFIED AWUF	102,149.18	103,344.68
SCHOOLS EQUALIZATION AID	34,386.85	34,242.35
<b>TOTAL SONOMA COUNTY SCHOOLS</b>	<b>4,621,249.65</b>	<b>4,598,367.42</b>
<b><u>INTER-COUNTY SCHOOLS:</u></b>		
<b><u>MARIN COUNTY SCHOOLS</u></b>		
LAGUNA JOINT	21.07	31.41
UNION JOINT	21.07	20.94
SHORELINE JT UNIFIED	41,455.96	41,203.88
MARIN CO SCHOOL SERVICE	2,159.71	2,146.04
TOTAL MARIN COUNTY SCHOOLS	43,657.81	43,402.27
<b><u>MENDOCINO COUNTY SCHOOLS</u></b>		
POINT ARENA HI	25,505.69	25,794.30
MENDOCINO CO SCHOOL SERVICE	1,517.07	1,538.86
TOTAL MENDOCINO COUNTY SCHOOLS	27,022.76	27,333.16
<b><u>NAPA COUNTY SCHOOLS</u></b>		
CALISTOGA JT UNIF	17,130.22	16,582.05
NAPA JT JUNIOR COLLEGE	2,981.46	2,889.30
NAPA CO SCHOOL SERVICE	1,116.73	1,078.25
TOTAL NAPA COUNTY SCHOOLS	21,228.41	20,549.60
<b>TOTAL INTER-COUNTY SCHOOLS</b>	<b>91,908.98</b>	<b>91,285.03</b>
<b>TOTAL ALL SCHOOLS</b>	<b>4,713,158.63</b>	<b>4,689,652.45</b>
<b>TOTAL AGENCIES NOT CHARGED</b>	<b>6,084,713.69</b>	<b>6,055,452.14</b>
<b>COUNTY GENERAL</b>	<b>1,949,736.71</b>	<b>1,942,381.84</b>
<b>TOTAL ADMINISTRATION FEES</b>	<b>10,535,188.00</b>	<b>10,468,465.00</b>



County of Sonoma  
State of California

Date: April 15, 2014

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

4/5 Vote Required

**Resolution of the Board of Supervisors of the County of Sonoma, State of California,  
Authorizing Consolidation of any Local Election Which May Be Held on Tuesday, June 3, 2014,  
in the Same Territory or in Territory That Is in Part the Same, With the Direct Primary  
Election.**

**Whereas**, Tuesday, June 3, 2014, is the scheduled election date for the Direct Primary Election; and

**Whereas**, Elections Code §10400 provides that when two or more elections for local jurisdictions are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body;

**Now, Therefore, Be It Resolved** that the Board of Supervisors does hereby authorize the consolidation of any election which may be held on Tuesday, June 3, 2014, in the same territory, or in territory that is in part the same, provided that the local jurisdiction calling the election requested such consolidation by March 7, 2014, and that each jurisdiction pay its pro-rata share of the costs incurred throughout the conduct of said election.

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

**To:** Sonoma County Board of Supervisors

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

**Department or Agency Name(s):** County Clerk-Recorder-Assessor

**Staff Name and Phone Number:**

William F. Rousseau, 707-565-1877

**Supervisorial District(s):**

Countywide

**Title:** Consolidation of Elections to be Held in Conjunction with the June 3, 2014, Primary Election.

### **Recommended Actions:**

Adopt the resolution authorizing consolidation of all elections on measures called by jurisdictions that have submitted requests for consolidation with the June 3, 2014, Primary Election, as required by Elections Code §10400.

### **Executive Summary:**

The regularly scheduled Direct Primary Election is set to be held on Tuesday, June 3, 2014. Six local agencies have called elections in their areas for the same date and have requested consolidation as authorized by state law.

Elections Code §10400 provides that elections called on the same day may be consolidated so that matters being voted on in the same territory, or in territory that is in part the same, will appear on the same ballot. Costs of the election are shared among the entities involved, pursuant to Elections Code §10416.

Copies of the resolutions received in the Registrar of Voters Office from the local agencies wishing to consolidate with the Direct Primary Election are on file with the Clerk.

As of March 7, 2014, the consolidation deadline, each of the following jurisdictions has requested consolidation of an election to place a measure on the June 3, 2014, ballot.

**School Districts:** Cotati-Rohnert Park Unified School District, Petaluma Joint Union High School District, Bellevue Union School District, Petaluma City (Elementary) School District, and Rincon Valley Union School District.

**City:** City of Cotati.



<b>Prior Board Actions:</b>			
None.			
<b>Strategic Plan Alignment</b> Goal 4: Civic Services and Engagement			
By conducting elections for local jurisdictions we provide a civic service that also encourages voter participation.			
<b>Fiscal Summary - FY 13-14</b>			
<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>Narrative Explanation of Fiscal Impacts (If Required):</b>			
Costs of the consolidated elections is shared among all entities involved. Each jurisdiction requesting consolidation with the Primary Election will pay a pro-rata share of the cost of conducting the election. If there were no local jurisdictions conducting elections at this time, all costs for this election would be borne by the County of Sonoma only, with limited reimbursements coming from the State for some state mandated services.			
<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>			
Copies of resolutions from local agencies.			



## 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:** April 15, 2014

**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):**

Countywide

**Title:** 2013-14 Property Tax Impound

### **Recommended Actions:**

Approve Resolution authorizing the Auditor-Controller Treasurer-Tax Collector to impound \$1,690,485 of 2013-14 property taxes derived from the assessment of business impounds

### **Executive Summary:**

In accordance with California Government Code Section 26906.1, the County Auditor, with the approval of the Board of Supervisors, may impound the disputed revenues of any tax upon secured or unsecured property, levied and collected by the County for the County or any revenue district, whenever a claim or action is filed for the return of the revenues, or the Auditor reasonably anticipates that the tax may be refunded in whole or in part. The County Auditor shall continue to impound such revenues until the final disposition of the claim or action, or a refund of the tax is no longer anticipated.

Property taxes related to business and geothermal assessment appeals are proportionally impounded from all Prop 13 taxing agencies. Impounded funds are trued-up annually to insure balances pertain to outstanding appeals.

After reviewing the appeals with the County Assessor and taking into consideration settlements of business and geothermal appeals, we recommend impounding a total of \$1,690,485 in the current fiscal year for business appeals and \$0 for geothermal assessment appeals. These amounts are based on the County Assessor's projected outcomes for current appeals that are expected to generate a large decrease in value. A total of \$2,225,586 of property taxes was impounded in 2012-13.

### **Prior Board Actions:**

FY 12-13: Resolution #13-0136 - \$2,225,586 Impounded

**Strategic Plan Alignment** Not Applicable

**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):**

<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)

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

**Attachments:**

Resolution authorizing the Impound of \$1,690,485 of 2013-14 property taxes, Attachment A – 2013-14 Property Tax Impound

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

History of Board Action of Property Tax Impounds



County of Sonoma  
State of California

Date: April 15, 2014

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

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Authorizing The Auditor-Controller-Treasurer-Tax Collector To Impound \$1,690,485 Of 2013-14 Property Taxes Derived From The Assessment Of Business Appeals In Accordance With Section 26906.1 Of The Government Code, State Of California.**

**Whereas**, assessment appeals have been filed on certain business and geothermal properties located in Sonoma County, and

**Whereas**, these assessment appeals could have a financial impact on the various taxing entities if sustained and upheld by a court, and

**Whereas**, the Auditor-Controller Treasurer-Tax Collector is recommending that a portion of these business property taxes amounting to \$1,690,485 be impounded out of the second secured property tax installment, due on April 10, 2014.

**Now, Therefore, Be It Resolved** by the Board of Supervisor, County of Sonoma that the Auditor-Controller Treasurer-Tax Collector be and is hereby authorized and directed to impound property taxes in the amounts listed on Attachment "A", in accordance with Section 26906.1 of the Government Code, State of California.

**Supervisors:**

Gorin:	Zane:	McGuire:	Carrillo:	Rabbitt:
Ayes:	Noes:	Absent:	Abstain:	

**So Ordered.**

## ATTACHMENT A

### 2013-14 PROPERTY TAX IMPOUND

### BUSINESS APPEAL IMPOUND

#### FUND NAME

**1,690,485.00**

COUNTY GENERAL	360,615.68
COUNTY LIBRARY	38,019.16
EDUC REV AUGM TR (ERAF)	222,236.28
GREEN VALLEY CEMETERY	23.45
SHILOH CEMETERY	926.93
CLOVERDALE FIRE	1,470.32
BENNETT VALLEY FIRE	1,294.74
BODEGA BAY FIRE	591.28
FORESTVILLE FIRE	2,391.04
GLEN ELLEN FIRE	1,997.12
GRATON FIRE	1,541.89
RUSSIAN RIVER FIRE PROT DIST	1,968.76
KENWOOD FIRE	1,685.41
MONTE RIO FIRE	878.60
RINCON VALLEY FIRE	9,539.61
ROSELAND FIRE	1,643.61
SHELL-VISTA FIRE	1,734.00
VALLEY OF THE MOON FIRE	8,571.74
WINDSOR FIRE	2,575.30
GOLD RIDGE FIRE	3,060.56
RANCHO ADOBE FIRE	6,631.67
TIMBER COVE FIRE	295.85
GEYSERVILLE FIRE	1,950.35
GENERAL #1 WATER	14,017.35
SPRING LAKE PARK WATER	4,522.28
ZN 1A LAGUNA-MARK WEST WATER	13,736.68
ZN 2A PETALUMA BASIN WATER	3,880.05
ZONE 3A VALLEY OF MOON WATER	2,359.63
ZN 5A LOWER RUSSIAN RIVER WATER	468.03
ZONE 8A SOUTH COASTAL WATER	353.28
CLOVERDALE HEALTH CARE DISTRICT	76.65
WIND TAX COLL-BLUEBIRD (LGT)	6.10
WIND TAX COLL-STARR VIEW (LGT)	9.21
MARIN-SONOMA MOSQUITO ABATE	5,229.45
BITTNER LAND-LAND PERM RDS	3.87
MILL CREEK LAND-LAND PRM RDS	28.67
MIRABEL HEIGHTS-LAND PERM RDS	3.18
MONTE ROSA DIV #1-LND PERM RDS	4.87
PEAKS PIKE - LAND PERM RDS	11.16
BAY AREA QUALITY MGMT	2,982.56
N S C AIR POLL CNTRL	304.25
CAMP MEEKER REC&PARK	124.06
DEL RIO WOODS REC&PARK	162.40
MONTE RIO REC&PARK	396.82
RUSSIAN RIVER REC&PARK	736.41
GOLD RIDGE - LAND RES CONS	58.20
SOUTHERN SO CO RCD-PET	161.22
SOTOYOME RCD	105.55
CAZADERO COMM SVC	545.74
OCCIDENTAL COMM SVC ZN1	49.51

## ATTACHMENT A

### 2013-14 PROPERTY TAX IMPOUND

### BUSINESS APPEAL IMPOUND

#### FUND NAME

**1,690,485.00**

OCCIDENTAL CSD ZN2 FIRE	498.63
FORESTVILLE WATER	306.60
SONOMA MOUNTAIN WATER	13.66
BODEGA BAY PUB UTILITY	830.20
CSA #41-LGT-ROSELAND (#3)	158.48
CSA #41-Pk-SONOMA VALLEY ( #35)	329.98
CSA #40 FIRE SERVICES	7,517.92
CSA#41 MULTI SVCS-LIGHTING	2,138.02
ALEXANDER VALLEY UN ELEM	2,758.67
BELLEVUE UN ELEM	8,946.98
BENNETT VALLEY UN ELEM	4,253.40
CINNABAR ELEM	1,148.80
DUNHAM ELEM	52.41
FORESTVILLE UN ELEM	3,340.77
FORT ROSS ELEM	513.96
GRAVENSTEIN UN ELEM	2,728.07
GUERNEVILLE ELEM	1,933.56
HARMONY UN ELEM	2,898.79
HORICON ELEM	2,333.97
KENWOOD ELEM	3,146.63
LIBERTY ELEM	790.69
MARK WEST SPRINGS ELEM	9,491.11
MONTE RIO UN ELEM	1,295.15
MONTGOMERY ELEM	717.32
OAK GROVE UN ELEM	3,314.60
OLD ADOBE UN ELEM	13,744.32
PETALUMA CITY ELEM	16,726.39
PINER-OLIVET ELEM	5,900.45
RINCON VALLEY UN ELEM	16,306.86
ROSELAND ELEM	2,532.41
SANTA ROSA CITY ELEM	29,118.33
WINDSOR UNIF SDGF '93	33,037.79
SEBASTOPOL UN ELEM	6,462.93
TWIN HILLS UN ELEM	3,164.11
WAUGH ELEM	2,250.36
WEST SIDE UN ELEM	1,819.94
WILMAR UN ELEM	1,450.77
WRIGHT ELEM	5,095.05
WEST SON CTY UN HSD (ANALY)	20,464.52
HEALDSBURG UN HIGH	35,782.65
PETALUMA CITY JT HIGH	46,907.37
SANTA ROSA CITY HIGH	120,101.08
CLOVERDALE UNIF	3,203.76
COTATI-ROHNERT PARK UNIF	40,264.46
GEYSERVILLE UNIF	1,691.77
SONOMA VALLEY UNIF	80,979.95
SONOMA COUNTY JC	106,826.33
SCHOOL SERVICE	37,808.59
W. SON CTY UHSD AWUF (ANALY)	19,135.68
HEALDSBURG HI ELEM AWUF	13,282.28

## ATTACHMENT A

2013-14 PROPERTY TAX IMPOUND

**BUSINESS  
APPEAL  
IMPOUND**

**FUND NAME**

**1,690,485.00**

PETALUMA HI ELEM AWUF	29,437.36
SANTA ROSA HI ELEM AWUF	53,371.38
POINT ARENA HI ELEM AWUF	2,701.70
CLOVERDALE AWUF	10,014.79
GEYSERVILLE AWUF	6,558.34
SCHOOL EQUALIZATION AID	6,149.48
LAGUNA JT GENERAL	3.87
UNION JT GENERAL	3.80
MARIN CO SCHOOL SVC ADMIN	347.23
SHORELINE JT UNIF GEN	6,676.18
POINT ARENA HI GENERAL	4,114.56
MENDO CO SCHOOL SVC ADMIN	244.82
CALISTOGA JT UNIF GEN	2,763.82
NAPA JT JR COLL GEN	481.89
NAPA CO SCHOOL SVC ADMIN	179.92
CLOVERDALE CITY	4,129.40
COTATI CITY	2,363.75
HEALDSBURG CITY	5,953.72
PETALUMA CITY	22,374.52
ROHNERT PARK CITY	11,373.09
SANTA ROSA CITY	52,513.48
SEBASTOPOL CITY	4,007.75
SONOMA CITY	6,780.96
SONOMA CITY ANNEX AREA	276.07
TOWN OF WINDSOR	10,166.07
<b>GRAND TOTALS</b>	<b>1,690,485.00</b>



## County of Sonoma Agenda Item Summary Report

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

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

**To:** Board of Supervisors

**Board Agenda Date:** April 15, 2014

**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:**

Approve Amended Sonoma County Library Joint Powers Authority Agreement. Initiate recruitment process for Library Commissioners to be appointed by 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, current 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 unanimously recommending the attached amended Joint Powers Agreement to the County and all cities for approval.

The Advisory Committee has met 15 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.

Your Board and the cities reviewed drafts of the amended JPA in September and December and made several requests for changes. These changes have largely been incorporated in the Amended JPA, including removing the option for community-funded hours for individual branches, and adding language citing the importance of libraries as community resources. In December, your Board indicated



that it required two seats on the new Library Commission, was comfortable with either one or two seats for the City of Santa Rosa, and supported one seat for each of the remaining cities. There were different positions among the cities on the appropriate number of seats for the County and Santa Rosa. In February, the JPA Advisory Committee agreed to a compromise that provides each jurisdiction with one seat on the Library Commission, with an additional seat to be shared between the County and Santa Rosa. This compromise is reflected in the Amended JPA.

**Appointment Process:** The Amended JPA requires that the initial terms of Commission appointments be staggered between two and four year terms so that there would never be full turnover of the Commission at one time. The Advisory Committee drew lots to determine the length of the initial terms. The County's initial appointment will be a two-year term, and the joint appointment with Santa Rosa will be a four-year term.

Most appointments to the Library Commission will be made according to each jurisdiction's normal appointment process. For the joint appointment between the County and Santa Rosa, the Amended JPA states that City and County will advertise the vacancy, accept applications, review the applications, and forward them to the City of Santa Rosa Mayor and Chair of the Sonoma County Board of Supervisors for consideration. Interviews will be held if deemed appropriate. The Mayor and Chair shall jointly recommend one Commissioner candidate to the Sonoma County Board of Supervisors and the Santa Rosa City Council, who shall approve the recommended candidate, and the approval shall not be unreasonably withheld. Should the selected candidate not be approved, then the Mayor and Chair shall jointly recommend subsequent candidate(s) until a candidate is approved by the City Council and Board of Supervisors.

Staff recommends using the joint appointment process as the basis for both the joint appointment and the County-specific appointment. Should your Board approve the recommended actions, staff will proceed as outlined above, and will contact the Board's current five appointees to the Library Commission to ensure that they are aware of the opportunity to apply for an appointment to the new Commission; one reappointment is on the Board's agenda for this meeting as a separate item.

**Other Features of the Amended 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. Retaining the requirement for unanimous agreement among the Members to amend the JPA. As noted above, the current JPA members who must approve the Amended JPA for it to become effective include the County, and Cities of Santa Rosa, Sonoma, Healdsburg, and Petaluma.

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. Providing the Library with full budget and employment authority, removing the Board of Supervisors from the role of providing final budget approval, after adoption of the FY 14-15 budget.
3. Making explicit the Library's authority to levy taxes with a 2/3 vote of the entire Library Commission; other requirements at the time would also have to be met.
4. Requiring approval from the relevant jurisdiction before exercising powers of eminent domain.
5. Requiring leases for all buildings not owned by the Library.
6. Requiring an equal number of core hours.
7. Requiring an appeals process for the Library Director's decisions on key issues such as collections and facilities.
8. Requiring a strategic plan at least once every ten years.
9. Increasing the role for the LABs including a designated liaison and annual reports from each LAB to the Commission.
10. Requiring a review of the JPA every ten years.

**Next Steps:** The Advisory Committee has asked all cities to review and approve the Agreement and to start the recruitment process for Commissioners by May 21<sup>st</sup>, and to complete appointments to the Commission by the middle of July. The Amended JPA is scheduled to take effect on August 1, with the first meeting of the new Library Commission to be held on August 4.

**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.

September 17, 2013: Approved Draft Amended Joint Powers Authority Agreement for the Sonoma County Library, with some changes.

December 10<sup>th</sup>, 2013: Approved Amended Library Joint Powers Authority Agreement, with requirement for two seats on the Library Commission for the County, one seat for each of the Sonoma County cities, and the option for additional seat for the City of Santa Rosa, and with removal of the option for community-funded hours.

**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>\$</b>	<b>Total Sources</b>	<b>\$</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. The Board of Supervisors will approve the Library's FY 14-15 budget

**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:**

Amended and Restated Sonoma County Amended Library Joint Powers Agreement

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

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**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, providing community education and literacy services, 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;

12. To promulgate, adopt, and enforce any ordinances, policies, rules and regulations as may be necessary and proper to implement and effectuate the terms, provisions, and purposes of this Agreement; and

13. To exercise all powers reasonable or necessary to accomplish the foregoing.

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 August 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. Admission of a new Member under this provision shall not require this Agreement to be modified or amended.

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"). In addition, the County of Sonoma and the City of Santa Rosa shall also be entitled to jointly appoint one additional representative to sit on the Commission as a voting member. When a vacancy for said joint appointment occurs, the City of Santa Rosa and the County of Sonoma will advertise the vacancy, accept applications, review the applications, and forward them to the City of Santa Rosa Mayor and Chair of the Sonoma County Board of Supervisors for consideration. Interviews will be held if deemed appropriate. The Mayor and Chair shall jointly recommend one Commissioner candidate to the Sonoma County Board of



Supervisors and the Santa Rosa City Council, who shall approve the recommended candidate, which said approval shall not be unreasonably withheld. Should such candidate not be approved, then the Mayor and Chair shall jointly recommend subsequent candidate(s) until such time as a candidate is approved by the City Council and Board of Supervisors. Removal of said jointly appointed Commissioner shall only be by joint action of both the Sonoma County Board of Supervisors and the City Council of Santa Rosa.

Commissioners must be Sonoma County residents, and shall be appointed and serve pursuant to the rules of appointment adopted by each Member's governing body.

1. Each Commissioner shall be appointed to serve for a term of four years; provided, however, that ½ of the number of Commissioners initially appointed (as chosen by lots) shall serve for an initial term of two years, though all subsequent appointments shall be for a term of four years. There is no limit on the number of terms a Commissioner may serve.

2. Initial appointments to the Commission by Members shall become effective on the Effective Date, or immediately after a city first becomes a Member of the Library, whichever is later.

3. 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 60 days of the date on which such position became vacant.

4. 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 that do not otherwise require a 2/3 vote; 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 a gift, devise, endowment, donation or bequest ("endowment or donation") to a particular regional branch library for a specific purpose, or prohibiting a particular regional branch library from accepting such endowment or donation; provided, however, that access to any such conferred benefit at the regional branch at issue must be made be available to all Sonoma County residents, and the endowment or donation not be

used to extend or expand hours of service at the regional branch(es). The Commission may elect to develop policies, procedures and requirements in its bylaws to establish conditions for endowments and donations.

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, ADA improvements, 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.

a. Notwithstanding the foregoing, in consideration of its unique and important role in the provision of county-wide library services, the Library shall continue to have the exclusive occupancy and control of the Central Library building and grounds in Santa Rosa, California, subject to a written lease. The Library has previously paid the City of Santa Rosa approximately \$1,355,895 to allow it to retire its outstanding bonded indebtedness for which the City was liable on account of the Central Library building. Upon retirement of such indebtedness, the City of Santa Rosa has agreed to allow the Library to continue to occupy and control it without further debt service from the Library.

b. In the event the City of Santa Rosa withdraws from the Library, and provided the County of Sonoma continues to be a Member of the Library, the Library shall have the right to lease such portions of the Central Library building as are essential for the operation of the County library, under terms which are mutually agreeable to the Library and the City of Santa Rosa.

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. With respect to any library facility owned by a Member, the Commission shall not unreasonably withhold its approval of modifications proposed by that Member if they are required by state or federal law. 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, and Members shall retain any real property interests already owned by the Members (i.e. the buildings, underlying land, etc.). If the Members are unable to reach an agreement on such disposition, the Library funds and assets shall be apportioned pursuant to each Member's 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. Subject to the terms of any lease and Section XC3b, any Member who withdraws from the Library shall retain any real property interests already owned by such Member (i.e. the buildings, underlying land, etc.). Upon withdrawal, the withdrawing Member shall not be entitled to distribution of any Library property or funds; rather, 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, library collections and materials, and the like. 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 shall 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. Upon the withdrawal of an Individual Member, the Library may elect to continue to provide library services in the withdrawing Member's jurisdiction as it deems fit, but is not obligated to do so.

## **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.

Signed on \_\_\_\_\_ 2014, by

CITY OF CLOVERDALE

by \_\_\_\_\_

its duly authorized officer whose position is that

of \_\_\_\_\_

Signed on \_\_\_\_\_ 2014, by

CITY OF COTATI

by \_\_\_\_\_

its duly authorized officer whose position is that

of \_\_\_\_\_

Signed on \_\_\_\_\_ 2014, by

CITY OF HEALDSBURG

by \_\_\_\_\_

its duly authorized officer whose position is that

of \_\_\_\_\_

Signed on \_\_\_\_\_ 2014, by

CITY OF PETALUMA

by \_\_\_\_\_

its duly authorized officer whose position is that

of \_\_\_\_\_



Signed on \_\_\_\_\_ 2014, by

CITY OF ROHNERT PARK

by \_\_\_\_\_

its duly authorized officer whose position is that

of \_\_\_\_\_

Signed on \_\_\_\_\_ 2014, by

CITY OF SANTA ROSA

by \_\_\_\_\_

its duly authorized officer whose position is that

of \_\_\_\_\_

Signed on \_\_\_\_\_ 2014, by

CITY OF SEBASTOPOL

by \_\_\_\_\_

its duly authorized officer whose position is that

of \_\_\_\_\_

Signed on \_\_\_\_\_ 2014, by

CITY OF SONOMA

by \_\_\_\_\_

its duly authorized officer whose position is that

of \_\_\_\_\_

Signed on \_\_\_\_\_ 2014, by

TOWN OF WINDSOR

by \_\_\_\_\_

its duly authorized officer whose position is that

of \_\_\_\_\_

Signed on \_\_\_\_\_ 2014, by

COUNTY OF SONOMA

by \_\_\_\_\_

its duly authorized officer whose position is that

of \_\_\_\_\_



## County of Sonoma Agenda Item Summary Report

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

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

**To:** Board of Supervisors

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

**Department or Agency Name(s):** County Counsel

**Staff Name and Phone Number:**

Bruce Goldstein, (707) 565-2421

**Supervisorial District(s):**

**Title:** Contract to provide legal services to Mendocino County Counsel.

### **Recommended Actions:**

Authorize County Counsel to execute an agreement for Sonoma County Counsel to provide Mendocino County Counsel with legal services for a one year term, with an option to extend for an additional one year term, in an amount not to exceed \$25,000 annually.

### **Executive Summary:**

Mendocino County Counsel's Office has requested assistance from the Office of the Sonoma County Counsel in specialized areas of law. Sonoma County Counsel will provide legal consulting services on land use and related issues; legal research and advice; and preparation and review of legal and environmental documents and pleadings as may be requested. Mendocino County Counsel is retaining Sonoma County Counsel, not any particular attorney. The contract term is for one year with a maximum total amount of \$25,000 annually at Sonoma County Counsel's normal billing rate (currently \$226 per hour), with the option to mutually extend the agreement for an additional year.

### **Prior Board Actions:**

N/A

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

This agreement aligns with the Civic Services & Engagement goal by authorizing a partnership between Sonoma and Mendocino counties that will enable Sonoma County to assist a regional partner in meeting a critical need.

**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):**

County Counsel may receive some additional revenue as a result of the contract. Recent reductions in the number of development projects and reduced demands by other revenue clients create the ability to handle the anticipated work load within the capacity of existing staff.

**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:**

Legal Services Agreement

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

None.

## LEGAL SERVICES AGREEMENT

The Mendocino County Counsel's Office ("Mendocino") and the County of Sonoma ("Sonoma") enter into this agreement for legal services which shall become effective on the date set forth in Section 1. Sonoma is authorized to provide legal services upon Mendocino's request pursuant to Government Code sections 26520 and 27642.

1. Effective Date.

This Agreement shall be effective upon its signature by both parties, and shall continue in effect for one year until terminated as specified in Section 9, with the option to mutually extend the agreement for an additional year.

2. Scope of Services.

Sonoma County Counsel will provide legal services upon request of Mendocino County Counsel, such services may include, but are not limited to, legal consulting services on land use and related issues, legal research and advice, and preparation and review of legal and environmental documents and pleadings as may be requested. Mendocino County Counsel is retaining Sonoma County Counsel, not any particular attorney, and the attorney services to be provided to Mendocino County Counsel will not necessarily be performed by a particular attorney.

3. Compensation for Services.

In consideration for Sonoma County Counsel's performance, Mendocino County Counsel shall pay Sonoma County Counsel the amount determined to be the hourly cost to Sonoma County Counsel of providing such service which is determined every fiscal year when the County of Sonoma adopts its annual budget. Such amount may be adjusted annually as of July 1 to reflect the actual cost of providing such services. In addition, Mendocino County Counsel shall be billed for actual costs and reasonable expenses incurred by Sonoma County Counsel in providing services requested by Mendocino County Counsel. The hourly rate for services of Sonoma County Counsel for FY 2013/14 is \$226.00. Total compensation (fees and costs) under this agreement shall not exceed Twenty-Five Thousand Dollars (\$25,000) without written amendment of this Agreement.

4. Billing and Payment.

Charges for services rendered pursuant to the terms and conditions of this Agreement shall be billed one month in arrears. Time will be billed in quarter-hour increments, rounded off for each particular activity to the nearest quarter-hour. The minimum charged for any particular activity will be one quarter hour. The time charged will include the time Sonoma County Counsel spends on telephone calls relating to Mendocino County Counsel matters, including calls with Mendocino County Counsel and other parties and attorneys. The legal personnel assigned to Mendocino County Counsel matters may confer among themselves about the matter, as required and appropriate. When they do confer, each person will charge for the time expended, as long as the work done is reasonably necessary and not duplicative. Likewise, if more than one of the

legal personnel attends a meeting or other proceeding, each will charge for the time spent. Sonoma County Counsel will charge for waiting time and for travel time, both local and out of town. Payment shall be made by Mendocino County Counsel to Sonoma County Counsel at the address specified in Section 11 within thirty (30) days of the invoice date. If such timely payment is not made, interest shall accrue at the prime rate.

5. Authorized Representative of Mendocino County.

The parties understand that Sonoma County Counsel has been retained to represent the interests of Mendocino County as a whole. In order to facilitate Sonoma County Counsel's representation, the Mendocino County Counsel, or his/her designee, is the authorized representative to direct Sonoma County Counsel and to be the primary person to communicate with Sonoma County Counsel regarding the subject matter of Sonoma County Counsel's representation under this Agreement. This designation is intended to establish a clear line of authority and to minimize potential uncertainty, but not to preclude communication between Sonoma County Counsel and other representatives of Mendocino County.

6. Conflict of Interest.

No attorney shall be assigned to represent or advise Mendocino County Counsel on any matter in which that attorney has a personal financial interest. In the event a conflict arises during the course of representation, Counsel shall take such steps as might be necessary to provide Mendocino County Counsel with substitute counsel.

7. Representational Conflicts.

Mendocino County Counsel understands that Sonoma County Counsel serves as the legal advisor and representative for the County of Sonoma. Sonoma County Counsel also serves as the legal advisor for a number of other separate legal entities including the Sonoma County Water Agency, the Sonoma County Agricultural Preservation and Open Space District, the Community Development Commission, the Mendocino County Employees' Retirement Association, and other local entities and special districts distinct from County government (referred to as "Other Public Entities"). From time to time, the interests of Mendocino County may potentially conflict with the interests of the County of Sonoma or Other Public Entities, such as in a situation where Mendocino County Counsel and the County of Sonoma both require assistance of Sonoma County Counsel in negotiating a contract with each other. As required by the Rules of Professional Conduct, Sonoma County Counsel will take all steps necessary to safeguard the confidential information of Mendocino County in such situations. A copy of Sonoma County Counsel's internal policy governing the management of conflicts of interest is available to Mendocino County Counsel upon request. Upon execution of this Agreement, Mendocino County Counsel agrees to execute the Waiver of Conflict attached as Exhibit A, so that Sonoma County Counsel may continue to represent the County of Sonoma, or Other Public Entities and Mendocino County Counsel in the absence of actual conflict. Further, should an actual conflict develop between Mendocino County Counsel and the County of Sonoma or Other Public Entities, Mendocino County expressly waives its right to disqualify Sonoma County Counsel from representing the County of Sonoma or Other Public Entities in any matter involving Mendocino County Counsel.

8. Indemnification.

Mendocino County shall defend, indemnify and hold harmless Sonoma County Counsel, and any of its officers, employees, consultants and agents and each of them, against any losses, claims, damages, obligations, liabilities, attachments, executions, demands, actions and/or proceedings brought by a claimant who is not party to this Agreement, to which Sonoma County Counsel may become subject as a result of: (i) errors contained in information furnished by Mendocino County Counsel or (ii) the rendering of any services by Sonoma County Counsel. Sonoma County Counsel may select and retain its own counsel in any action or claim subject to this indemnification. If Mendocino County fails or refuses to defend Sonoma County Counsel, then Mendocino County shall reimburse Sonoma County Counsel for all expenses and costs (including legal fees and costs) incurred by them in connection with investigating, preparing to defend, or defending any claim for which indemnification is owed.

9. Termination and Withdrawal.

This Agreement may be terminated by Mendocino County Counsel at any time by written thirty (30) day notice to Sonoma County Counsel. Sonoma County Counsel may withdraw at any time as permitted under the Rules of Professional Conduct of the State Bar of California. Sonoma County Counsel will retain all records in accordance with Sonoma County Counsel's adopted records retention schedule.

10. Modification.

If, during the term of this Agreement, it becomes necessary to amend or add to the terms, conditions, scope or requirements of this Agreement, such amendment or addition shall only be made in writing upon the mutual agreement of Sonoma County Counsel and Mendocino County Counsel.

11. Notices.

Notices regarding this Agreement may be delivered in person, by first class mail, or by fax, addressed to the following persons:

For Mendocino County Counsel:  
Office of Mendocino County Counsel  
501 Low Gap Road  
Ukiah, CA 95482

For Sonoma County Counsel:  
Office of the Sonoma County Counsel  
575 Administration Drive, Room 105A  
Santa Rosa, CA 95403

13. Merger.

This Agreement contains the entire agreement of the parties. No other agreement, statement, or promise made on or before the effective date of this Agreement will be binding on the parties.

14. Counterparts. This Agreement may be executed in several counterparts and all counterparts so executed shall constitute one agreement that shall be binding on all of the parties, notwithstanding that all of the parties are not signatory to the original or same counterpart.

15. Authority. The undersigned hereby represents and warrants that they have the authority to execute and deliver this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date set forth below.

Dated: \_\_\_\_\_, 2014

Office of the Sonoma County Counsel

By: \_\_\_\_\_  
Bruce D. Goldstein  
County Counsel

Dated: \_\_\_\_\_, 2014

Office of the Mendocino County Counsel

By: \_\_\_\_\_  
Douglas L. Losak  
Acting County Counsel



IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

COUNTY OF MENDOCINO

CONTRACTOR/COMPANY NAME

DEPARTMENT NAME: County Counsel

By: Douglas L. Losak 4/8/14  
DEPARTMENT HEAD DATE

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

Budgeted:  Yes  No

NAME AND ADDRESS OF CONTRACTOR:

Budget Unit: 1210

Sonoma County Counsel

Line Item: 862189

575 Administration Dr. #105A

Grant:  Yes  No

Santa Rosa, CA 95403

Grant No.: \_\_\_\_\_

**INSURANCE REVIEW:**

**RISK MANAGER**

By signing above, signatory warrants and represents that he/she executed this Agreement in his/her authorized capacity and that by his/her signature on this Agreement, he/she or the entity upon behalf of which he/she acted, executed this Agreement

By: \_\_\_\_\_  
KRISTIN McMENOMEY, Director  
General Services Agency

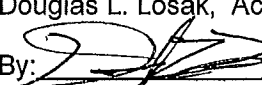
**EXECUTIVE OFFICE REVIEW:**

**COUNTY COUNSEL REVIEW:**

APPROVAL RECOMMENDED:

APPROVED AS TO FORM:

By: \_\_\_\_\_  
CARMEL J. ANGELO, Chief Executive Officer

Douglas L. Losak, Acting County Counsel  
By:  \_\_\_\_\_  
Deputy

**FISCAL REVIEW:**

By: \_\_\_\_\_  
Deputy CEO/Fiscal

Signatory Authority: \$0-25,000 Department; \$25,001- 50,000 Purchasing Agent; 50,001+ Board of Supervisors  
Exception to Bid Process Required/Completed  \_\_\_\_\_

EXHIBIT A

General Waiver of Potential Conflicts

WHEREAS, the Office of the Sonoma County Counsel (“Sonoma County Counsel”) serves as Sonoma County’s legal advisor and representative in all civil matters; and

WHEREAS, Sonoma County Counsel also serves as the legal advisor for a number of other separate legal entities such as the Sonoma County Water Agency, the Sonoma County Agricultural Preservation and Open Space District, the Community Development Commission, the Sonoma County Employees’ Retirement Association, the Mendocino County Employees’ Retirement Association, and other special districts (referred to as “Other Public Entities”); and

WHEREAS, Sonoma County Counsel may, upon request, represent local governmental entities that are distinct from County government; and

WHEREAS, from time to time, the interests of Mendocino County may potentially conflict with the interests of the County of Sonoma or Other Public Entities; and

WHEREAS, Mendocino County Counsel acknowledges a potential conflict of interest may arise from the fact that the County of Sonoma and/or Other Public Entities may have divergent interests from Mendocino County in transactions or other matters such as in a situation where Mendocino County and the County of Sonoma both require assistance of Sonoma County Counsel in negotiating a contract with each other on regulating water rights; and

WHEREAS, while transactional matters generally do not raise any specific potential for litigation between the parties, it is important for both parties to understand the potential conflict before agreeing to waive it; and

WHEREAS, Mendocino County Counsel wishes Sonoma County Counsel to provide legal services notwithstanding such potential conflict; and

WHEREAS, in order to provide prompt legal services to all parties on transactions or matters involving the parties, Sonoma County Counsel is requesting a waiver from Mendocino County Counsel.

NOW, THEREFORE, Mendocino County Counsel acknowledges that the nature of such potential conflicts has been explained, in particular by reference to the legal opinion set forth in *Civil Service Commission of San Diego County v. County of San Diego* (1984) 163 Cal.App.3d 70, 78-79, which states, in part:

“The principle precluding representing an interest adverse to those of a current client is based not on any concern with the confidential relationship between attorneys and client but rather on the need to assure the attorney's undivided loyalty and commitment to the client. (*Jeffry, supra*, 67 Cal.App.3d at pp. 9- 10, 136 Cal.Rptr.

373; see also *Grievance Com. of Bar of Hartford County v. Rottner* (Conn.1964) 203 A.2d 82, 84.) The attorney who represents a client with interests adverse to another current client encounters the very real danger "that he will be tempted, perhaps unconsciously, to favor the interest of a particularly important client over the adverse or potentially adverse interest of a less favored client." (Developments in the Law--Conflicts of Interest in the Legal Profession (1981) 94 Harv.L.Rev, 1244, 1296.) Here there is every reason to believe that County Counsel would be tempted to favor the interests of the County in giving advice to the [Civil Service] Commission. The Commission's primary, if not sole function, is to pass judgment on the conduct of the County toward its employees. Every Commission decision has the potential of being adverse to one of the County's constituent agencies. Because County Counsel is directly responsible to the Board of Supervisors, it is difficult to conceive how any member of the County Counsel's office can render independent advice to the Commission. The structure of the system would appear necessarily to skew such advice in favor of the County and against the county employees. And even in those circumstances where County Counsel renders advice to the Commission favoring the employee, such advice places him in a position adverse to his client, the County."

Mendocino County Counsel agrees to waive any potential conflicts of interest between Mendocino County and the County of Sonoma and between Mendocino County and Other Public Entities.

Mendocino County Counsel further agrees to waive the right to disqualify the Sonoma County Counsel from representing the County of Sonoma or any Other Public Entity over any conflict between Mendocino County and the County of Sonoma or between Mendocino County and any such Other Public Entities.

County of Mendocino

By: \_\_\_\_\_  
Douglas L. Losak  
Acting County Counsel



## County of Sonoma Agenda Item Summary Report

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

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

**To:** Board of Supervisors, Board of Directors, Board of Commissioners

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

County Administrator, 565-2241

**Supervisorial District(s):**

All

**Title:** Adopt Board Rules of Procedures 2014 Update

### **Recommended Actions:**

Adopt Board Rules of Procedures 2014 Update and repeal Resolution 56467 amending Board Rules.

### **Executive Summary:**

The 2014 update to the Board Rules of Procedures includes two considerable changes. New Rule 22 was added to identify requirements that apply to quasi-adjudicatory hearings. A discussion of this matter took place at the Board's February 21, 2014 Study Session. The second change to the Board Rules of Procedure is the inclusion of new Rule 44 describing functional groupings of County Departments and related Agencies and the designation of these assignments to each member of the Board. New Rule 44 repeals Resolution No. 56467, dated January 25, 1977.

Other minor updates include changes to Consent/Regular Calendar Items (page 5) to reflect that only Board members may request removal of a specific item from the Consent Calendar for separate discussion and action; an update to Roll Call Votes (page 8) specifying that roll call votes shall be taken and recorded in the minutes when there is not a unanimous action; and an update to Participation of the Public /Time Limits (page 13) that explains that Board members may not deliberate or take action on items not listed on the agenda.

### **Prior Board Actions:**

March 12, 2013 - The Board adopted the second update to the 4/10/12 Board Rules of Procedure.  
April 10, 2012 - The Board adopted a comprehensive update to the Board Rules of Procedures.  
Prior to 2012 the rules had not been comprehensively reviewed or updated since 1974.

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

The Board Rules of Procedures are designed to foster understanding and respect for the democratic process, facilitate compliance with applicable laws, encourage public participation, provide guidance on decorum, and enhance effective and efficient management of Board meetings.

**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):**

There is no cost associated with the recommended action to adopt the updated Rules of Procedures. Minor County Administrator and County Counsel staff costs, which are included in the adopted budget for FY 13-14, were required to compile and update the Rules.

**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:**

Attachment A – Board Rules of Procedures (Strike Through Version)

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

Resolution No. 56467

Sonoma  
County  
Board of  
Supervisors

Board Rules of Procedures



Adopted Date: 04/10/2012

Revised: 03/12/2013

[2<sup>nd</sup> Revision: 04/15/2014](#)

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**Sonoma County Board Rules of Procedures**

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**RULES OF PROCEDURE**

**OF THE BOARD OF SUPERVISORS**

**SONOMA COUNTY, CALIFORNIA**

**I. PURPOSE**

The purpose of these Rules of Procedures (“Rules”) is to foster understanding and respect for the democratic process, facilitate compliance with applicable laws, encourage public participation, provide guidance on decorum, and enhance effective and efficient management of Board meetings.

**II. GENERAL**

**Rule 1. Applicability of Rules**

These Rules are adopted pursuant to Government Code §25003. The Rules shall apply to the Board of Supervisors of the County of Sonoma whether sitting as the Board of Supervisors of the County or as the governing board of any other district, commission, authority or board.

These Rules are intended to expedite the transaction of business of the Board in an orderly fashion, and are deemed to be procedural only. The failure to strictly observe application of the Rules shall not affect the jurisdiction of the Board or invalidate any action taken at a meeting that is otherwise held in conformity with the law. Except as otherwise provide by law, these Rules, or any one of them, may be suspended by a majority of the Board.

These Rules supersede and replace all rules of procedure previously adopted by the Board.

**Rule 2. Definitions**

In interpreting these Rules:

- a) “Board” refers to the Board of Supervisors of Sonoma County, whether sitting as the Board of Supervisors of the County or as the governing body of any other district, authority or board
- b) “Board member” refers to a member of the Board
- c) “Chair” and “Vice Chair” refers to the Board members elected to those respective offices
- d) “Clerk” refers to the Clerk of the Board of Sonoma County
- e) “County Administrator” refers to the County Administrative Officer of Sonoma County

**III. MEETINGS**

**Rule 3. Regular Meetings and Annual Calendar**

Regular meetings generally shall be held on each Tuesday of every month except the Board shall generally not meet on any fifth Tuesday of a calendar month, or on any Tuesday following a Monday holiday. In addition, any meeting may be cancelled upon the order of the Chair, or by a majority of the members of the Board.

Regular meetings shall commence at 8:30 a.m. and shall be held at the Board of Supervisors Chambers at 575 Administration Drive, Suite 102A, Santa Rosa, California, unless the time, date and location are changed by a

## **Sonoma County Board Rules of Procedures**

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majority vote of the Board, and so noticed. Business shall normally be conducted between 8:30 a.m. and 5:00 p.m., but may continue past 5:00 p.m., without objection from the members present.

An annual calendar of meetings shall be adopted by the Board at their first meeting in January. The calendar will include all known regular meetings. Any meeting may be canceled upon the order of the Chair, or by a majority of Board members.

### **Rule 4. Special Meetings, Budget Hearings, Workshops and Planning Meetings**

Special meetings may be called at any time by the Chair, or by a majority of the members. Upon the call of a special meeting, the Clerk will prepare and distribute, at least 24 hours before the time of the special meeting, written notice to each member and to a local newspaper of general circulation. The notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings (Government Code §54956).

Budget Hearings, Workshops, Study Sessions and Planning Meetings may be called by the Chair or by a majority of the Board at times and locations in accordance with the law and specified notice provisions.

### **Rule 5. Emergency Meetings**

Emergency meetings may be called by the Chair or by a majority of the Board, in the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities. Upon the call of an emergency meeting, the Clerk shall give notice of the meeting, and comply with posting requirements (Government Code §54956.5).

### **Rule 6. Closed Sessions**

Closed sessions of the Board can be called by the Chair or by a majority of the Board, for those purposes allowed by law (Government Code §54956.7).

Prior to holding any closed session, the Chair shall announce the session in an open meeting, and shall provide an opportunity for public comment on items on the closed session agenda. During the closed session the Board may consider only those items on the agenda. At the conclusion of the closed session the Board shall report, in an open meeting, as required by law, action taken (Government Code §54957.1).

## **IV. ELECTIONS, POWERS, AND DUTIES OF THE CHAIR, VICE-CHAIR, AND CHAIR PRO-TEMPORE**

### **Rule 7. Annual Selection of Chair and Vice Chair**

At its first regular meeting, after January 1 of each year, the Board shall nominate and elect from its membership a Chair, Vice Chair, and a Chair Pro-Tempore. The Chair shall call the meeting to order and the first order of business shall be the election of officers for the ensuing calendar year. The Chair, Vice Chair, and Chair Pro-Tempore shall serve until the election of their successors.

### **Rule 8. Powers of Chair, Vice-Chair, and Chair Pro-Tempore**

The Chair shall serve as presiding officer of the Board, rule on questions of procedure, appoint members to committees and special assignments, and execute official Board records and documents presented by the County Administrator/Clerk. In the absence or unavailability of the Chair, the Vice-Chair shall call the meeting to order and serve as presiding officer. The Vice-Chair shall have and exercise all powers and duties of the

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Chair for meetings over which he or she is called to preside and at ceremonial and official functions, which the Chair cannot attend.

If both the Chair and the Vice-Chair are absent or unable to participate, the Chair Pro-Tempore shall call the meeting to order, serve as the presiding officer, and shall have and exercise all power and duties of the Chair for the meeting over which he or she is called to preside and at ceremonial and official functions, which the Chair or Vice Chair cannot attend.

### V. AGENDAS AND AGENDA MATERIALS

#### Rule 9. Meeting Agenda

At least 72 hours before a regular meeting, the Clerk shall post an agenda. The agenda shall consist of a brief statement of each item to be considered by the Board (Government Code §54950). The agenda shall indicate the time and location of the meeting and shall be posted as required by law.

#### Rule 10. Addendums/Supplemental Agenda Items

The Clerk shall prepare, post, and distribute all addendums/supplemental agendas when there has been an item added, continued, deleted, and/or modified since the distribution of the initial meeting agenda.

#### Rule 11. Use of Clerk of the Board Required Agenda Form

All Departments/Agencies shall use agenda forms, as prescribed by the Clerk, when submitting items to be placed on the Board's agenda for consideration. The Clerk shall make prescribed forms available. Without amendment to these Rules, the County Administrator may change agenda forms.

#### Rule 12. Department/Agency Agenda Responsibilities

When submitting an item for consideration by the Board, it is the responsibility of the originating Department /Agency to provide all required information, and to meet all timelines established by the County Administrator and Clerk. Originating Departments/Agencies shall submit sufficient copies to meet the distribution and processing requirements of the Clerk.

#### Rule 13. Review and Filing of Agenda Items

All agenda items require review by the County Administrator's Office prior to submission to the Clerk for placement on the agenda. Agenda items are to be submitted to the County Administrator's Office complete, with all back-up materials, and in accordance with all requirements and instructions as established by the County Administrator.

The County Administrator may ask for additional information, clarification, and may determine not to place any item on the agenda that is not complete or is not submitted in accordance with instructions. Without amendment to these Rules, agenda submittal instructions may be amended or additional requirements imposed to ensure appropriate review and Brown Act compliance.

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### **Rule 14. Supplemental Correspondence and Information Prior to Board Meeting and During the Board Meeting**

- a) After Initial Agenda Distribution and Prior to the Meeting Rule - Agenda materials distributed, via mail, email, or hand delivered by the public to a majority of the Board or their staff, that is distributed or redistributed to another County employee, must be forwarded to the Clerk for public review.
- b) At the Meeting Rule - Documents, including PowerPoint handouts, distributed to Board members by County employees or Board members themselves at the meeting, shall be kept to a minimum. When necessary to distribute materials at the meeting, 20 copies shall be provided to the Clerk for distribution to: Board members, County Administrator, County Counsel, and the Clerk, with remaining copies available for distribution to the general public. If large numbers of the public are anticipated to attend the Board Meeting on a matter and new information will be distributed to the Board members, then the number of copies should be increased to anticipate the number needed for the public.

Any supplemental correspondence or written information related to an agenda item which is provided to three or more Board members, and/or members of their staffs, shall be concurrently filed with the Clerk and made a part of the official record. This Rule shall not apply to attorney-client privileged communications.

Sufficient copies of supplemental correspondence and information should be delivered to the Clerk and the Clerk shall make the appropriate distribution to the Board, CAO and County Counsel.

### **Rule 15. County Counsel Approval as to Form**

All agenda items which require County Counsel's approval shall be reviewed and approved, prior to submittal to the County Administrator Office. County Counsel shall provide instructions to departments and agencies on what items require such approval.

## **VI. CONDUCT OF BUSINESS**

### **Rule 16. Order of Business**

The Board shall conduct business in the order specified in the posted agenda or as modified at the discretion of the Chair. Without amending these Rules, the Board may modify or amend the Order of Business for Regular meetings, which shall be attached to these Rules as Appendix A.

### **Rule 17. Board Member; Notification of Absence**

If any Board member is unable to attend a meeting of the Board, all reasonable efforts shall be made to notify the Chair, County Administrator, and the Clerk, in writing and as soon as possible to ensure there are sufficient members present to consider all agenda items.

### **Rule 18. Quorum and Action**

Three members of the Board shall constitute a quorum sufficient to transact business. In the absence of a quorum, the remaining members or the Clerk may adjourn the meeting to another date and time in accordance with Government Code §54944 and shall post a Notice of Adjournment.

### **Rule 19. Matters Not on the Agenda/Emergency Items**

No action shall be taken on any item not appearing on the posted agenda except:

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- a) Upon a majority vote of the Board that an emergency situation exists as defined in Government Code §54956.5;
- b) Upon a determination by a four-fifths (4/5) vote of the Board, or if less than four-fifths (4/5) of the members are present, a unanimous vote of those members present, that 1) there is a need to take immediate action, and 2) the issue arose subsequent to the agenda being posted.

Any requests to hear a matter not on the agenda or emergency item shall be communicated to the Chair, County Administrator, County Counsel and Clerk as soon as the need becomes known.

### **Rule 20. Consent/Regular Calendar Items**

Agenda items on the Consent Calendar are routine in nature, consistent with adopted Board policy, and do not require individual consideration. The Consent Calendar will be enacted by one motion for approval of the recommended actions. There will be no separate discussion of these items prior to the time the Board votes on the motion unless any member of the Board ~~or the public~~ requests removal of a specific item from the Consent Calendar for separate discussion and action. Any Board member may ask the Clerk to record a “no” or “abstention” vote on any Consent Calendar item.

Agenda items on the Regular Calendar require separate discussion and/or action and may include, but are not limited to changes in policy, items that require the Board to consider options and provide direction, requests for new or unbudgeted positions, introductions or adoption of a proposed Ordinance, Public Hearings, and other matters as required by law.

### **Rule 21. Public Hearings**

Upon receipt of a request by a Department/Agency or Board member for a public hearing, the County Administrator or Clerk may set the hearing without action of the Board unless the Board is required by law to schedule the hearing. In that event, the matter shall be placed on the Consent Calendar to set the hearing.

Subject to the Chair’s right to maintain order, any person wishing to speak at a public hearing shall be heard. Except for rebuttal-closing comments allowed an applicant, ~~or and~~ the appellant in the case of an appeal, each speaker shall speak only once.

Each speaker’s presentation at a public hearing shall be relevant and to the point, and shall be as brief as possible; visual and other materials may be used as appropriate. The Chair may establish a time limit for presentations. When speakers use or submit to the Board visual or other materials, such materials shall become part of the file and identified and maintained as such. When CDs, DVDs, thumb drives, USB memory sticks, or other portable electronic media (e-media) are submitted to the Board, at least one hard-copy of the information stored on the e-media must be provided to the Clerk. Speakers with lengthy presentations are encouraged to submit them in writing.

The closing of a public hearing signifies the point after which the Board will no longer accept or consider any additional communication on the matter that was the subject of the hearing. As used in this Rule, “communication” includes oral communication; written communication such as documents, letters, and photographs; and any type of electronic communication, including e-mails, e-mail attachments, graphic images, spread sheets, text messages, and social media messages.

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Should the Board close a public hearing and continue its deliberations to a subsequent meeting, or announce a tentative decision, by motion or other proceedings, and defer its action on a final decision to a subsequent meeting to allow preparation of appropriate findings and/or conditions of approval, any written or electronic communication received by a Board member or the Clerk after the close of the hearing on the matter that was the subject of the hearing shall be placed in a separate file kept by the Clerk and labeled to indicate it was received after the close of the hearing. Late written and electronic communication shall not be given to Board members, nor should Board members retain copies.

Should County staff determine that communication received after the close of a public hearing should be considered by the Board prior to its rendering a final decision on the matter that was the subject of the hearing, County staff shall recommend to the Board that the hearing be reopened. If the Board concurs, the Board shall reopen the hearing, following appropriate notice, for the limited purpose of receiving testimony and evidence on the new information.

### VII. PROCEDURE AND VOTING

#### Rule 22. Quasi-Adjudicatory Hearings

In addition to the procedures in Rule 21, the following requirements apply to quasi-adjudicatory hearings.

Board members shall maintain their impartiality and avoid reaching a final decision in quasi-adjudicatory matters prior to the close of the public hearing. Board members may, however, express tentative opinions and concerns prior to their final decision, as this facilitates robust exploration and discussion of issues Board concern. Consistent with the duty of impartiality and the conduct of a fair hearing, Board members are encouraged to explain to those seeking commitment on a vote or project, that they cannot make a decision until they have considered all the information presented at the hearing.

Board members shall base their decisions solely on the public record and the information received at the public hearing. Board members may meet with interested parties and go on site visits prior to the public hearing. Where such contacts or site visits occur, the chair shall have Board members disclose these contacts or site visits, and any material facts learned from the contacts or site visits that are not in the staff report or public record, prior to the opening of the public hearing. This is to ensure all interested parties have an opportunity in the course of the public hearing to respond to any non-public and specific factual information that may have been learned by Board members prior to the hearing.

The Chair has authority to structure quasi-adjudicatory proceedings to fairly address any situation where new and unanticipated issues of importance arise in the hearing.

Notwithstanding Rule 14, all written communications from interested parties with members of the Board regarding quasi-adjudicatory matters shall be submitted to the Clerk for public review.

#### ~~Rule 22.~~ Rule 23. Order and Decorum

The Chair shall preserve order and decorum and shall decide all questions of order and procedure subject to an appeal to the Board. The nature of any appeal shall be briefly stated and the Chair shall have the right to state the reason for his or her decision.

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A Board member wishing to speak shall refrain until he or she has been recognized by the Chair. While a member is speaking, member shall be respectful and shall not engage in or entertain private discussions.

Consistent with the purpose of the Rules, members are encouraged to use a formal style, including appropriate titles, in addressing the public, staff and each other. All members shall refrain from the use of profanity, emotional outbursts, personal attacks or any speech or conduct which tends to bring the organization into disrepute.

### ~~Rule 23.~~ **Rule 24. Commitment to Civility**

To assure civility in its public meetings, staff and the public are also encouraged to engage in respectful dialog that supports freedom of speech and values diversity of opinion. To achieve compliance with these Rules, Members, staff, and the public are encouraged to:

- Create an atmosphere of respect and civility where elected officials, County staff, and the public are free to express their ideas;
- Establish and maintain a cordial and respectful atmosphere during discussions;
- Foster meaningful dialogue free of personal attacks;
- Listen with an open mind to all information, including dissenting points of view, regarding issues presented to the Board;
- Recognize it is sometimes difficult to speak at Board meetings, and out of respect for each person's feelings, allow them to have their say without comment, including booing, whistling or clapping;
- Adhere to speaking time limit.

### ~~Rule 24.~~ **Rule 25. Use of Electronic devices and documents**

The use of electronic documents, via iPads or other electronic means, is encouraged as a means of reducing the production and distribution of paper documents, and thereby decreasing costs.

Any member of the public may view the same electronic documents on line at ([http://supervisors.sonoma-county.org/meeting\\_archive.aspx?sid=1001&id=1002](http://supervisors.sonoma-county.org/meeting_archive.aspx?sid=1001&id=1002)), or may view the documents in paper form in the Clerk of the Board's Office.

The Board shall refrain from emailing, texting, using social media, or otherwise engaging in electronic communications in the Board Chambers on matters that are listed on the Board agenda.

### ~~Rule 25.~~ **Rule 26. Motions – General**

Any motion for action shall require a second before being acknowledged by the Chair. The Clerk shall enter into the minutes the motion and the names of the moving and seconding members. After a motion is stated by the Chair, it shall be open for debate but may be withdrawn by the maker at any time before a decision is made or an amendment adopted. A motion may be amended with the consent of the moving and seconding members at any time before a decision is made or an amendment adopted unless another motion is pending. The Clerk shall enter into the minutes the vote of each member on each motion.



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### ~~Rule 26.~~ Rule 27. **Voting**

It shall take at least three affirmative votes of the Board to pass any motion (Govt. Code §25005), except where supermajority four-fifths (4/5) votes or unanimous votes are required by law. Appendix B contains a list of common items that require a four-fifths (4/5) vote. Appendix B may be up-dated without amending these Rules. An abstention shall count as neither an “aye” nor a “no” vote.

A supervisor who is absent from all or a part of: (1) a public hearing, (2) an item that requires findings, or (3) an item that is quasi-judicial in nature, may subsequently vote on the matter if the supervisor has reviewed all evidence received during his/her absence, listened to the Clerk’s recording or read a true and complete transcript of the proceedings, and so states on the record.

### ~~Rule 27.~~ Rule 28. **Roll Call Votes**

The roll need not be called in voting upon a motion except where specifically required by law or requested by a Board member or the Chair. [Roll call votes shall be taken to act on any agenda items when there is not a unanimous action. A record of the roll call vote shall be included in the minutes by the Clerk of the Board.](#) Each roll call vote shall be made in an order determined by the Clerk or directed by the Chair but generally shall first include: the maker of the motion; the member who seconded the motion; the balance of the members present, with the Chair called last, unless the Chair made, or seconded, the motion.

### ~~Rule 28.~~ Rule 29. **Conflicts of Interest**

Any member with a disqualifying conflict of interest must, in compliance with the Political Reform Act:

- a) Publically state the nature of the conflict in sufficient detail to be understood by the public;
- b) Recuse himself/herself from discussing and voting on item; and
- c) Leave the room until after the discussion, vote, and other disposition of the matter is concluded, unless the matter has been placed on the Consent Calendar.

The member may be allowed to address the Board as a member of the public. Disclosure of a conflict shall be noted in the official Board minutes. The member must also comply with all other applicable conflicts of interest laws.

Members may not have a financial interest in a contract approved or considered by the Board. In these cases disclosure and recusal does not remove the conflict and such a contract is considered void (Government Code §1090). The member is encouraged to discuss possible conflicts with County Counsel prior to the meeting.

### ~~Rule 29.~~ Rule 30. **Motion to Rescind**

A motion to rescind any action or motion shall require four-fifths (4/5) vote unless notice has been given at the previous meeting, either verbally or in writing. If notice has been given, the motion requires only a majority vote of all the members of the Board. A motion to rescind is not in order if action has been taken which cannot be changed.

### ~~Rule 30.~~ Rule 31. **Motion to Reconsider**

Any Board member who votes in the majority on a question, as well as any Board member who was absent, is eligible to make a motion to reconsider. A motion to reconsider shall be in order during the meeting at which

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the action to be reconsidered took place provided members of the public in attendance during the original action are still present in the Board chamber. In all other cases, motions for reconsideration must be placed on a future agenda for action.

A motion to reconsider shall require a majority vote. A motion to reconsider, if lost, shall not be renewed nor shall any subject be reconsidered a second time within twelve (12) months except by a four-fifths (4/5) vote of the Board. A motion to reconsider is not in order if action has been taken which cannot be changed.

### **~~Rule 31.~~ Rule 32. Substitute Motion**

A substitute motion is an amendment where an entire resolution or section, or one or more paragraphs is struck out and another is inserted in its place. The motion to substitute, if adopted by majority vote, does away entirely with the original motion. The vote shall then be taken on the motion that was substituted. A substitute motion is appropriate if amendments become involved or a paragraph requires considerable changes. A substitute motion may not be made when an amendment is pending.

### **~~Rule 32.~~ Rule 33. Ordinances**

Ordinances (other than zoning ordinances) are introduced at one meeting (first reading), then generally placed on the agenda for adoption at a subsequent meeting.

- The first reading will become the primary meeting at which: (1) the title of the ordinance will be read; (2) the Board will typically consider a motion to waive the reading of the text of the ordinance and to introduce the ordinance by title only; (3) members of the public shall have an opportunity to address the ordinance; (4) the ordinance shall be introduced by a motion and majority vote of the Board.
- At the second reading: (1) the ordinance may be placed on the Consent Calendar for adoption; (2) if pulled from the Consent Calendar for separate action, the title of the ordinance may be read; (3) a motion to adopt the ordinance may be made; (4) a majority vote by roll call will adopt the ordinance.
- Pursuant to Government Code §25123, ordinances shall generally become effective 30 days from the date of final passage.

Zoning ordinances are publicly noticed and may be adopted by majority roll call at one hearing. Other ordinance hearing procedures may be used as required by law.

### **~~Rule 33.~~ Rule 34. Planning Matters – Request for Continuance**

Any Board member may, at his or her sole discretion, continue a planning matter within his/her District from one agenda to another regular meeting of the Board.

### **~~Rule 34.~~ Rule 35. Planning Matters – Original Jurisdiction**

Any member may request the Board to exercise original jurisdiction over a use permit or other planning application, as authorized under the County Code, except in cases where state law requires a recommendation of the Planning Commission prior to action by the Board on the matter. A request to exercise original jurisdiction shall be filed in writing with the Clerk, or made orally at a Board meeting, prior to any decision by a lower level decision maker approving or denying the subject application. A request to exercise original jurisdiction need not state the reasons for the request but shall be brought as a noticed agenda item to the full Board for majority approval.

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### VIII. DUTIES OF COUNTY STAFF DURING BOARD MEETINGS

#### ~~Rule 35.~~ **Rule 36. County Administrator**

The County Administrator shall be present during Board meetings and shall provide such information as necessary to assist the Board members in their deliberation and decision making. The County Administrator may delegate this responsibility to the Assistant County Administrator or to a Deputy County Administrator.

#### ~~Rule 36.~~ **Rule 37. County Counsel**

County Counsel shall be present during Board meetings, and shall serve as advisor to the Board on appropriate rules to comply with legal requirements. All questions of law shall be referred to County Counsel for his or her opinion. County Counsel may delegate this responsibility to the Assistant County Counsel or a Deputy County Counsel.

#### ~~Rule 37.~~ **Rule 38. Clerk of the Board**

The Clerk or Deputy Clerk shall be present during all meetings for the purpose of taking and maintaining the minutes of the meeting; presenting and receiving correspondence, records, documents, claims, reports, or petitions; preserving all records; marking or attesting all resolutions and ordinances; imparting information on Board documents of public record; and otherwise fulfilling all duties imposed by law or required by the Board.

The Clerk shall record all regular meetings of the Board by audio or visual means or both. Regular meetings may also be broadcast or webcast.

#### ~~Rule 38.~~ **Rule 39. Sheriff**

The Sheriff, or a representative of the Sheriff's Office, shall at the discretion of the Chair or a majority of Board members, be in attendance at meeting of the Board, for the purpose of maintaining order and upholding the law.

#### ~~Rule 39.~~ **Rule 40. Department and Agency Directors**

Department and Agency Directors, or a designee, having any matter on the agenda for consideration by the Board, whether consent or regular, shall be available for the purpose of providing information to the Board and shall also attend any Board meeting when requested to do so by a Board member or the County Administrator.

### IX. COMMITTEES

#### ~~Rule 40.~~ **Rule 41. Board Committees/Assignments and Reporting Requirements**

The Clerk shall maintain a list of Board Committees and Assignments. Annually, the incoming Chair shall review the list of Committees and Assignments and shall determine which members to appoint for the upcoming year. The list of appointments shall be adopted by the Board at their first meeting in January.

All members who are assigned to special projects, committees, and separate boards or commissions shall provide regular reports to the full Board regarding their activity in connection with the special projects, committees, and separate boards or commissions.(Government Code §53234, et. seq.).

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Committee members shall call board committee meetings as needed provided they are held in conformance with the law. The County Administrator's Office and County Counsel shall serve as support staff to all Board committees. Other department heads and/or staff may also support as requested by the committee.

### ~~Rule 41.~~ **Rule 42. Standing Committees**

Standing committees are those which have continuing jurisdiction over a particular subject matter or whose meeting schedule is fixed by resolution or action of the Board. Even if comprised of less than a quorum of the Board, a standing committee is subject to the Brown Act.

The Chair shall appoint members to each standing committee. Generally, appointments shall occur at the Board's first regular meeting in January. All standing committees shall be appointed for the calendar year, and the members shall continue as committee members until their successors have been appointed.

### ~~Rule 42.~~ **Rule 43. Ad-Hoc Committees**

Ad-Hoc committees are not subject to the Brown Act. They may be formed by the Chair or Board action, shall be solely composed of members of the board, less than a quorum of the board, shall serve a limited or single purpose, for a limited time, and shall be dissolved once the specific task assigned is completed.

Ad-Hoc Committees are encouraged to conclude their business at the end of each calendar year. The Clerk will maintain a current index of Ad-Hoc Committees and their purpose.

~~X.~~ **OTHER**

### **Rule 44. Board Assignments to Functional Groups of County Departments**

The Chair shall designate a functional grouping of County Departments and related Agencies to each member of the Board for the calendar year.

The purpose of establishing functional group assignments emphasizes a structure that meets the following goals:

1. To develop and maintain communications with County departments and related agencies.
2. To encourage the discussion of goals and objectives and common problems between departments performing related functions and activities.
3. To permit members of the Board to develop knowledge and understanding of the activities of County departments and related agencies
4. To establish a relationship between members of the Board, the County Administrator's Office, and County departments and related agencies which will result in members of the Board concentrating on policy matters not administrative and management matters which are the responsibility of the County Administrator and Department Heads.

The method of assignment of members of the Board is not intended to delegate any Board authority to a Committee of Board member. One member of the Board of Supervisors shall be assigned to each group of functionally related County departments and agencies. The County Administrator shall assign a staff member to each functional group who shall serve as the County Administrator's representative of said departments.

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The Board designates the following functional grouping of County departments and related agencies for the purpose of establishing assignments of members of the Board of Supervisors.

1. GENERAL ADMINISTRATIVE SERVICES

<u>Board of Supervisors</u>	<u>Fairgrounds</u>
<u>County Clerk/Recorder/Assessor</u>	<u>Library</u>
<u>County Counsel</u>	<u>Registrar of Voters</u>
	<u>Human Resources</u>
<u>County Administrator</u>	<u>General Services Department</u>
<u>LAFCO</u>	<u>Information Systems</u>

2. FISCAL SERVICES/CONSUMER PROTECTION SERVICES

<u>Agricultural Commissioner/ Sealer of Weights &amp; Measures</u>
<u>Retirement</u>
<u>UC Cooperative Extension</u>

<u>Auditor-Controller-Treasurer-Tax Collector</u>
<u>Central Collections</u>

3. DEVELOPMENT SERVICES

<u>Ag Preservation and Open Space District</u>	<u>Fire and Emergency Services</u>
<u>Community Development Commission</u>	<u>Fire and Emergency Services</u>
<u>Economic Development Board</u>	<u>Permit &amp; Resource Management</u>
<u>Water Agency/Sanitation</u>	
<u>Regional Parks</u>	<u>Transportation &amp; Public Works</u>
	<u>Air Pollution Control</u>

4. CRIMINAL JUSTICE SYSTEM SERVICES

<u>Courts Administration</u>	<u>Public Defender</u>
<u>District Attorney</u>	<u>Sheriff's Office</u>
<u>Probation &amp; Juvenile Halls</u>	<u>Law Library</u>

5. HEALTH AND HUMAN SERVICES

<u>Child Support Services</u>	
<u>In-Home Supportive Services (IHSS)</u>	
	<u>Human Services</u>
<u>Health Services</u>	<u>Veterans Services</u>
<u>Animal Care and Control</u>	

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~~XI.X.~~ **OTHER**

~~Rule 43-~~ **Rule 45. Board Member Referrals to Staff**

Board member referrals, excluding constituent work, that are anticipated to involve significant staff time or other resource commitment and/or are a departure from established county or departmental policy require Board approval prior to starting work. Board members are encouraged to discuss referrals which may require significant resources with the Chair and CAO.

Board approval shall be obtained through majority action of the board, on an agenda item in which the scope and resource needs of the referral are identified.

~~Rule 44-~~ **Rule 46. Action Summaries and Recordings of Meetings**

The Clerk shall prepare and distribute Action Summaries (“minutes”) of Board meetings. The minutes shall consist of the brief statement of each item posted on the agenda and supplemental agenda plus all motions, resolutions and ordinance numbers related thereto, all votes recorded thereon, and the final action taken by the Board. The minutes shall be made available internally and to the public and shall be placed on the Internet.

The Clerk shall maintain the official audio record of each Board meeting for a period of 3 years and will make these tapes available for listening by the public at no charge. The Clerk shall also maintain the official audio/video record of any meeting broadcasted. These audio/video records will also be made available to the public for viewing at no cost and will be maintained for a period of 3 years.

~~XII.XI.~~ **PARTICIPATION OF THE PUBLIC**

~~Rule 45-~~ **Rule 47. Public Comment / Time Limits**

Members of the public have the right to address the Board on any item within the subject matter jurisdiction of the Board (Government Code §54954.3). Members of the public shall direct their comments to the Chair who may, at his or her discretion, request a response from staff. Time limitations are at the discretion of the Chair, and may be reduced or extended.

Public comments on items on the agenda will be called prior to the Board taking action on the item.

Under the Public Comments portion of the meeting, members of the public will be allowed to address the Board regarding any item **not on the agenda**. [Under the Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally may only listen.](#) No action may be taken on items not on the agenda unless authorized by law.

~~Rule 46-~~ **Rule 48. Orderly Conduct**

The Chair may determine when orderly conduct of a meeting is not feasible owing to disruptive behavior by persons in attendance. The Chair may request that person(s) disrupting the meeting leave the chambers/meeting room. If order cannot be restored, the Chair may order the chambers/meeting room cleared and continue in session. Members of the news media, except those participating in the disturbance, shall be allowed to remain. The Chair may re-admit any person(s) provided their re-admission will not disrupt

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the continued orderly conduct of business. The Chair may also call a recess and reconvene when order has been restored.

### ~~Rule 47-~~ Rule 49. **Security and Prohibition of Banners/Signs or other Hazardous Objects**

The Board has the power to implement security measures in the chambers/meeting room. Signs, posters, banners or other hazardous objects which could impair the safety of individuals in the event of an emergency are prohibited in the chambers/meeting room. Any large object/container that may be deemed a hazardous object which could impair the safety of individuals in the event of an emergency may be prohibited in the chambers/meeting room.

### ~~XIII-~~ XII. **Appendix A. Order of Agenda**

Generally, business at Regular meetings shall be transacted in the following order. Business may be reordered by the Chair or by a majority of members. Without amending these Rules, the Board may modify or amend the Agenda Order.

- I. Call to Order (8:30 a.m.)
- II. Pledge of Allegiance
- III. Approval of the Agenda
- IV. Board Member Reports on assigned Boards, Councils, Commissions or other meetings attended
- V. Consent Calendar
  - a. Presentations/Gold Resolutions
    - i. Presentations at Board Meetings – (Seek to limit to 3 per meeting)
    - ii. Presentations at Other Meetings
    - iii. Appointments/Reappointments
- VI. Regular Calendar
- VII. Public Comment on Closed Session Items
- VIII. Closed Session
- IX. Reconvene and Report from Closed Session (2:00 p.m.)
- X. Public Comment on matters not on the agenda, but within the subject matter jurisdiction of the Board
- XI. Regular Afternoon Calendar
- XII. Adjournment – Meeting Adjourned in the Memory of (Moment of Silence and Reading of Names, City)

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**XIV.XIII. APPENDIX B. 4/5ths and Unanimous Vote Requirements**

Subject	Vote	Code	Description
Off Agenda Action	Unanimous	Gov Code §54954.2(b)(2)	To consider an item not on the Agenda, the Board must make findings that the need to take action arose after the Agenda was posted. The vote requires at least four votes of the Board if two-thirds of the members are present. If less than two-thirds are present, it requires a unanimous vote.
Airport	4/5	Gov Code §26021	Property acquisition for airport purchases by purchase, condemnation or lease; resolution for County aid.
Airport	4/5	Gov Code §26026	Contribute money to the United States for the acquisition or improvement by the United States or any of its authorized agencies of airports in the county.
Bonds		Gov. Code §§26880, 26885, 26946, 29917, 53595.20, 53345.8; Sts. & Hwys Code §§9132, 5227, 10355, 9534.5; Ed. Code §15145; Pub. Util. Code §§99100, 99102, 99118, 99119	There are many special voting requirements and other processes required for bonds. Please check with counsel.
Bridges	4/5	Pub. Contract §20405(c)	Modify the plans, specifications and working details of bridge construction contracts.
Budget	4/5	Gov Code §29088	Changes to proposed budget after budget hearing but prior to final budget
Budget	4/5	Gov Code §29125	The following transfers and revisions to the adopted appropriations require a 4/5 vote: (1) between funds; or (2) transfers from appropriation for contingencies.
Budget	4/5	Gov Code §29127	Adopt resolution necessary to appropriate and expend funds necessary to meet specific emergencies.



**Sonoma County Board Rules of Procedures**

Budget	4/5	Gov Code §29130	Make available for appropriation any of the following fund balances: a) Restricted, committed, assigned, and unassigned fund balances, excluding the general reserves and nonspendable fund balance; b) Amounts that are either in excess of anticipated amounts or not specifically set forth in the budget derived from any actual or anticipated increases in financing sources.
Collections	4/5	Gov Code §26220(a) and (b)	a) Assign for the purpose of collection any or all delinquent bills, claims and accounts, and any or all money judgments taken in the name of the County. b) Assign for the purpose of collection any or all delinquent or unsecured taxes.
Condemnation/Eminent Domain	4/5	Code of Civ. Pro §1245.240	Adopt a resolution of necessity prior to commencing an eminent domain proceeding.
Contracts	4/5	Pub. Contract Code §20128	Modify terms of a construction contract.
Contracts	4/5	Pub. Contract Code § 20135	Alter or change in any manner the plans and specifications previously adopted by the Board for the erection, alteration, construction, or repair of any public building or structure, where such alteration or change increases cost.
Contracts	4/5	Pub. Contract Code §20136	Adopt an order to alter or change a contract that is for the erection, construction, alteration or repair of any public building or other structure.
Contracts	4/5	Pub. Contract Code § 20137	Contracts for the erection, construction, alteration, or repair of any public building or other structure: the Board may authorize a change if it does not exceed 10% of the original contract price
Contracts	4/5	Pub. Contract Code § 20150.10	Adopt a resolution declaring that a project can be performed more economically by county personnel, or that in the Board's opinion a contract to perform the project can be negotiated with the original bidders at a lower price than that in any of the bids, or the materials or supplies furnished at a lower price in the open market.
Contracts	4/5	Pub. Contract Code § 22038(a)(2)	After rejection of bids, adopt a resolution that declares that a project can be performed more economically by the employees of the agency.
Contracts	4/5	Pub. Contract Code §22050(a)(1)	In the case of an emergency, repair or replace a public facility, take any directly related and immediate action

**Sonoma County Board Rules of Procedures**

			required by that emergency, and procure the necessary equipment, services and supplies for those purposes, without giving notice for bids to let contracts. (See also Pub. Contract Code §22035.)
Contracts	4/5	Pub. Contract Code §22050(b)(1)	Adopt a resolution or ordinance that delegates to the appropriate county administrative officer, chief engineer or other nonelected agency officer, the authority to order any action pursuant to the emergency powers described in (a)(1) above.
Contracts	4/5	Pub. Contract Code §3400(c)(4)	Use of specific brand/trade name (without "or equal") in the invitation of bids or requests for proposals in order to respond to an emergency declared by a local agency by a four-fifths vote.
Counsel	4/5	Gov. Code § 25203	Employ counsel to assist the district attorney, county counsel or other counsel for the county or public entity for which the Board is the governing body.
Flood Control, Maintenance and Sanitation District	4/5	Gov. Code § 23014	Adopt a resolution appropriating any of its available moneys to a revolving fund (not to exceed \$500,000) to be used by any county sanitation district, county flood control district, or county district maintenance district located wholly within the county for certain purposes.
Legislation	4/5	Gov. Code §25123(d); Elec. Code §9141(a)(4)	Adopt ordinances that are for the immediate preservation of the public peace, health or safety, which contain a declaration of the facts constituting the urgency, in which case the ordinance shall take effect immediately.
Parks	Unanimous	Gov. Code §25583	Adopt a resolution of intention to abandon a park or a portion of a park and fix a time when it will meet to take final action.
Parks	4/5	Gov. Code §25553	Find that the enlargement or improvement of the public park, beach, golf course or recreation ground is of general county interest or that the cost of maintenance is increased by reason of use by residents of the county outside of the city, such that the Board may determine to extend aid to city parks.
Planning	4/5	Gov. Code §65858	Adopt as an urgency measure, an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal. Any extension of time on the interim ordinance also requires a 4/5 vote.

**Sonoma County Board Rules of Procedures**

Planning	4/5	Pub. Util. Code §§ 21676, 21676.5	Overrule an airport land use commission's determination.
Property	Unanimous	Gov. Code §25363	Cash sale or lease of any property not required for public use at a noticed public auction (4/5ths vote); sale or lease at an unadvertised, private sale can be authorized by simple majority, but only after the Board unanimously finds that the value of the property does not exceed \$500, monthly rental value is less than \$75 or it is a product of a County farm.
Property	Unanimous	Gov. Code §25550 & §25550.5	Conveyance of county property to city for public park purposes
Property	4/5	Gov. Code §25365(a)	Convey to another governmental agency within the county any real or personal property
Property	4/5	Gov. Code §25365(b)	Exchange real property with any person, firm or corporation for the purpose of removing defects in the title or where the real property is not required for county use and the county to be acquired is required for county use.
Property	4/5	Gov. Code §25515.2(c)	Action to approve any sale, lease, lease with option to purchase, development or contract agreement for public property after a request for proposals.
Property	4/5	Gov. Code §25536(a)	Enter leases, concession or managerial contracts involving leasing or subleasing county-owned, leased or managed property devoted to or held for certain purposes
Property	4/5	Gov. Code §25536(c)	Sell or lease county-owned property without complying with Article 8 "Sale or Lease of Real Property" if the county repurchase or leases back the property as part of the same transaction. Pledge specific revenues as security for the payment of obligations incurred in the repurchase or leaseback of the property.
Property	4/5	Gov. Code §25536.5	Approve an agreement to amend a lease, sublease, concession or managerial contract entered to permit a permanent improvement or alteration of property at the expense of the lessee or concessionaire and to permit a credit on rentals or other reimbursement.
Property	4/5	Gov. Code §25526	Adopt a resolution declaring intent to sell or lease property.
Property	4/5	Gov. Code §53867	Determines that property cannot be sold for a sum at

**Sonoma County Board Rules of Procedures**

			least equal to the total of the amount paid, all accrued penalties and delinquencies, and necessary expenses incurred, the local agency may sell the property or lien for less than such total but not less than the fair market value of the property or lien.
Roads	Unanimous	Sts. & Hwy Code §1026(c)	County aid to road districts: order the expense of material for highway construction to be paid out of the county general fund.
Special Assessment Districts	4/5	Sts. & Hy. Code §§ 2808.5, 2808.6, 2808.7	There are several statutory special vote requirements related to special assessment districts. Please consult with County Counsel.
Special Purpose District	Unanimous	Gov. Code § 26909, subd. (b)	Approve a unanimous request made by the governing board of a special district to replace an annual audit with another specified audit.
Streets and Highway	4/5	Sts. & Hwy. Code §942	Let county equipment used in the maintenance and construction of county roads, when such equipment is not in use upon the roads under the jurisdiction of the board, and may charge for the use thereof a rental, and arrange the basis of compensation, in keeping with the general conditions prevailing in the county in which the transaction is made.
Streets and Highway	4/5	Sts. & Hwy. Code § 969.5	Adopt a resolution that determines that the general county interest demands the improvement or repair of a privately owned road.
Streets and Highway	4/5	Sts. & Hwy. Code § 1070	Determine that the public convenience and necessity demand the acquisition or construction of a new county highway or improvement, repair or maintenance of any existing county highway, and the expense of such new highway or the expense of improving, repairing, or maintaining such existing highway is too great to pay out of the road fund of the district (such that the Board may adopt a resolution to make such acquisition or do such work and charge the expense to the county general fund, the road fund of the county, or the district fund of any district benefited).
Streets and Highway	4/5	Sts. & Hwy. Code § 1627	Adopt a resolution that establishes a “county highway right of way acquisition revolving fund” for acquiring rights of way for county highway purposes through purchase or condemnation.

**Sonoma County Board Rules of Procedures**

Streets and Highway	4/5	Sts. & Hwy. Code §§ 1680, 1686	Adopt a resolution that determines that certain activities are of general county interest and that county aid may be extended to cities for city streets.
Streets and Highway	4/5	Sts. & Hwy. Code § 1700	Adopt a resolution that declares any highway lying in whole or in part within a city to be a county highway for one or more of the following purposes: acquisition of rights-of-way, construction, maintenance, improvement, or repair.
Tax	4/5	Gov. Code § 53724	Approve an ordinance or resolution that proposes a tax that is subject to approval by the voters pursuant to Government Code section 53722
Tax	4/5	Rev. & Tax. Code § 7285	Approve ordinance proposing a transactions and use tax for general purposes.
Tax	4/5	Rev. & Tax. Code § 7285.5	Adopt ordinance regarding a transactions and use tax for specific purposes.



## County of Sonoma Agenda Item Summary Report

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

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

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

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

**Department or Agency Name(s):** Department of Health Services

**Staff Name and Phone Number:**

Rita Scardaci, 565-7876

**Supervisorial District(s):**

Countywide

**Title:** Countywide Safe Routes to School Program Evaluation Contract

### **Recommended Actions:**

Authorize the Director of Health Services to execute an agreement with Alta Planning and Design to implement comprehensive reporting and evaluation activities for the Countywide Safe Routes to School Program for the period April 1, 2014 to September 30, 2014 in an amount not to exceed \$48,150.

### **Executive Summary:**

This item requests approval of an agreement with Alta Planning and Design, of Berkeley, California to implement comprehensive reporting and evaluation activities for the Countywide Safe Routes to School (SRTS) Program for the period April 1, 2014 to September 30, 2014 in an amount not to exceed \$48,150.

According to the Safe Routes to School National Partnership, in 1969 approximately 50 percent of children in the United States walked or bicycled to school. Today, fewer than 15 percent of school children walk or bicycle, with most families preferring to drive their children to and from school. This shift in transportation preference has led in part to less active children and increased traffic around schools, both of which may be negatively impacting the long-term health of children.

Since 2007, the Department of Health Services (DHS), along with a collaborative of residents, community-based organizations, and local government agencies, has worked to develop a comprehensive, sustainable SRTS Program. The SRTS Program seeks to implement sustainable SRTS education, encouragement, enforcement, engineering, and evaluation programs at a geographically diverse group of elementary, middle, and high schools throughout Sonoma County. Goals of the SRTS Program are to: 1) increase the number of youth bicycling, walking, carpooling, and taking the bus or public transportation to and from school; 2) improve air quality by reducing greenhouse gas emissions, such as carbon dioxide, related to vehicle trips to and from schools; 3) improve infrastructure around schools in order to calm traffic and promote alternative and active forms of transportation; and 4) improve safety around schools by reducing pedestrian, bicycle, and vehicle accidents. In April 2009 Health Action selected the SRTS Program as one of its Priorities for Action (for years 2009-2012) to assist in achieving its 2020 Vision for Sonoma County to be the healthiest county in California.

Over the past four years, 25 elementary and middle schools in Cloverdale, Cotati, Healdsburg, Petaluma, Rohnert Park, Santa Rosa, Windsor, and unincorporated Sonoma County (Sonoma Valley, Santa Rosa, and Guerneville) have participated in the SRTS Program. The program has reached over 7,500 students and their families through education and encouragement efforts to promote walking, biking, carpooling, and bussing to and from school. Preliminary data show a six percent increase in the number of students who reported walking or biking to school in the morning and a two percent increase in the number of students who reported walking or biking home from school in the afternoon. Additionally, SRTS partners, including county and city public works departments and school districts, continue to work collaboratively to secure funding to support SRTS efforts. The outcome of these collaborative efforts has led to county and city public works departments securing over \$9.5 million in combined funding to support SRTS infrastructure projects in school areas since 2001.

In December 2013 DHS released a Request for Proposals to identify organizations or individuals to implement comprehensive evaluation and reporting activities for the Countywide Safe Routes to School Program. Five proposals were received. A three-person review committee with extensive knowledge of prevention program evaluation and SRTS program work evaluated the proposals. The committee consisted of the DHS SRTS Coordinator, a Program Planning and Evaluation Analyst from DHS, and the Project Coordinator from the California Department of Public Health SRTS Technical Assistance Resource Center. Based on qualifications and experience commensurate with the project, proposed project plans, proposed budgets, and conformation with submittal guidelines, the review committee recommended awarding the contract to Alta Planning and Design.

The work Alta Planning and Design will perform includes analysis of SRTS data, development of annual report templates, creation of annual reports, and an assessment of various SRTS approaches to determine which are most efficacious, cost effective, easiest to implement, and sustainable. DHS will work with the contractor to develop and implement process, outcome, and impact evaluation approaches. The contractor will collect data during the school year and analyze the data and develop reports over the summer months.

This agreement will be funded with two grants; a three-year \$1,034,000 federal Congestion Mitigation and Air Quality Program grant received in October 2011 from Caltrans to implement an SRTS program in Sonoma County schools and a Centers for Disease Control and Prevention Community Transformation Grant of \$3,517,360 received in September 2012. The work to be performed on this contract is required by the terms of these grants.

DHS plans to use the data identified through the evaluation process in two ways: 1) to report progress to the community and 2) to strengthen the program in order to ensure sustainability of the program in schools and expand the program to additional Sonoma County schools. Reporting progress to the community includes developing an annual SRTS report at the end of each school year and providing presentations each fall to the Sonoma County Bicycle and Pedestrian Advisory Committee, Sonoma County Transportation Authority Board, Health Action Council, Sonoma County Board of Supervisors, and various organizations such as city councils, school boards, and municipal bike and pedestrian advisory committees, as requested.

#### Future Program Efforts

DHS recently received notice of award of a three-year \$1,558,000 federal Surface Transportation Program (STP) grant from Caltrans to expand the Countywide SRTS Program through September 2017. DHS plans to use the data identified through the evaluation process performed by Alta Planning and

Design to strengthen the program in order to ensure sustainability of the program in schools and expand the program to additional Sonoma County schools.

**Prior Board Actions:**

In October 2011, the Board approved acceptance of California Department of Transportation Authorization to proceed with the implementation of Sonoma County Safe Routes to School Program for the period of October 1, 2011 through September 30, 2014 in the amount of \$1,034,000.

In September 2012, the Board adopted a resolution to accept state and federal funding (Centers for Disease Control and Prevention agreement for Community Transformation Grant funding of \$3,517,360 received in September 2012).

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

The Sonoma County Safe Routes to School Program is consistent with County and DHS Strategic Plan goals of creating a safe, healthy, and caring community by 1) promoting sustainable policy, systems, and environmental changes to promote SRTS in and around schools and 2) empower and enable youth and their families to increase physical activity and reduce greenhouse gases by walking, biking or taking alternative transportation to and from school.

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 32,100	County General Fund	\$ 0
Add Appropriations Req'd.	\$ 0	State/Federal	\$ 32,100
	\$	Fees/Other	\$ 0
	\$	Use of Fund Balance	\$ 0
	\$	Contingencies	\$ 0
	\$		\$
<b>Total Expenditure</b>	<b>\$ 32,100</b>	<b>Total Sources</b>	<b>\$ 32,100</b>

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

The FY 13-14 budget includes \$32,100 for Alta Planning and Design. The \$16,050 balance will be included in the FY 14-15 budget. The funding sources for Alta Planning and Design is \$17,150 from SNAP-Ed and \$31,000 from CTG.

**Staffing Impacts**

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



<b>Narrative Explanation of Staffing Impacts (If Required):</b>
N/A
<b>Attachments:</b>
Agreement with Alta Planning and Design
<b>Related Items "On File" with the Clerk of the Board:</b>
None

COUNTY OF SONOMA  
AGREEMENT FOR SERVICES  
(Revision F – Standard Version)

This agreement ("Agreement"), dated as of \_\_\_\_\_, 20\_\_\_\_\_, ("Effective Date") is by and between the County of Sonoma, a political subdivision of the State of California (hereinafter "County"), and Alta Planning & Design, a California corporation (hereinafter "Contractor").

RECITALS

WHEREAS, Contractor represents that it is a duly qualified bicycle path planner and designer, experienced in the preparation of evaluations and reports of safe bike routes and related services; and

WHEREAS, in the judgment of the Board of Supervisors, it is necessary and desirable to employ the services of Contractor to evaluate and report on the Countywide Safe Routes to School Program;

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants contained herein, the parties hereto agree as follows:

AGREEMENT

1. Scope of Services

1.1. Contractor's Specified Services

Contractor shall perform the services described in "Exhibit A – Scope of Work", attached hereto and incorporated herein by this reference (hereinafter "Exhibit A"), within the times or by the dates provided for in Exhibit A and pursuant to Article 7 (Prosecution of Work). In the event of a conflict between the body of this Agreement and Exhibit A, the provisions in the body of this Agreement shall control.

1.2. Cooperation With County

Contractor shall cooperate with County and County staff in the performance of all work hereunder.

1.3. Performance Standard

Contractor shall perform all work hereunder in a manner consistent with the level of competency and standard of care normally observed by a person practicing in Contractor's profession. County has relied upon the professional ability and training of Contractor as a material inducement to enter into this Agreement. Contractor hereby agrees to provide all services under this Agreement in accordance with generally accepted professional practices and standards of care, as well as the requirements of applicable Federal, State, and local laws, it being understood that acceptance of Contractor's work by County shall not operate as a waiver or release. If County determines that any of Contractor's work is not in accordance with such level of competency and standard of care, County shall have the right to do any or all of the following: (a) require Contractor to meet with County to review the quality of the work and resolve matters of concern; (b) require Contractor to repeat the work at no additional charge until it is

satisfactory; (c) terminate this Agreement pursuant to the provisions of Article 4 (Termination); or (d) pursue any and all other remedies at law or in equity. Notification of any disputed work must be made in a timely manner. If requested change does not stem from a breach in professional practice acceptable as the industry standard, then County shall provide additional compensation for requested change.

1.4. Assigned Personnel

- a. Contractor shall assign only competent personnel to perform work hereunder. In the event that at any time County, in its sole discretion, desires the removal of any person or persons assigned by Contractor to perform work hereunder, Contractor shall remove such person or persons immediately upon receiving written notice from County.
- b. Any and all persons identified in this Agreement or any exhibit hereto as the project manager, project team, or other professional performing work hereunder are deemed by County to be key personnel whose services were a material inducement to County to enter into this Agreement, and without whose services County would not have entered into this Agreement. Contractor shall not remove, replace, substitute, or otherwise change any key personnel without the prior written consent of County.
- c. In the event that any of Contractor's personnel assigned to perform services under this Agreement become unavailable due to resignation, sickness, or other factors outside of Contractor's control, Contractor shall be responsible for timely provision of adequately qualified replacements.

1.5. Contract Exhibits

This Agreement includes the following exhibits:

- Exhibit A. Scope of Work
- Exhibit B. Budget
- Exhibit C. Insurance Requirements

2. Payment

For all services and incidental costs required hereunder:

Contractor shall be paid in accordance with Exhibit B – Budget, attached hereto and incorporated herein by this reference. Total payments to Contractor shall not exceed \$48,150 without the prior written approval of County. Any remaining balance at the end of FY 2013-2014 shall automatically be carried forward FY 2014-2015 of this Agreement

Contractor shall submit its bills in arrears on a monthly basis in a form approved by County's Auditor and the Head of County department receiving the services. The bills shall show or include: (i) the task(s) performed, (ii) the time in quarter hours devoted to the task(s), (iii) the hourly rate(s) of the person(s) performing the task(s), and (iv) copies of receipts for reimbursable materials/expenses, if any. Expenses not expressly authorized by the Agreement shall not be reimbursed.

Unless otherwise noted in this agreement, payments shall be made within the normal course of County business after presentation of an invoice in a form approved by County for services performed. Payments shall be made only upon the satisfactory completion of the services as determined by County.

Pursuant to California Revenue and Taxation Code (R&TC) Section 18662, County shall withhold seven percent of the income paid to Contractor for services performed within the State of California under this agreement for payment and reporting to the California Franchise Tax Board if Contractor does not qualify as any of the following: (1) a corporation with its principal place of business in California, (2) an LLC or Partnership with a permanent place of business in California, (3) a corporation/LLC or Partnership qualified to do business in California by the Secretary of State, or (4) an individual with a permanent residence in the State of California.

If Contractor does not qualify, County requires that a completed and signed California Form 587 be provided by Contractor in order for payments to be made. If Contractor does qualify, then County requires a completed California Form 590. California Forms 587 and 590 remain valid for the duration of the Agreement provided there is no material change in their facts. By signing either form, Contractor agrees to promptly notify County of any changes in the facts. Forms should be sent to County pursuant to Article 12 (Method and Place of Giving Notice, Submitting Bills, and Making Payments). To reduce the amount withheld, Contractor has the option to provide County with either a full or partial waiver from the State of California.

2.1. Overpayment

If County overpays Contractor for any reason, Contractor agrees to return the amount of such overpayment to County, or at County's option, permit County to offset the amount of such overpayment against future payments owed to Contractor under this Agreement or any other agreement.

2.2. Federal Funding

All or part of this Agreement will be paid with Federal awards. As a pass-through entity, County is required to provide certain information regarding Federal award(s) to Contractor as a subrecipient. In signing this Agreement, Contractor acknowledges receipt of the following information regarding Federal award(s) that will be used to pay this Agreement:

- a. **CFDA Number:** 93.737 & 20.205
- b. **CFDA Title:** PPHF 2012: Community Transformation Grants & Highway Planning and Construction
- c. **Federal Agency:** Department of Health and Human Services & Department of Transportation – Federal Highway
- d. **Award Name:** Sonoma County Community Transformation Grant Program & Safe Routes to School
- e. **Federal Award(s) Amount:** \$48,150

As a subrecipient of Federal awards, Contractor is subject to the provisions of U.S. Office of Management and Budget Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations (hereinafter “OMB Circular A-133”). In signing this Agreement, Contractor acknowledges that it understands and will comply with the provisions of OMB Circular A-133. One provision of OMB Circular A-133 requires a subrecipient that expends \$500,000 in Federal awards during its fiscal year to have an audit performed in accordance with OMB Circular A-133. If such an audit is required, Contractor agrees to provide County with a copy of the audit report within 9 months of Contractor’s fiscal year-end. Questions regarding OMB Circular A-133 can be directed to the Sonoma County Auditor-Controller-Treasurer-Tax Collector’s Office – General Accounting Division.

2.2.1. Audits

Contractor agrees that all expenditures of State and Federal funds furnished to the Contractor pursuant to this Agreement are subject to audit by County, State agencies, and/or Federal agencies. Contractor warrants that it shall comply with the audit requirements as set forth in Office of Management and Budget (OMB) Circular A-133 entitled "Audits of States, Local Governments, and Non-Profit Organizations". County agrees to provide 14-days notice of intent of County to audit Contractor. Contractors subject to the Single Audit Act of 1984 and Single Audit Act Amendments of 1996 shall annually submit an independent audit conforming to OMB Circular A-133, which applies to non-profit organizations.

2.2.2. Copy of Audit

Contractor agrees that a copy of audits performed shall be submitted to County no later than 30 days after completion of the audit report, or no later than 9 months after the end of Contractor's fiscal year, whichever comes first. The Contractor's agreement(s) with audit firms shall have a clause to permit access by County, State agencies, and/or Federal agencies to the working papers of the external independent auditor.

2.2.3. Retention of Audit Report

Contractor agrees that audit reports and work papers shall be retained for a minimum of 7 years from the date of the audit report, unless the auditor is notified in writing by County, a State agency, and/or a Federal agency to extend the retention period.

2.2.4. Repayment

Contractor is responsible for the repayment of all audit exceptions and disallowances taken by County, State agencies, and/or Federal agencies related to services provided by Contractor under this Agreement. Where allowable costs have been claimed and reimbursed, they will be refunded to the program that reimbursed the unallowable cost either by cash refund or by offset to subsequent claims.

3. Term of Agreement

The term of this Agreement shall be from April 1, 2014 to September 30, 2014 unless terminated earlier in accordance with the provisions of Article 4 (Termination) below.

4. Termination

4.1. Termination Without Cause

Notwithstanding any other provision of this Agreement, at any time and without cause, County shall have the right, in its sole discretion, to terminate this Agreement by giving 5 business days' advance written notice to Contractor.

4.2. Termination for Cause

Notwithstanding any other provision of this Agreement, should Contractor fail to perform any of its obligations hereunder within the time and in the manner herein provided or otherwise violate any of the terms of this Agreement, County may immediately terminate this Agreement by giving Contractor written notice of such termination, stating the reason for termination.

4.3. Delivery of Work Product and Final Payment Upon Termination

In the event of termination, Contractor, within 14 days following the date of termination, shall deliver to County all materials and work product subject to Section 9.11 (Ownership and Disclosure of Work Product), and shall submit to County an invoice showing the services performed, hours worked, and copies of receipts for reimbursable expenses up to the date of termination.

4.4. Payment Upon Termination

Upon termination of this Agreement by County, Contractor shall be entitled to receive, as full payment for all services satisfactorily rendered and expenses incurred hereunder, an amount which bears the same ratio to the total payment specified in the Agreement as the services satisfactorily rendered hereunder by Contractor bear to the total services otherwise required to be performed for such total payment; provided, however, that if services which have been satisfactorily rendered are to be paid on a per-hour or per-day basis, Contractor shall be entitled to receive as full payment an amount equal to the number of hours or days actually worked prior to the termination times the applicable hourly or daily rate; and further provided, however, that if County terminates the Agreement for cause pursuant to Section 4.2 (Termination for Cause), County shall deduct from such amount the amount of damage, if any, sustained by County by virtue of the breach of the Agreement by Contractor.

4.5. Authority to Terminate

The Board of Supervisors has the authority to terminate this Agreement on behalf of County. In addition, the Purchasing Agent or Health Services Department Head, in consultation with County Counsel, shall have the authority to terminate this Agreement on behalf of County.

4.6. Obligations After Termination

The following shall remain in full force and effect after termination of this Agreement: (1) Article 5 (Indemnification), (2) Section 9.5 (Records Maintenance), (3) Section 9.5.1 (Right to Audit, Inspect, and Copy Records), (4) Section 9.15 (Confidentiality), and (5) Section 13.5 (Applicable Law and Forum).

4.7. Change in Funding

Contractor understands and agrees that County shall have the right to terminate this Agreement immediately upon written notice to Contractor in the event that any State and/or Federal agency and/or other funder(s) reduce, withhold, or terminate funding which County anticipated using to pay Contractor for services provided under this Agreement, or in the event that County has exhausted all funds legally available for payments due under this Agreement.

5. Indemnification

Contractor agrees 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 Contractor, that arise out of, pertain to, or relate to Contractor's or its agents', employees', contractors', subcontractors', or invitees' negligent professional acts under this Agreement. Contractor agrees to provide a complete defense for any claim or action brought against County based upon a claim relating to such Contractor's or its agents', employees', contractors', subcontractors', or invitees' negligent professional acts under this Agreement. The Contractor's obligation to indemnify shall not apply

to the liability caused by the active negligence or willful misconduct of an indemnified party. County shall have the right to select its legal counsel at Contractor's expense, subject to Contractor'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 Contractor or its agents under workers' compensation acts, disability benefits acts, or other employee benefit acts.

6. Insurance

With respect to performance of work under this Agreement, Contractor shall maintain and shall require all of its subcontractors, contractors, and other agents to maintain insurance as described in Exhibit C – Insurance Requirements, which is attached hereto and incorporated herein by this reference.

7. Prosecution of Work

The execution of this Agreement shall constitute Contractor's authority to proceed immediately with the performance of this Agreement. Performance of the services hereunder shall be completed within the time required herein, provided, however, that if the performance is delayed by earthquake, flood, high water, or other Act of God, or by strike, lockout, or similar labor disturbances, the time for Contractor's performance of this Agreement shall be extended by a number of days equal to the number of days Contractor has been delayed.

8. 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. Minor changes, which do not increase the amount paid under the Agreement, and which do not significantly change the scope of work or significantly lengthen time schedules, may be executed by the Department Head in a form approved by County Counsel. The Board of Supervisors/Purchasing Agent must authorize all other extra or changed work. The parties expressly recognize that, pursuant to Sonoma County Code Sections 1-11, County personnel are without authorization to order extra or changed work or waive Agreement requirements. Failure of Contractor 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 Contractor shall be entitled to no compensation whatsoever for the performance of such work. Contractor 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 County.

9. Representations of Contractor

9.1. Standard of Care

County has relied upon the professional ability and training of Contractor as a material inducement to enter into this Agreement. Contractor hereby agrees that all its work will be performed and that its operations shall be conducted in accordance with generally accepted and applicable professional practices and standards as well as the requirements of applicable Federal, State, and local laws, it being understood that acceptance of Contractor's work by County shall not operate as a waiver or release.

9.2. Status of Contractor

The parties intend that Contractor, 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. Contractor is not to be considered an agent or employee of County and is not entitled to participate in any pension plan, workers' compensation plan, insurance, bonus, or similar benefits that County provides its employees. In the event County exercises its right to terminate this Agreement pursuant to Article 4 (Termination), Contractor expressly agrees that it shall have no recourse or right of appeal under rules, regulations, ordinances, or laws applicable to employees.

9.3. No Suspension or Debarment

Contractor warrants that it is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in covered transactions by any Federal department or agency. Contractor also warrants that it is not suspended or debarred from receiving Federal funds as listed in the "List of Parties Excluded from Federal Procurement or Nonprocurement Programs" issued by the General Services Administration. If Contractor becomes debarred, Contractor has the obligation to inform County.

9.4. Taxes

Contractor agrees to file Federal and State tax returns and pay all applicable taxes on amounts paid pursuant to this Agreement, and shall be solely liable and responsible to pay such taxes and other obligations, including but not limited to State and Federal income and FICA taxes. Contractor agrees to indemnify and hold County harmless from any liability which it may incur to the United States or to the State of California as a consequence of Contractor's failure to pay, when due, all such taxes and obligations. In case County is audited for compliance regarding any withholding or other applicable taxes, Contractor agrees to furnish County with proof of payment of taxes on these earnings.

9.5. Records Maintenance

Contractor shall keep and maintain full and complete documentation and accounting records concerning all services performed that are compensable under this Agreement, and shall make such documents and records available to County for inspection at any reasonable time. Contractor shall maintain such records for a period of 7 years following completion of work hereunder.

9.5.1. Right to Audit, Inspect, and Copy Records

Contractor agrees to permit County and any authorized State or Federal agency to audit, inspect, and copy all records, notes, and writings of any kind in connection with the services provided by Contractor under this Agreement, to the extent permitted by law, for the purpose of monitoring the quality and quantity of services, monitoring the accessibility and appropriateness of services, and ensuring fiscal accountability. All such audits, inspections, and copying shall occur during normal business hours. Upon request, Contractor shall supply copies of any and all such records to County. Failure to provide the above-noted documents requested by County within the requested time frame indicated may result in County withholding payments due under this Agreement. In those situations required by applicable law(s), Contractor agrees to obtain necessary releases to permit County or governmental or accrediting agencies to access patient medical records.



9.6. Conflict of Interest

Contractor covenants that it presently has no interest and that it will not acquire any interest, direct or indirect, that represents a financial conflict of interest under State law or that would otherwise conflict in any manner or degree with the performance of its services hereunder. Contractor further covenants that in the performance of this Agreement, no person having any such interests shall be employed. In addition, if requested to do so by County, Contractor shall complete and file and shall require any other person doing work under this Agreement to complete and file a "Statement of Economic Interest" with County disclosing Contractor's or such other person's financial interests.

9.7. Statutory Compliance

Contractor 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.

9.8. Nondiscrimination

Without limiting any other provision hereunder, Contractor shall comply with all applicable Federal, State, and local laws, rules, and regulations in 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, including without limitation County's Nondiscrimination Policy. All nondiscrimination rules or regulations required by law to be included in this Agreement are incorporated herein by this reference.

9.9. AIDS Discrimination

Contractor 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.

9.10. Assignment of Rights

Contractor assigns to County all rights throughout the world in perpetuity in the nature of copyright, trademark, patent, and right to ideas in and to all versions of the plans and specifications, if any, now or later, prepared by Contractor in connection with this Agreement. Contractor agrees to take such actions as are necessary to protect the rights assigned to County in this Agreement, and to refrain from taking any action which would impair those rights. Contractor's responsibilities under this provision include, but are not limited to, placing proper notice of copyright on all versions of the plans and specifications as County may direct, and refraining from disclosing any versions of the plans and specifications to any third party without first obtaining written permission of County. Contractor shall not use or permit another party to use the plans and specifications in connection with this or any other project without first obtaining written permission of County.

9.11. Ownership and Disclosure of Work Product

All reports, original drawings, graphics, plans, studies, and other data or documents ("documents"), in whatever form or format, assembled or prepared by Contractor or Contractor's subcontractors, contractors, and other agents in connection with this Agreement, shall be the property of County. County shall be entitled to immediate possession of such documents upon

completion of the work pursuant to this Agreement. Upon expiration or termination of this Agreement, Contractor shall promptly deliver to County all such documents which have not already been provided to County in such form or format as County deems appropriate. Such documents shall be and will remain the property of County without restriction or limitation. Contractor may retain copies of the above-described documents, but agrees not to disclose or discuss any information gathered, discovered, or generated in any way through this Agreement without the express written permission of County.

9.12. Authority

The undersigned hereby represents and warrants that he or she has authority to execute and deliver this Agreement on behalf of Contractor.

9.13. Sanctioned Employee

Contractor agrees that it shall not employ in any capacity, or retain as a subcontractor in any capacity, any individual or entity that is listed on any list published by the Federal Office of Inspector General regarding the sanctioning, suspension, or exclusion of individuals or entities from the Federal Medicare and Medicaid programs. Contractor agrees to periodically review said State and Federal lists to confirm the status of current employees, subcontractors, and contractors. In the event Contractor does employ such individual(s) or entity(ies), Contractor agrees to assume full liability for any associated penalties, sanctions, loss, or damage that may be imposed on County by the Medicare or Medicaid programs.

9.14. Compliance with County Policies and Procedures

Contractor agrees to comply with all County policies and procedures as they may relate to services provided hereunder.

9.15. Confidentiality

Contractor agrees to maintain the confidentiality of all patient medical records and client information in accordance with all applicable State and Federal laws and regulations. This Section 9.15 shall survive termination of this Agreement.

10. Demand for Assurance

Each party to this Agreement undertakes the obligation that the other party's expectation of receiving due performance will not be impaired. When reasonable grounds for insecurity arise with respect to the performance of either party, the other party may in writing demand adequate assurance of due performance, and until such assurance is received may, if commercially reasonable, suspend any performance for which the agreed return has not been received. "Commercially reasonable" includes not only the conduct of a party with respect to performance under this Agreement, but also conduct with respect to other agreements with parties to this Agreement or others. After receipt of a justified demand, failure to provide within a reasonable time, but not exceeding 30 days, such assurance of due performance as is adequate under the circumstances of the particular case is a repudiation of this Agreement. Acceptance of any improper delivery, service, or payment does not prejudice the aggrieved party's right to demand adequate assurance of future performance. Nothing in this Article limits County's right to terminate this Agreement pursuant to Article 4 (Termination).

11. Assignment and Delegation

Neither party hereto shall assign, delegate, sublet, or transfer any interest in or duty under this Agreement without the prior written consent of the other party, and no such transfer shall be of any force or effect whatsoever unless and until the other party shall have so consented.

12. Method and Place of Giving Notice, Submitting Bills, and Making Payments

All notices, bills, and payments shall be made in writing and shall be given by personal delivery, U.S. mail, or courier service. Notices, bills, and payments shall be addressed as follows:

TO COUNTY:

Norine Doherty  
Health Information Specialist II  
Health Policy, Planning, & Evaluation Division  
County of Sonoma, Department of Health Services  
490 Mendocino Ave, Ste 202  
Santa Rosa CA 95401  
707.565.6684  
Norine.Doherty@sonoma-county.org

TO CONTRACTOR:

Brett Hondorp  
Principal  
Alta Planning & Design  
100 Webster Street, Suite 300  
Oakland California 94607  
510.540.5008 x101  
dhondorp@altaplanning.com

When a notice, bill, or payment is given by a generally recognized overnight courier service, the notice, bill, or payment shall be deemed received on the next business day. When a copy of a notice, bill, or payment is sent by facsimile or email, the notice, bill, or payment shall be deemed received upon transmission as long as: (1) the original copy of the notice, bill, or payment is promptly deposited in the U.S. mail and postmarked on the date of the facsimile or email (for a payment, on or before the due date); (2) the sender has a written confirmation of the facsimile transmission or email; and (3) the facsimile or email is transmitted before 5 p.m. (recipient's time). In all other instances, notices, bills, and payments shall be effective upon receipt by the recipient. Changes may be made in the names and addresses of the person to whom notices are to be given by giving notice pursuant to this Article 12.

13. Miscellaneous Provisions

13.1. No Waiver of Breach

The waiver by County of any breach of any term or promise contained in this Agreement shall not be deemed to be a waiver of such term or provision or any subsequent breach of the same or any other term or promise contained in this Agreement.

13.2. Construction

To the fullest extent allowed by law, the provisions of this Agreement shall be construed and given effect in a manner that avoids any violation of statute, ordinance, regulation, or law. The parties covenant and agree that in the event that any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions hereof shall remain in full force and effect and shall in no way be affected, impaired, or invalidated thereby. Contractor and County acknowledge that they have each contributed to the making of this Agreement and that, in the event of a dispute over the interpretation of this Agreement, the language of the Agreement will not be construed against one party in favor of the other party. Contractor and County acknowledge that they have each had an adequate opportunity to consult with counsel in the negotiation and preparation of this Agreement.

13.3. Consent

Wherever in this Agreement the consent or approval of one party is required to an act of the other party, such consent or approval shall not be unreasonably withheld or delayed.

13.4. 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.

13.5. Applicable Law and Forum

This Agreement shall be construed and interpreted according to the substantive law of California, regardless of the law of conflicts to the contrary in any jurisdiction. Any action to enforce the terms of this Agreement or for the breach thereof shall be brought and tried in Santa Rosa or the forum nearest to the city of Santa Rosa in the County of Sonoma.

13.6. Captions

The captions in this Agreement are solely for convenience of reference. They are not a part of this Agreement and shall have no effect on its construction or interpretation.

13.7. 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 Code of Civil Procedure Section 1856. No modification of this Agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.

13.8. Survival of Terms

All express representations, waivers, indemnifications, and limitations of liability included in this Agreement will survive its completion or termination for any reason.

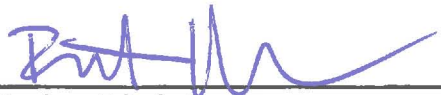
13.9. Time of Essence

Time is and shall be of the essence of this Agreement and every provision hereof.

§ The remainder of this page has intentionally been left blank. §

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

**CONTRACTOR:**

  
\_\_\_\_\_  
Brett Hondorp, Principal  
Alta Planning & Design

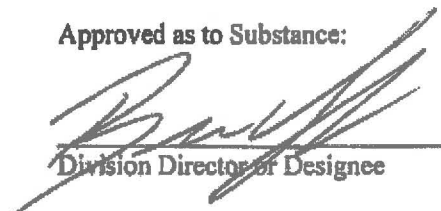
3/28/14  
Dated

**COUNTY OF SONOMA:**  
Certificate of Insurance on File with County:

\_\_\_\_\_  
Rita Scardaci, MPH, Director  
Department of Health Services

\_\_\_\_\_  
Dated

Approved as to Substance:

  
\_\_\_\_\_  
Division Director or Designee

3/27/14  
Dated

Approved as to Form:

  
\_\_\_\_\_  
Sonoma County Counsel

3/13/14  
Dated

**Exhibit A. Scope of Work**

**Section 1. CMAQ Safe Routes to School Data Analysis & Report Development**

<b>Task 1. Project Coordination Meetings</b>	
A. Alta will participate in two in-person team meetings. Alta’s Project Manager will attend the in-person meetings, and Alta’s Assistant Project Manager will attend via conference call. Alta will prepare meeting agendas and meeting notes.	April & May 2014
B. Alta will host three conference calls. Alta’s Project Manager and Assistant Project Manager will participate in these conference calls.	June, July, & Aug 2014
C. Alta will provide monthly project updates that will include budget and deliverable progress to the SCDHS Project Manager.	April-Sept 2014
<b>Task 2. Data Analysis</b>	
<p>Alta understands the County of Sonoma Department of Health Services has been collecting hand-tally and parent-survey data from 26 schools in 15 school districts through the Metropolitan Transportation System (MTC) Regional Safe Routes to School (RSRTS) program.</p> <p>Alta will work closely with SCDHS staff to determine a report template that will guide the data analysis from these 26 schools. Alta will prepare a draft data analysis template for SCDHS review. Alta will revise the draft analysis template based on a single set of internally consistent comments from SCDHS and prepare the final template for data analysis.</p> <p>County anticipates the analysis will include a countywide, district, and school review of:</p> <ul style="list-style-type: none"> <li>• Distance from home to school</li> <li>• Mode shift changes by school, grade, and/or distance to/from school</li> <li>• Vehicle trip changes</li> <li>• Weekly miles traveled by mode changes</li> <li>• Parent perception and interest changes</li> <li>• Participation in programs changes</li> </ul> <p>This analysis will build on the parent survey and student hand-tally reports that Alta has previously and is currently preparing for Sonoma County via MTC’s RSRTS evaluation program. This analysis will go beyond those reports by considering additional data, such as collisions involving bicyclists and pedestrians, infrastructure and non-infrastructure grants received, and school policies as provided by SCDHS.</p>	April-June 2014

Alta will conduct the data analysis based on the agreed-upon template and data analysis methodology.	
<b>Task 3. Reporting</b>	
<p>Alta will work closely with SCDHS staff to develop a report template for reporting data findings. The report will be in Microsoft Word or similar format and populated with the topics identified in Task 2. Data Analysis. The report will include an executive summary and discussion of countywide findings and findings by jurisdiction.</p> <p>County will develop a Draft Report for SCDHS review. Alta will revise the report based on a single set of consolidated internally consistent comments from SCDHS and prepare a Final Report for dissemination.</p>	June-August 2014

**Deliverables**

- Project coordination meetings
  - Alta Project Manager in-person attendance at up to two in-person meetings. Alta’s Assistant Project Manager attendance via conference call.
  - Alta Project Manager and Assistant Project Manager participation in up to three team calls.
- Preparation of meeting agendas and meeting notes
- Draft data analysis template
- Final data analysis template
- Raw data files
- Draft report template
- Draft report
- Final report

**Section 2. CTG Safe Routes to School Education and Encouragement Evaluation**

This objective will analyze the effectiveness of SRTS activities in a sample of up to 25 elementary and middle schools in Sonoma County to determine a sustainable strategy for quality SRTS program implementation countywide. SRTS components to be evaluated may include:

- Encouragement campaigns, events, and activities schools use to get students and families excited and involved in walking, biking, or engaging in other forms of active transportation to/from school.
- Education for students and families about how to safely walk/roll to school.
- School policy changes made to promote/facilitate school-based SRTS programs
- Environmental changes made by schools to promote/facilitate safe routes to school (e.g., installing bikes racks, creating “cone zones,” redesigning the school drop off area, etc.).

Alta will evaluate the best practices of cost, ease of implementation, and sustainability of approaches as well as barriers to successful behavioral and/or environmental change that have been encountered by schools at the sample schools.

<b>Task 1. Project Coordination Meetings</b>	
A. Alta will participate in two in-person team meetings. Alta’s Project Manager will attend the in-person meetings, and Alta’s Assistant Project Manager will attend via conference call. It is assumed that representatives of the Evaluation Working Group will attend the in-person meetings. Alta will prepare meeting agendas and meeting notes.	June & August 2014
B. Alta will host four conference calls. Alta’s Project Manager and Assistant Project Manager will participate in these conference calls.	April, May, & Sept 2014
C. Alta will provide monthly project updates that will include budget and deliverable progress to the SCDHS Project Manager.	April-Sept 2014
<b>Task 2. Data Collection</b>	
<p><b>A. School Selection and Background Data Collection Methodology Memo</b></p> <p>Of the over 170 schools in Sonoma County, between 10 and 25 elementary and middle schools will be selected for the Education and Encouragement Evaluation. Alta will develop a proposed school selection and data collection methodology memo to guide discussion on the evaluation design with the SCDHS and the advisory group.</p> <p>Factors that may be considered in identifying schools for selection may include:</p> <ul style="list-style-type: none"> <li>• Availability of data</li> <li>• Demonstrated interest based on current and past funding status</li> <li>• Length of time implementing SRTS projects</li> <li>• Geographic representation</li> <li>• Urban/rural distribution</li> <li>• Income</li> </ul> <p>Alta recommends that this analysis include a sample of schools that have not received funding or that previously had a program that was discontinued, in order to understand the rationale for non-participation or program disruption.</p> <p>In addition to data collected as part of Objective A, Alta will collect existing data provided by SCDHS, including walkability audits and other available sources.</p>	April 2014
<p><b>B. Focus Groups (Qualitative Data)</b></p> <p>Alta will convene up to three focus groups of Sonoma County school leaders, parents, bike coalition members, SCDHS staff, and other stakeholders to discuss barriers to SRTS implementation in the County. Alta will prepare a list</p>	May 2014



<p>of recommended representative groups, individuals, and staff to participate in focus groups. SCDHS will provide comment on the list. Alta will revise the list based on a single set of consolidated internally consistent comments from SCDHS and prepare a Focus Group invitee list.</p> <p>Discussions will be led by Alta staff and will include small-group brainstorming and feedback on desired next steps. Groups will be organized by geographic area, potentially north, south, and coastal. SCDHS will schedule the meetings, invite participants, and coordinate meeting space. Meetings will be scheduled on the same day to minimize travel time and costs. The focus group summaries will be included in the Draft Evaluation Report.</p>	
<p><b>C. Best Practice Review (Qualitative Data)</b></p> <p>Alta will interview staff in Marin and Alameda Counties to evaluate their best practices of cost, ease of implementation, and sustainability of approaches as well as barriers to successful behavioral and/or environmental change as experience by the implementers. The results of these interviews will be included the Draft Evaluation Report.</p>	<p>April-May 2014</p>
<p><b>D. Local Jurisdiction Survey (Quantitative Data)</b></p> <p>Alta will develop an online survey to collect information on the breadth and scope of SRTS capital and programmatic activities within the County. The consultant team will develop a questionnaire for local jurisdiction officials in Sonoma County to collect information on each jurisdiction's:</p> <ul style="list-style-type: none"> <li>• Recent planning activities, including Safe Routes to School master plans</li> <li>• Supportive policies (including SRTS and Complete Streets) and/or design standards</li> <li>• Planned and recently built infrastructure improvements</li> <li>• Program delivery by jurisdiction staff (if any)</li> <li>• Current and historic Safe Routes to School funding, including receipt of Safe Routes to School grants, other grants, and contributions of local funds</li> <li>• Unfunded capital and programmatic needs</li> <li>• Coordination with schools and school districts</li> <li>• Collaboration activities (if any) with advocacy/non-profit groups</li> <li>• Estimation of staff time and expense of SRTS efforts</li> </ul> <p>Alta will revise the survey based on a single set of consolidated consistent comments from SCDHS and prepare a final survey for dissemination. SCDHS will electronically distribute the local jurisdiction survey to engineering and/or planning staff at cities and towns in Sonoma County. Alta will summarize the findings in a concise and clear manner.</p>	<p>May 2014</p>

<p><b>E. School Administrator and Programs Implementer Questionnaire</b></p> <p>Alta will develop an online survey to capture school district officials, principals, school board officials, school facilities personnel, other school officials and persons who are currently implementing or have implemented SRTS programs at the selected schools. The purpose of the survey is to understand Safe Routes to School activities and needs within their district/school areas. The questionnaire will solicit information on, but not limited to:</p> <ul style="list-style-type: none"> <li>• Knowledge of existing programs and capital projects</li> <li>• School-level policies supporting SRTS activities and health</li> <li>• Participation in Safe Routes to School implementation</li> <li>• Perceptions of barriers to walking and biking to school</li> <li>• Coordination with local jurisdictions</li> <li>• Estimation of staff time and expense of SRTS program efforts</li> <li>• Cost of program implementation</li> <li>• Ease of program implementation</li> <li>• Program(s) length of implementation</li> <li>• Elements of successful SRTS program efforts</li> <li>• Barriers to successful SRTS program efforts</li> </ul> <p>Alta will revise the questionnaire based on a single set of consolidated consistent comments from SCDHS and prepare a final questionnaire for dissemination. SCDHS will distribute the questionnaire to school staff and program implementers. Alta will summarize the findings in a concise and clear manner in the Draft Evaluation Report.</p>	<p>May 2014</p>
<p><b>Task 3. Data Analysis</b></p>	
<p>Alta will use the data that the SCDHS has already collected and the data collected in Task 2 to conduct a qualitative and quantitative evaluation of the SRTS practices which are most effective, easiest to implement, least expensive, and most sustainable.</p> <p>For each program type, Alta will analyze the following factors:</p> <ul style="list-style-type: none"> <li>• Cost of implementation, potentially measured by staff time and program costs</li> <li>• Ease of implementation, potentially measured by identified barriers</li> <li>• Sustainability over time, potentially measured by factors contributing to existing long-lived programs as well as barriers that caused other programs to be discontinued</li> <li>• Effectiveness (i.e., reach of activity and likelihood of behavior change), potentially measured by student participation in SRTS activities and mode split shift, recommended policies, and documented effectiveness in other communities</li> </ul>	<p>May-July 2014</p>

<p>This analysis will include consideration of best practices in the San Francisco Bay Area and countrywide as well as documented efficacy of SRTS activities throughout the country.</p>	
<p><b>Task 4. Reporting</b></p>	
<p>Alta will prepare a Draft Evaluation Report summarizing the work conducted in previous tasks, including the following components:</p> <ul style="list-style-type: none"> <li>• Executive Summary</li> <li>• An introduction referencing relevant research literature</li> <li>• Description of methods used and analysis approach</li> <li>• Findings, including:             <ul style="list-style-type: none"> <li>◦ Barriers to behavioral/environmental change</li> <li>◦ Successful programs and elements</li> <li>◦ Best-practice school-based SRTS education, encouragement, environmental change, and policy activities that impact active transportation based on effectiveness, ease of implementation, minimal expense, and sustainability</li> </ul> </li> <li>• Evaluation Methodology, Tools and Action Plan for continued evaluation, including evaluating the physical infrastructure around the schools as it relates to mode shift.</li> </ul> <p>Alta will revise the report based on a single set of consolidated consistent comments from SCDHS and prepare a Final Report for dissemination.</p>	<p>July-Aug 2014</p>

**Deliverables**

- Project Coordination Meetings
  - Alta Project Manager in-person attendance at up to two in person meetings. Alta’s Assistant Project Manager attendance via conference call.
  - Alta Project manager and Assistant Project Manager participation in up to three team calls
- Preparation of meeting agendas and meeting notes
- School Selection and Background Data Collection Methodology Memo
- Data Collection (including stakeholder interviews, survey monkey)
- Raw data files
- Draft Evaluation Report
- Final Evaluation Report

## Exhibit B. Budget

### Section 1. CMAQ Safe Routes to School Data Analysis & Report Development

<b>Personnel (Alta Planning + Design)</b>	<b>Hours</b>	<b>Rate (\$/Hour)</b>	<b>Total (\$)</b>
Principal in Charge, Brett Hondorp	4	210	840
Project Manager, Jennifer Donlon Wyant	26	160	4,160
Assistant Project Manager, Hannah Day Kapell	28	110	3,080
Planner, Brianne Clohessy	42	90	3,780
Principal Engineer, Steve Weinberger	23	220	5,060
<b>Reimbursable Expenses &amp; Travel</b>			
Mileage: 2 trips at \$0.56 per mile			201.60
Meals and tolls			28.40
<b>Section 1 Total</b>			<b>17,150</b>

### Section 2. CTG Safe Routes to School Education and Encouragement Evaluation

<b>Personnel (Alta Planning + Design)</b>	<b>Hours</b>	<b>Rate (\$/Hour)</b>	<b>Total (\$)</b>
Principal in Charge, Brett Hondorp	6.5	210	1,365
Project Manager, Jennifer Donlon Wyant	56	160	8,960
Assistant Project Manager, Hannah Day Kapell	85	110	9,350
Planner, Brianne Clohessy	122	90	10,980
<b>Reimbursable Expenses &amp; Travel</b>			
Mileage: 3 trips at \$0.56 per mile			302.40
Meals and tolls			42.60
<b>Section 2 Total</b>			<b>31,000</b>

**Summary: Section 1 Total + Section 2 Total = \$48,150**

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## **Exhibit C. Insurance Requirements**

(Template 5)

With respect to performance of work under this Agreement, Contractor shall maintain and shall require all of its subcontractors, contractors, and other agents to maintain insurance as described below unless such insurance has been expressly waived by the attachment of a **Waiver of Insurance Requirements**. Any requirement for insurance to be maintained after completion of the work shall survive this Agreement.

County reserves the right to review any and all of the required insurance policies and/or endorsements, but has no obligation to do so. Failure to demand evidence of full compliance with the insurance requirements set forth in this Agreement or failure to identify any insurance deficiency shall not relieve Contractor from, nor be construed or deemed a waiver of, its obligation to maintain the required insurance at all times during the performance of this Agreement.

### 1. Workers' Compensation and Employer's Liability Insurance

- a. Required if Contractor has employees.
- b. Workers' Compensation insurance with statutory limits as required by the Labor Code of the State of California.
- c. Employer's Liability with minimum limits of \$1,000,000 per Accident; \$1,000,000 Disease per employee; \$1,000,000 Disease per policy.
- d. **Required Evidence of Insurance:** Certificate of Insurance.
- e. If Contractor currently has no employees, Contractor agrees to obtain the above-specified Workers' Compensation and Employer's Liability insurance should any employees be engaged during the term of this Agreement or any extensions of the term.

### 2. General Liability Insurance

- a. Commercial General Liability Insurance on a standard occurrence form, no less broad than Insurance Services Office (ISO) Form CG 00 01.
- b. Minimum Limits: \$1,000,000 per Occurrence; \$2,000,000 General Aggregate; \$2,000,000 Products/Completed Operations Aggregate. The required limits may be provided by a combination of General Liability Insurance and Commercial Umbrella Liability Insurance. If Contractor maintains higher limits than the specified minimum limits, County requires and shall be entitled to coverage for the higher limits maintained by Contractor.
- c. 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. Contractor is responsible for any deductible or self-insured retention and shall fund it upon County's written request, regardless of whether Contractor has a claim against the insurance or is named as a party in any action involving the County.

- 
- d. **County of Sonoma, its Officers, Agents, and Employees** shall be additional insureds for liability arising out of operations by or on behalf of the Contractor in the performance of this Agreement.
  - e. The insurance provided to the additional insureds shall be primary to, and non-contributory with, any insurance or self-insurance program maintained by them.
  - f. The policy definition of "insured contract" shall include assumptions of liability arising out of both ongoing operations and the products-completed operations hazard (broad-form contractual liability coverage, including the "f" definition of insured contract in ISO Form CG 00 01, or equivalent).
  - g. The policy shall cover inter-insured suits between the additional insureds and Contractor and include a "separation of insureds" or "severability" clause which treats each insured separately.
  - h. **Required Evidence of Insurance**
    - i. Copy of the additional insured endorsement or policy language granting additional insured status; and
    - ii. Certificate of Insurance.
3. Automobile Liability Insurance
- i. Minimum Limits: \$1,000,000 combined single limit per accident.
  - j. Insurance shall apply to all owned autos. If Contractor currently owns no autos, Contractor agrees to obtain such insurance should any autos be acquired during the term of this Agreement or any extensions of the term.
  - k. Insurance shall apply to hired and non-owned autos.
  - l. **Required Evidence of Insurance:** Certificate of Insurance.
4. Professional Liability/Errors and Omissions Insurance
- m. Minimum Limit: \$1,000,000 per claim or per occurrence.
  - n. 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.
  - o. If the insurance is on a Claims-Made basis, the retroactive date shall be no later than the commencement of the work.
  - p. Coverage applicable to the work performed under this Agreement shall be continued for 2 years after completion of the work. Such continuation coverage may be provided by one of the following: (1) renewal of the existing policy, (2) an extended reporting period endorsement, or (3) replacement insurance with a retroactive date no later than the commencement of the work under this Agreement.
  - q. **Required Evidence of Insurance:** Certificate of Insurance.
-

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5. Standards for Insurance Companies

Insurers, other than the California State Compensation Insurance Fund, shall have an A.M. Best's rating of at least A:VII.

6. Documentation

- r. All required Evidence of Insurance shall be submitted prior to the execution of this Agreement. Contractor agrees to maintain current Evidence of Insurance on file with County for the entire term of this Agreement and any additional periods if specified in this exhibit's Sections 1 - 4.
- s. The name and address for **Additional Insured** endorsements and Certificates of Insurance is:  

**County of Sonoma (DHS)**  
**Contract & Board Item Development Unit**  
**3313 Chanate Road**  
**Santa Rosa CA 95404**
- t. Required Evidence of Insurance shall be submitted for any renewal or replacement of a policy that already exists at least 10 days before expiration or other termination of the existing policy.
- u. Contractor shall provide immediate written notice if: (1) any of the required insurance policies are terminated; (2) the limits of any of the required policies are reduced; or (3) the deductible or self-insured retention is increased.
- v. Upon written request, certified copies of required insurance policies must be provided within 30 days.

7. Policy Obligations

Contractor's indemnity and other obligations shall not be limited by the foregoing insurance requirements.

8. Material Breach


If Contractor fails to maintain insurance which is required pursuant to this Agreement, this failure shall be deemed a material breach of this Agreement. County, at its sole option, may terminate this Agreement and obtain damages from Contractor resulting from said breach. Alternatively, County may purchase the required insurance, and without further notice to Contractor, County may deduct from sums due to Contractor any premium costs advanced by County for such insurance. These remedies shall be in addition to any other remedies available to County.


## County Approval of Contractor's \$50,000 Deductible for Professional Liability / Errors and Omissions Insurance

Thu 2014 Mar 13 16:33

▣ RISK-Ins-Waiver-or-Review-Req

RE: Alta Planning & Design - Health Services (Contract 2014 0055)

To:  John Huth

Cc:  Waheed Bhatti

Hi John,

We can accept Alta's deductible. Please retain this email as verification that Risk has approved the \$50K deductible for Alta Planning & Design.

Thanks,

Katie MacKay, 707-565-3537

Risk Management Analyst

County of Sonoma/Risk Management/Liability

575 Administration Dr Ste 116C Santa Rosa, CA 95403

[katie.mackay@sonoma-county.org](mailto:katie.mackay@sonoma-county.org)



CONFIDENTIALITY NOTICE: This email communication and any attachments may contain confidential and privileged information for the use of the designated recipients named above. If you are not the intended recipient, you are hereby notified that you have received this communication in error or it has been directed to a specific individual or individuals, and that any review, disclosure, dissemination, distribution, or copying of this email or its contents without written authorization from the original sender is prohibited. If you have received this communication in error, please notify Katie MacKay immediately by telephone (707) 565-3537, and destroy all copies of this communication and any attachments.

**From:** John Huth

**Sent:** Thursday, March 13, 2014 9:35 AM

**To:** RISK-Ins-Waiver-or-Review-Req

**Cc:** Waheed Bhatti

**Subject:** Alta Planning & Design - Health Services (Contract 2014 0055)

**To the Risk Management Insurance Helpdesk - the following assistance is requested:**

Please respond by this date

Miscellaneous Insurance Question. Explain below:

**\*\* Attach any other pertinent information and/or questions below.**

Hi Risk,

The vendor Alta tells me that "our Professional Liability/Errors and Omissions Insurance deductible is \$50,000 and must be approved by the County". I am using Insurance Exhibit Template 5. Pls approve Alta's deductible. Thx.

Note - I've attached the draft contract for your reference.

J

John Huth

Admin Aide

Administration - Contracts

Department of Health Services

County of Sonoma





## County of Sonoma Agenda Item Summary Report

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

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

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

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

**Department or Agency Name(s):** Human Resources Department

**Staff Name and Phone Number:**

Maggie Martin, 707-565-3565  
Deena Thompson-Stalder, 707-565-3174

**Supervisorial District(s):**

All

**Title:** Miscellaneous Classification and Compensation Changes

### **Recommended Actions:**

Approve Resolution amending the Department Allocation List for the Department of Health Services to delete 1.0 Full Time Equivalent (F.T.E.) Alcohol and Other Drug Services Assistant II, and to add 1.0 F.T.E. Alcohol and Other Drug Services Assistant III allocation, effective April 15, 2014.

Approve Resolution amending the Department Allocation List for the District Attorney's Office to delete 1.0 Full Time Equivalent (F.T.E.) Legal Staff Supervisor, and to add 1.0 F.T.E. Department Analyst allocation, effective April 15, 2014.

Approve Resolution amending the Department Allocation List for the Human Services Department to delete 1.0 Full Time Equivalent (F.T.E.) Eligibility Worker II, and to add 1.0 F.T.E. Social Services Worker II allocation, effective April 15, 2014.

### **Executive Summary:**

#### **Department of Health Services**

**Alcohol and Other Drug Services Assistant II:** The incumbent and SEIU requested that Human Resources study one Alcohol and Other Drug Assistant II in the Behavioral Health Section of the Department of Health Services. Based on the lead-level responsibilities for the position for oversight, direction, review, and monitoring of work in the Unit, Human Resources determined that the position is most closely aligned with the Alcohol and Other Drug Services Assistant III classification. The Civil Service Commission approved the reclassification of the one Alcohol and Other Drug Services Assistant and the promotion of the incumbent pursuant to Civil Service Rule 3.3B at its March 20, 2014, meeting.

#### **District Attorney's Office**

**Legal Staff Supervisor:** Human Resources conducted a classification study of one Legal Staff Supervisor at the

request of both the incumbent and the District Attorney’s Office. The level of positions supervised by the studied position, in addition to the fact that the position’s primary responsibility is the oversight of the Office’s Asset Forfeiture Program, led Human Resources to conclude that the position is most consistent with the job classification of Department Analyst. The Civil Service Commission approved the reclassification of one Legal Staff Supervisor and the promotion of the incumbent pursuant to Civil Service Rule 3.3B at its March 20, 2014, meeting.

**Human Services Department**

**Eligibility Worker II:** At the request of the incumbent, Human Resources conducted a classification study of one Eligibility Worker II in the Human Services Economic Assistance Division. Based on the case management duties required for this position’s assignment of assisting clients to obtain secure income and medical benefits from Social Security, Human Resources determined that the position is most consistent with the job classification of Social Service Worker II. The Civil Service Commission approved the reclassification of one Eligibility Worker II to Social Service Worker II and the promotion of the incumbent pursuant to Civil Service Rule 3.3B at its March 6, 2014, meeting.

**Prior Board Actions:**

Throughout the year, each year, the Human Resources Department submits several Miscellaneous Classification and Compensation Board Items. The items require Board approval in order to be fully adopted and amended.

**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>

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

**Department of Health Services/Reclassification of Alcohol and Other Drug Services Assistant II:** The estimated cost of the salary adjustment (including benefits) is \$1,640 for FY 2013/2014, and an estimated ongoing annual cost (including benefits) of \$7,616. The Department of Health Services has incorporated the applicable costs into its budget.

**District Attorney’s Office/Reclassification of Legal Staff Supervisor:** The estimated cost of the salary adjustment (including benefits) is \$4,947 for FY 2013/2014, and an estimated ongoing annual cost (including benefits) of \$23,059. The District Attorney’s Office has incorporated the applicable costs into

its budget.

**Human Services Department/Reclassification of Eligibility Worker II:** The estimated cost of the salary adjustment (including benefits) is \$2,653 for FY 2013/2014, and an estimated ongoing annual cost (including benefits) of \$12,307. The Human Services Department has incorporated the applicable costs into its budget.

**Staffing Impacts**

<b>Position Title</b> (Payroll Classification)	<b>Monthly Salary Range</b> (A – I Step)	<b>Additions</b> (Number)	<b>Deletions</b> (Number)
Alcohol and Other Drug Services Assistant II	\$3,219.38 - \$3,913.35	0	1
Alcohol and Other Drug Services Assistant III	\$3,568.98 - \$4,339.47	1	0
Legal Staff Supervisor	\$4,080.32 - \$4,958.65	0	1
Department Analyst	\$5,134.32 - \$6,242.23	1	0
Eligibility Worker II	\$3,622.89 - \$4,403.82	0	1
Social Service Worker II	\$4,188.15 - \$5,089.09	1	0

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

**Department of Health Services:** Effective April 15, 2014, one incumbent will be reclassified to Alcohol and Other Drug Services Assistant III in accordance with Civil Service Rule 3.3B.

**District Attorney’s Office:** Effective April 15, 2014, one incumbent will be reclassified to Department Analyst in accordance with Civil Service Rule 3.3B.

**Human Services Department:** Effective April 15, 2014, one incumbent will be reclassified to Social Service Worker II in accordance with Civil Service Rule 3.3B.

**Attachments:**

1. Resolution Amending Department Allocation List for the Department of Health Services, District Attorney’s Office, and Human Services Department.

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

1. Report to the Civil Service Commission – Alcohol and Other Drug Services Assistant II Class Study.
2. Report to the Civil Service Commission – Legal Staff Supervisor Class Study.
3. Report to the Civil Service Commission – Eligibility Worker II Class Study.



# County of Sonoma

## State of California

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Date: April 15, 2014

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 Amending The Department Allocation List For Department Of Health Services To Reflect The Deletion Of 1.0 Full-Time Equivalent Alcohol And Other Drug Services Assistant II And To Add 1.0 Full-Time Equivalent Alcohol And Other Drug Services Assistant III, Amending The Department Allocation List For The District Attorney's Office To Reflect The Deletion Of 1.0 Full-Time Equivalent Legal Staff Supervisor And To Add 1.0 Full-Time Equivalent Department Analyst, And Amending The Department Allocation List For The Human Services Department To Reflect The Deletion Of 1.0 Full-Time Equivalent Eligibility Worker II And To Add 1.0 Full-Time Equivalent Social Service Worker II, Effective April 15, 2014.**

**Whereas**, a classification study conducted by Human Resources concluded that the duties performed by one position of Alcohol and Other Drug Services Assistant II are most appropriately aligned with the job classification of Alcohol and Other Drug Services Assistant III; and

**Whereas**, at the March 20, 2014, meeting, the Civil Service Commission reclassified the Alcohol and Other Drug Services Assistant II to Alcohol and Other Drug Services Assistant III, and promoted the incumbent in accordance with Civil Service Rule 3.3B; and

**Whereas**, a classification study conducted by Human Resources concluded that the duties performed by one position of Legal Staff Supervisor are most appropriately aligned with the job classification of Department Analyst; and

**Whereas**, at the March 20, 2014, meeting, the Civil Service Commission reclassified the Legal Staff Supervisor to Department Analyst, and promoted the incumbent in accordance with Civil Service Rule 3.3B; and

**Whereas**, a classification study conducted by Human Resources concluded that the duties performed by one position of Eligibility Worker II are most appropriately aligned with the job classification of Social Service Worker II; and

**Whereas**, at the March 6, 2014, meeting, the Civil Service Commission reclassified the Eligibility Worker II to Social Service Worker II, and promoted the incumbent in accordance with Civil Service Rule 3.3B; and

Resolution #

Date:

Page 2

**Now, Therefore, Be It Resolved** that the Allocation Tables of the Department of Health Services, District Attorney's Office, and Human Services Department are hereby revised as follows, effective April 15, 2014:

Budget Index	Job Class	Class Title	Existing Positions in Class	Change in Position Allocation	New Total Allocation for Class	Duration/End Date	Salary Range
<b>Department of Health Services</b>							
165620	2680	Alcohol and Other Drug Services Assistant II	2.0	(1.00)	1.0	Ongoing	1851
165620	2681	Alcohol and Other Drug Services Assistant III	0	1.00	1.0	Ongoing	2052
<b>District Attorney's Office</b>							
042101	0052	Legal Staff Supervisor	2.0	(1.00)	1.0	Ongoing	2346
042101	0826	Department Analyst	1.0	1.00	2.0	Ongoing	2952
<b>Human Services Department</b>							
159014	0472	Eligibility Worker II	152.25	(1.00)	151.25	Ongoing	2083
159014	3002	Social Service Worker II	2.0	1.00	3.0	Ongoing	2408

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

**To:** Sonoma County Board of Supervisors

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

**Department or Agency Name(s):** Permit and Resource Management Department

**Staff Name and Phone Number:**

Scott Hunsperger 565-2404

**Supervisorial District(s):**

Fourth

**Title:** Lot Line Adjustment between four parcels under Land Conservation Contract, owned by Windy Gap, LLC, LLA13-0047.

### **Recommended Actions:**

Adopt a Resolution and Conditions of Approval for a Lot Line Adjustment between four parcels under two Land Conservation Contracts owned by Windy Gap, LLC located at 11560 Chalk Hill Road, Healdsburg, APNs 079-120-022, -019, -020, -021 and -023.

### **Executive Summary:**

This is a request for a Lot Line Adjustment between four parcels of 160 acres (Lot A), 40 acres (Lot B), 120 acres (Lot C), and 80 acres (Lot D) resulting in four parcels of 129 acres (Lot A), 83 acres (Lot B), 108 acres (Lot C), and 80 acres (Lot D) for property located at 11560 Chalk Hill Road, Healdsburg,; Zoning RRD (Resources and Rural Development), B6-100 acre density. Lots A, B, C and D are under two existing non-prime (Type II) Land Conservation Act contracts (2-250-72; Book 2603 of Records, Page 905 and 2-250-76; Book 3050 of Records, Page 983). The purpose of the Lot Line Adjustment is to improve the management of the existing vineyard and grazing operations on each parcel, and relocate a residence, which should better fit the general topography for each of the lots. Each of the four resulting parcels will have a separate Land Conservation Contract.

To facilitate a Lot Line Adjustment, Gov. Code Section 51257 permits the contracting party to rescind the two existing contracts and simultaneously enter into four new contracts if the following findings can be made:

a. The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.

**Staff Comment:** This finding can be made because the property owner of Lots A, B, C, and D has agreed to the requirement of the Conditions of Approval for the Lot Line Adjustment to rescind and replace the

two existing contracts with four new non-prime contracts. The new contracts for resulting Lots A, B, C, and D will be for not less than 10 years, renewing automatically every January 1st. The rescission and replacement of the existing contracts will require a separate and subsequent Board action to be scheduled at a later date.

b. There is no net decrease in the amount of the acreage restricted. In cases where both parcels involved in the Lot Line Adjustment are subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.

Staff Comment: This finding can be made because the Lot Line Adjustment will not result in any decrease in the aggregate acreage of land under contract as all four parcels are current subject to contract.

c. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.

Staff Comment: This finding can be made because the Lot Line Adjustment results in 100% of existing Lot A, B, C, and D remaining under new contracts. Overall, all of the land currently under contract will remain under contract.

d. After the Lot Line Adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222.

Staff Comment: This finding can be made because the Lot Line Adjustment involves four parcels all subject to a Land Conservation contract. Under the Lot Line Adjustment Lot A, B, C, and D will continue to be large enough to sustain their respective agricultural use (cattle grazing) and will continue to meet their respective contract-type's minimum parcel size requirement. Resulting Lots A, B, C, and D will all exceed 40 acres in size under new non-prime (Type II) contracts that require a minimum parcel size of 40 acres.

e. The Lot Line Adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.

Staff Comment:

This finding can be made because the Lot Line Adjustment does not result in a decrease in the amount of land under Land Conservation contract because Conditions of Approval require that the existing contracts on Lots A, B, C, and D be rescinded and replaced with four new contracts. Lot A, B, C, and D will continue to be in compliance with their Land Conservation contracts because over 50% of the parcel is being used for a cattle grazing operation with a gross income of approximately \$1,000.00 per acre for all 400 acres of the four subject parcels. Once the parcels are reconfigured as a result of the Lot Line Adjustment, each parcel will be required to have an individual grazing operation and show compliance with the Uniform Rules through review of the replacement Land Conservation contracts. If ownership changes for any of the parcels, each different property owner will have to verify compliance with the

Land Conservation Act and Uniform Rules.

Under the newly adopted Agricultural Preserve Rules, the minimum gross income requirements are as follows:

Vineyard: Not less than \$1,000.00 per Planted Acre

Grazing: Not less than \$2,000.00 Gross Total Income per Farm Operation and \$2.50 Gross Income per Acre of Production

Lots A, B, C, and D will conform with their new non-prime (Type II) contracts under the local Agricultural Preserve Rules and Regulations for minimum parcel size of 40 acres and minimum gross income requirement. At this time, there are no non-agricultural uses on any of the subject parcels. Any future non-agricultural uses will be restricted to “compatible uses” consistent with the Uniform Rules.

f. The Lot Line Adjustment is not likely to result in the removal of adjacent land from agricultural use.

Staff Comment: The Lot Line Adjustment is minor in nature and will not affect adjacent lands or their agriculture uses.

g. The Lot Line Adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan.

Staff Comment: The Lot Line Adjustment does not result in a greater number of developable parcels. Under their current General Plan land use designation of Resources and Rural Development 100 acres per dwelling unit, no parcel is eligible for a subdivision and that does not change as a result of the Lot Line Adjustment.

Staff recommendation:

Staff recommends the Board find that all Government Code Section 51257 findings are satisfied in connection with the proposed Lot Line Adjustment, and approve the proposed Lot Line Adjustment subject to the attached Conditions of Approval. Lots A, B, C and D will continue to be devoted to a qualifying agricultural use. Conditions of Approval require that prior to recording the Grant Deeds for the Lot Line Adjustment, the property owner of Lots A, B, C and D shall submit the appropriate applications and filing fees to rescind and replace the existing two contracts with four new non-prime (Type II) Land Conservation contracts on Lot A, B, C, and D. Once the Lot Line Adjustment grant deeds are recorded, then the County can proceed with preparation of the new contracts, and include the new legal descriptions for each parcel. Furthermore, all four parcels involved in the Lot Line Adjustment are under the same land use and zoning designation and there is no increase in overall subdivision potential as a result of the Lot Line Adjustment. Therefore, staff recommends approval.

**Prior Board Actions:**

None.



<b>Strategic Plan Alignment</b> Goal 2: Economic and Environmental Stewardship			
<p>The Board of Supervisors has endorsed the continuation of the County’s agricultural preserve program to preserve a maximum amount of the limited supply of agricultural, open space, scenic, and critical habitat lands within the county, to discourage premature and unnecessary conversion of such lands to urban land uses, to promote vitality in the agricultural economy, and to ensure an adequate, varied, and healthy supply of food and fiber for current and future generations. The purpose of the Lot Line Adjustment is to improve the management of the existing vineyard and grazing operations on each parcel, and relocate a residence. In addition, the rescission and replacement of Land Conservation contract for all of the subject parcels will facilitate further agricultural investment and support agricultural viability and help preserve open space land in Sonoma County.</p>			
<b>Fiscal Summary - FY 13-14</b>			
<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>
<b>Narrative Explanation of Fiscal Impacts (If Required):</b>			
<p>All subject parcels are currently under a Land Conservation Contract and will continue to remain under new replacement contracts. There should be no new fiscal impacts as a result of this action.</p>			
<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>			
<p>Draft Board of Supervisors Resolution Exhibit A: Conditions of Approval</p>			

Exhibit B: Proposal Statement  
Exhibit C: APN Map  
Exhibit D: Lot Line Adjustment Site plan

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

None.



County of Sonoma  
State of California

Date: April 15, 2014

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

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

LLA13-0047 Scott Hunsperger

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Granting The Request By Windy Gap, LLC, C/O Bob Mauritson For A Minor Lot Line  
Adjustment Between Four Parcels Located At 11560 Chalk Hill Road, Healdsburg, APNs 079-  
120-022, -019, -020, 021, and -023.**

**Whereas**, the applicant, Windy Gap, LLC filed a Minor Lot Line Adjustment application with the Sonoma County Permit and Resource Management Department between four parcels of 160 acres (Lot A), 40 acres (Lot B), 120 acres (Lot C), and 80 acres (Lot D) resulting in four parcels of 129 acres (Lot A), 83 acres (Lot B), 108 acres (Lot C), and 80 acres (Lot D) for property located at 11560 Chalk Hill Road, Healdsburg, APNs 079-120-022, -019, -020, -021 and -023; Zoning RRD (Resources and Rural Development), B6-100 acre density; Supervisorial District No. 4; and

**Whereas**, the purpose of the Lot Line Adjustment is to adjust property lines to reconfigure the lots for better fit the general topography for all the lots. All lots are subject to non-prime (Type II) Williamson Act Contracts; and

**Whereas**, Government Code Section 51257 requires that the Board of Supervisors make certain findings before an existing Williamson Act Contract may be rescinded and replaced to facilitate a Lot Line Adjustment.

**Now, Therefore, Be It Resolved**, that the Board of Supervisors makes the following findings consistent with Government Code Section 51257:

1. The replacement contracts would enforce and restrict the adjusted boundaries of the four parcels for an initial term for at least as long as the unexpired term of the two rescinded contracts but for not less than 10 years.
2. There is no net decrease in the amount of the acreage restricted by a contract.
3. The Lot Line Adjustment results in 100 percent (100%) of the land under the original contracts remaining restricted under the four new Non-Prime (Type II) contracts required as a Condition of Approval for the Lot Line Adjustment.
4. After the Lot Line Adjustment, each of the resultant parcels (Lots A, B, C and D) will

Resolution #

Date: April 15, 2014

Page 2

remain large enough to sustain its agricultural use (grazing operation). Resultant Lots A, B, C, and D will each exceed the 40-acre minimum acreage requirement for a non-prime contract and each will exceed the minimum gross income requirement of \$2,000 per farm operation for grazing land and will be devoted to agriculture with any non-agricultural uses to be compatible with the agricultural use.

5. The Lot Line Adjustment does not compromise the long-term agricultural productivity of the parcels subject to contract. The purpose of the Lot Line Adjustment is to reconfigure the lots for better fit the general topography for all the lots.
6. The Lot Line Adjustment is minor in nature and will not result in the removal of adjacent land from agricultural use. The land use and zoning designations on both parcels will remain as Resources and Rural Development, 100 acres per dwelling unit. The parcels will have the same subdivision potential before and after the Lot Line Adjustment.
7. Conditions of approval require that prior to recording the Grant Deeds for the Lot Line Adjustment, the property owner of Lots A, B, C and D shall submit the appropriate applications and filing fees to rescind and replace the two existing contracts with four new non-prime (Type II) Williamson Act contracts as applicable. Once the Lot Line Adjustment grant deeds are recorded, then the County can proceed with preparation of the four new contracts, and include the new legal descriptions for each parcel.

**Be It Further Resolved** that the Board of Supervisors hereby finds that substantial evidence in the record before it supports the above findings, and further finds that the Lot Line Adjustment meets the requirements of the above findings.

**Be It Further Resolved** that the Board of Supervisors finds that the project described in this Resolution is exempt from the requirements of the California Environmental Quality Act by virtue of Section 15305 Class 5 of Title 14 of the California Code of Regulations (CEQA Guidelines) in that the project is a minor Lot Line Adjustment.

**Now, Therefore, Be It Resolved** that the Board of Supervisors hereby grants the requested Lot Line Adjustment subject to the Conditions of Approval in Exhibit "A," attached hereto which includes a condition to rescind and replace the existing non-prime (Type II) Williamson Act Contracts on Lots A, B, C, and D.

**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.

Resolution #  
Date: April 15, 2014  
Page 3

**Supervisors:**

Gorin:	Zane:	McGuire:	Carrillo:	Rabbitt:
Ayes:	Noes:	Absent:	Abstain:	

**So Ordered.**



5. The property owner(s) shall execute a Right-to-Farm Declaration on a form provided by PRMD to be submitted before the Lot Line Adjustment is cleared by PRMD for recordation. The Right-to-Farm Declaration shall be recorded concurrently with the PRMD approved Lot Line Adjustment grant deed(s) to reflect the newly configured parcels.
6. A site plan map of the Lot Line Adjustment shall be prepared by a licensed surveyor or civil engineer and attached to the deed(s) to be recorded. The site plan shall be subject to the review and approval of the County Surveyor. The following note shall be placed on said plan: "THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY. Any errors or omissions on this exhibit shall not affect the deed description."
7. Prior to PRMD stamping the grant deed(s) for the Lot Line Adjustment, the property owner of Lot A, B, C, and D shall submit all application materials and applicable filing fees to rescind and replace the existing non-prime Type II Williamson Act contract with four new, non-prime Type II Williamson Act contracts on the resulting adjusted parcels. Once the Lot Line Adjustment grant deeds are recorded, PRMD can proceed with processing the new contracts.
8. A minimum 20 foot access and public utility easement to 'Lot A' as shown on the site map submitted with the application shall be described as Parcel Two and included in the legal descriptions. The following note shall be included in the deed:

"SAID DEED IS MADE AND ACCEPTED SUBJECT TO THE FOLLOWING CONDITIONS:

PARCEL TWO easement shall bind and inure to the benefit of the respective heirs, personal representatives, successors, and assigns of the grantor and grantee and that all specifications of the easement shall pertain to and run with the land. Said provision of the easement is a condition relative to approval of LLA13-0047 and may not be altered or eliminated without the express written consent of the Permit and Resource Management Department. The use of the area designated as a private access easement by the grantor shall be restricted from uses which are incompatible with proper use. This shall include structures, vehicular parking, any and all uses which would disrupt the use of said access easement. The easement shall include the rights of the grantee to do all things reasonably necessary to inspect, repair, and maintain said private access in a good and passable condition."

9. The legal descriptions for the proposed lot line adjustments between Assessor Parcel Numbers 079-120-019, -020, -021 shall describe the areas being adjusted between parcels.
-

## **PROPOSAL STATEMENT**

**Windy Gap is the owners of APN 079-120-019, 020, 021,022 & 023 which are 400. +/- Acres on Chalk Hill Road**

**The purpose of this Lot Line Adjustment is to reconfigure the four parcels to better fit the general topography for all parcels;**

**These parcels were created by Certificates of Compliance Lot A is ACC 1, document # 2009-088891, Lot B is ACC #2 , document # 2009-088892, Lot C is ACC#3 is document #2009-088893 and Lot D is ACC #4 document # 2009-088894.**

**The water for these parcels is provided by wells and septic systems**

**JOB NO. 2013-006**

**APN 079-120-019,020,021,022,023**

**OCTOBER 2013**



# COUNTY ASSESSOR'S PARCEL MAP

TAX RATE AREA  
 179-002 179-019  
 179-017 179-049  
 179-052

79-12

## CHALK HILL ROAD

1	N87°02'40"W	52.34
2	R=520.0	L=144.56
3	N27°22'E	61.53
4	R=270.0	L=112.31
5	N03°32'E	78.54
6	R=330.0	L=235.47
7	N44°25'E	224.34
8	R=270.0	L=17.35
9	N89°30'E	42.44
10	S87°02'40"E	363.69

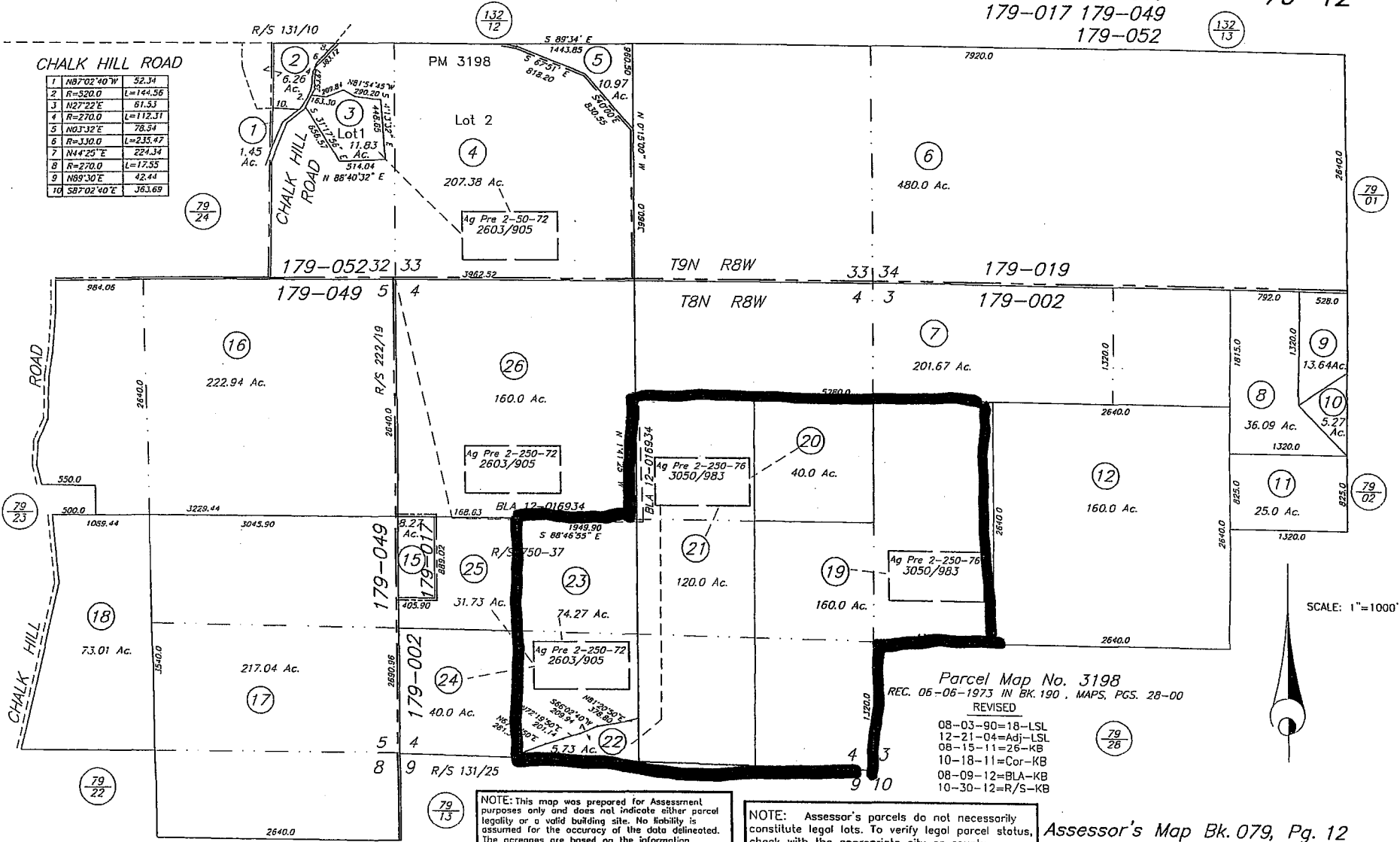


EXHIBIT C

SCALE: 1"=1000'

Parcel Map No. 3198  
 REC. 06-06-1973 IN BK. 190, MAPS, PGS. 28-00  
 REVISED  
 08-03-90=18-LSL  
 12-21-04=Adj-LSL  
 08-15-11=26-KB  
 10-18-11=Cor-KB  
 08-09-12=BLA-KB  
 10-30-12=R/S-KB

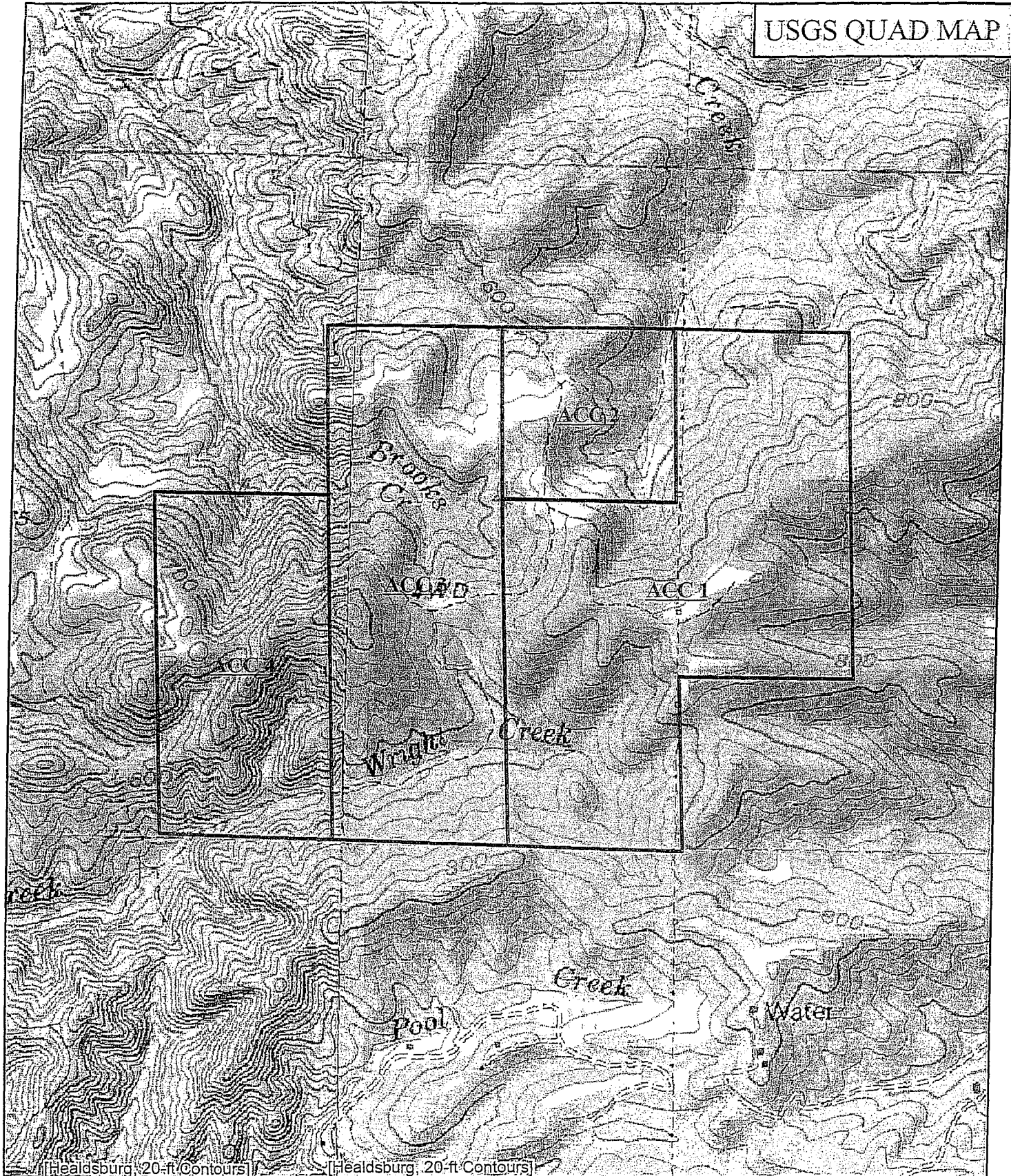
NOTE: This map was prepared for Assessment purposes only and does not indicate either parcel legality or a valid building site. No liability is assumed for the accuracy of the data delineated. The acreages are based on the information supplied to the Assessor (i.e. recorded survey maps, recorded deeds, prior assessment maps, etc.)

NOTE: Assessor's parcels do not necessarily constitute legal lots. To verify legal parcel status, check with the appropriate city or county community development or planning division.

Assessor's Map Bk. 079, Pg. 12  
 Sonoma County, Calif. (ACAD)

KEY 8-15-11 KB

USGS QUAD MAP



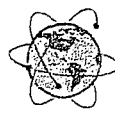
[Healdsburg, 20-ft. Contours]

[Healdsburg, 20-ft. Contours]

Lands of Windy Gap, LLC



1 inch = 1,000 feet



RAY CARLSON  
AND ASSOCIATES, INC.  
Mapping a Better World™

USGS 7.5' Quadrangles -Healdsburg & Mark West Springs (1993)

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©September 28, 2013



## 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:** April 15, 2014

**Vote Requirement:** Majority

**Department or Agency Name(s):** Permit and Resource Management Department

**Staff Name and Phone Number:**

Traci Tesconi 565-1903

**Supervisorial District(s):**

Fourth

**Title:** Lot Line Adjustment between three parcels and involving a Land Conservation Act contract, owned by Edward C. Gomez and Ellen Mack, Trustees; and Dutton Ranch Family Limited Partnership; LLA13-0052.

### **Recommended Actions:**

Adopt a Resolution approving a Lot Line Adjustment between three parcels, with two of the parcels under a Land Conservation Act contract, owned by Edward C. Gomez and Ellen Mack, Trustees; and Dutton Ranch Family Limited Partnership, located at 4500 Slusser Road, and 3970 & 3990 Laughlin Road, Windsor; APNs 066-280-049 & -029, APN 057-070-043, and APN 057-070-044.

### **Executive Summary:**

#### Proposal:

The request is for a Lot Line Adjustment between three parcels 22.82 acres (Lot A), 27.01 acres (Lot B), and 23.73 acres (Lot C) in size, resulting in three parcels 17.10 acres, 32.31 acres, and 24.15 acres in size. The purpose of the Lot Line Adjustment is to transfer a 5.72 acre vineyard area from Lot A to Lot B and to resolve an encroachment of an equipment storage building over the property line boundary between Lot B and Lot C by moving the property line further to the south by approximately .42 acres of land. Since Lot B and Lot C are under a single Land Conservation Act contract, the Lot Line Adjustment must be approved by the Board. Lot B is 27.01 acres with 19.80 acres planted in vineyard. Lot C is 23.73 acres with 16.17 acres planted in vineyard. Both Lot B and Lot C are in compliance with their Land Conservation Act contract.

Lot A is bisected by Slusser Road with 15.76 acres lying on the west side and 5.72 acres lying on the east side of the road. Both portions of the parcel are planted in vineyard. The 5.72 acre portion of land of Lot A would be combined with Lot B, enlarging the overall vineyard operations of the Dutton Ranch which also lies on the east side of Slusser Road. In addition, the property line boundary between Lot B and Lot C would be adjusted by .42 acres to the south to allow the existing equipment storage building

to conform to the 30-foot setback requirement from property lines.

Parcel and Zoning Information:

Lot A contains an existing winery facility comprised of three buildings (winery building, barrel building, and office) and a single family residence and a large commercial vineyard (PRMD file: UPE98-0040). Lot B contains a single family residence, a carport, and large commercial vineyard operation. Lot C contains a single family residence, an equipment storage building, a storage shed, and a large commercial vineyard. Lot B and Lot C are Parcel 1 and Parcel 2 of Parcel Map No. 88-863, respectively. Lot B and Lot C are under a single prime (Type I) Land Conservation Act contract recorded in 1972 (1-439-72; 2608/608). The Lot Line Adjustment adds 5.72 acres to Lot B, which increases the parcel size of contracted land, and adjusts .42 acres between two contracted parcels (Lot B and Lot C).

Lot B and Lot C are both zoned LIA (Land Intensive Agriculture), with 40 acre density and combining districts of SR (Scenic Resource), VOH (Valley Oak Habitat), F2 (Secondary Floodplain), and Z (Second Unit Exclusions). The 5.72 acre portion of Lot A (to be combined with Lot B) is also zoned LIA (Land Intensive Agriculture), but with a 60 acre density. A Lot Line Adjustment cannot create split zoning densities, therefore, a condition has been required that the property owners of Lot B submit an application to change the land use and zoning density designation on the 5.72 acre portion of land from LIA 60 acre density to LIA 40 acre density in order to eliminate the split zoning density designation as a result of the Lot Line Adjustment. The remaining portion of Lot A is zoned DA (Diverse Agriculture) with a 60 acre density. The change in density would not increase development potential of the lots.

Land Conservation Act:

To facilitate a Lot Line Adjustment, Gov. Code § 51257 permits the contracting parties to mutually agree to rescind the existing contract or contracts and to simultaneously enter into new contracts or contracts if the following findings can be made:

a. The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.

Staff Comment: This finding can be made because the property owner of Lot B and Lot C has agreed to the requirement of the Conditions of Approval for the Lot Line Adjustment to rescind and replace the existing contract with two new contracts on Lot B and Lot C. The new contracts will restrict the adjusted boundary of the parcel for not less than 10 years, renewing automatically every January 1st.

b. There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a Lot Line Adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.

Staff Comment: This finding can be made because the Lot Line Adjustment does not result in a net decrease in the amount of land under contract. The Lot Line Adjustment consists of 5.72 acres of vineyard land transferred from Lot A (non contracted land) to Lot B (contracted land). And, the .40 acres

transferred from Lot B to Lot C to resolve a building encroachment does not result in any change to the land under contract because Lot B and Lot C are under the same Land Conservation Act contract.

c. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.

Staff Comment: This finding can be made because 100% of the land under the single contract for Lot B and Lot C will remain under contract. Consistent with the Uniform Rules for Agricultural Preserves, Conditions of Approval require that the single, prime contract under Lot B and Lot C be rescinded and replaced with two new, prime contracts since these parcels are legally separate parcels.

d. After the Lot Line Adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222.

Staff Comment: This finding can be made because the two contracted parcels will remain large enough for a prime Land Conservation Act contract. As a result of the Lot Line Adjustment, Lot A will be 32.31 acres in size and Lot C will be 24.15 acres in size, exceeding the 10-acre minimum parcel size requirement for a prime contract.

e. The Lot Line Adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.

Staff Comment: This finding can be made because the Lot Line Adjustment would not compromise the long-term agricultural productivity of Lot B or Lot C as the parcels remain planted in vineyard.

f. The Lot Line Adjustment is not likely to result in the removal of adjacent land from agricultural use.

Staff Comment: The Lot Line Adjustment does not and is not likely to result in the removal of adjacent land from agricultural use because it is a minor exchange between the three parcels with no significant changes to the current parcels' configuration or vineyard operations. The Lot Line Adjustment improves the overall agricultural productivity of the parcels because the 5.72 acres of vineyard will be farmed and managed with the rest of the vineyard on Lot B.

g. The Lot Line Adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan.

Staff Comment: The Lot Line Adjustment does not result in a greater number of developable parcels because it does not increase subdivision potential on any of the three parcels. In addition, the three parcels are already developed with single family residences.

Staff recommendation:

Staff recommends the Board find that all Government Code § 51257 findings are satisfied in connection with the proposed Lot Line Adjustment, and approve the proposed Lot Line Adjustment subject to the attached Conditions of Approval. Conditions of Approval require that prior to recording the Grant Deeds for the Lot Line Adjustment, the property owner of Lot B and Lot C shall submit the appropriate

applications and filing fees to rescind and replace the existing, prime (Type I) Land Conservation Act contract with two new prime (Type I) Land Conservation Act contracts in order for the legal description under the contracts to conform with the adjusted property line boundaries. The request must also include enlarging by 5.72 acres Agricultural Preserve Area 1-439. Furthermore, Conditions of Approval also require the property owner of Lot B to submit a General Plan Amendment and Zone Change applications on the 5.42 acres adjusted from Lot A to Lot B, under minimum filing fees, from the Land Intensive Agriculture 60 acre density designation to the Land Intensive Agriculture 40 acre density designation in order to eliminate the split density designation as a result of the Lot Line Adjustment.

**Prior Board Actions:**

None

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

The Board of Supervisors has endorsed the continuation of the County’s agricultural preserve program to preserve a maximum amount of the limited supply of agricultural, open space, scenic, and critical habitat lands within the county, to discourage premature and unnecessary conversion of such lands to urban land uses, to promote vitality in the agricultural economy, and to ensure an adequate, varied, and healthy supply of food and fiber for current and future generations. The rescission and replacement of Land Conservation Act contracts for the two subject parcels will help facilitate further agricultural investment and support agricultural viability and help preserve open space land in Sonoma County.

**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 is an at cost project paid for by the applicants, so no impact to Department finances are expected.

**Staffing Impacts**

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

<b>Narrative Explanation of Staffing Impacts (If Required):</b>
None
<b>Attachments:</b>
Draft Board of Supervisors Resolution Exhibit A: Draft Conditions of Approval Exhibit B: Vicinity Map Exhibit C: Lot Line Adjustment Site Plan Exhibit D: Assessor's Parcel Maps (2)
<b>Related Items "On File" with the Clerk of the Board:</b>
Large Lot Line Adjustment Site Plan



# County of Sonoma

## State of California

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Date: April 15, 2014

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

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

LLA13-0052 Traci Tesconi

4/5 Vote Required

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**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Approving The Request By Edward C. Gomez And Ellen Mack, Trustees; And Dutton Ranch Family Limited Partnership, For A Lot Line Adjustment Amongst Three Parcels 22.82 Acres (Lot A), 27.01 Acres (Lot B), And 23.73 Acres (Lot C) In Size, Resulting In Three Parcels 17.10 Acres, 32.31 Acres, And 24.15 Acres In Size, With Two Of The Parcels Under A Single Land Conservation Act Contract, For Property Located At 4500 Slusser Road, and 3970 & 3990 Laughlin Road, Windsor; APNs 066-280-049 & -029, APN 057-070-043, and APN 057-070-044.**

**Whereas**, the property owners Edward C. Gomez and Ellen Mack, Trustees; and Dutton Ranch Family Limited Partnership, filed an application with the Sonoma County Permit and Resource Management Department for a minor Lot Line Adjustment amongst three parcels 22.82 acres (Lot A), 27.01 acres (Lot B), and 23.73 acres (Lot C) in size, resulting in three parcels 17.10 acres, 32.31 acres, and 24.15 acres in size, with two of the parcels under a single Land Conservation Act Contract, for property located at 4500 Slusser Road, and 3970 & 3990 Laughlin Road, Windsor; APNs 066-280-049 & -029, APN 057-070-043, and APN 057-070-44; Supervisorial District No. 4; and

**Whereas**, the purpose of the Lot Line Adjustment is to transfer a 5.72 acre vineyard area from Lot A to Lot B, and to resolve an encroachment of an equipment storage building over a property line boundary between Lot B and Lot C by moving the property line boundary further to the south consisting of approximately .42 acres of land. Lot B and Lot C are Parcel 1 and Parcel 2 of Parcel Map No. 88-863, respectively. Lot B and Lot C are under a single prime (Type I) Williamson Act contract (1-439-72; 2608/608). The Lot Line Adjustment results in an overall increase of 5.72 acres into the County's Williamson Act program. Conditions of Approval require that single Williamson Act contract on Lot B and Lot C will be rescinded and replaced with two, new prime Williamson Act contracts in order for the legal descriptions under the contracts to coincide with the new property line boundaries as result of the Lot Line Adjustment and that the legal separate parcels are placed under individual contracts consistent with the Uniform Rules for Agricultural Preserves; and

**Whereas**, Government Code Section 51257 requires that the Board of Supervisors make certain findings before an existing Williamson Act Contract may be rescinded and replaced to



facilitate a Lot Line Adjustment; and

**Now, Therefore, Be It Resolved,** that the Board of Supervisors makes the following findings consistent with Government Code Section 51257:

1. A replacement contract would enforce and restrict the adjusted boundaries of Lot B and Lot C for an initial term for at least as long as the unexpired term of the rescinded contract but for not less than 10 years.
2. There is no net decrease in the amount of the acreage restricted by a contract because the Lot Line Adjustment results in an overall increase in land under a Williamson Act contract because 5.72 acres will be transferred from Lot A (non contracted land) to Lot B (contracted land).
3. It will remain that 100 % of the land under the single contract for Lot B and Lot C will remain under contract. Conditions of Approval require that the single, prime contract under Lot B and Lot C be rescinded and replaced with two new, prime contracts on the parcels. Lot B and Lot C are legal separate parcels created as Parcel 1 and Parcel 2 of Parcel Map No. 88-863.
4. After the Lot Line Adjustment, the two contracted parcels will remain large enough for a prime Williamson Act contract because Lot A will be 32.31 acres in size and Lot C will be 24.15 acres in size, exceeding the 10- acre minimum parcel size requirement for a prime contract. Both parcels contain large commercial vineyard operations.
5. The Lot Line Adjustment would not compromise the long-term agricultural productivity of any of the parcels because Lot B and Lot C will continue to be planted in vineyard.
6. The Lot Line Adjustment does not and is not likely to result in the removal of adjacent land from agricultural use because it is a minor exchange between the three parcels with no significant changes to the current parcels configuration or vineyard operations. The Lot Line Adjustment improves the overall agricultural productivity of the parcels because the 5.72 acres of vineyard will be farmed and managed with the rest of the vineyard on Lot B.
7. The Lot Line Adjustment does not result in a greater number of developable parcels because it does not increase subdivision potential on any of the three parcels. In addition, the three parcels are already developed with single family residences.

**Be It Further Resolved** that the Board of Supervisors hereby finds that substantial

evidence in the record before it supports the above findings, and further finds that the Lot Line Adjustment meets the requirements of the above findings.

**Be It Further Resolved** that the Board of Supervisors finds that the project described in this Resolution is exempt from the requirements of the California Environmental Quality Act by virtue of Section 15305 Class 5 of Title 14 of the California Code of Regulations (CEQA Guidelines) in that the project is a minor Lot Line Adjustment.

**Be It Further Resolved** that the Board of Supervisors hereby grants the requested Lot Line Adjustment subject to the Conditions of Approval in Exhibit "A", attached hereto which requires that prior to recording the Grant Deeds for the Lot Line Adjustment, the property owner of Lot B and Lot C shall submit the appropriate applications and filing fees to rescind and replace the existing, prime (Type I) Williamson Act contract with two, new prime (Type I) Williamson Act contracts in order for the legal description under the contracts to conform with the adjusted property line boundaries. The request must also include enlarging Agricultural Preserve Area 1-439 by 5.72 acres. Furthermore, the Conditions of Approval require the property owner of Lot B to submit a General Plan Amendment and Zone Change applications on the 5.42 acres, with minimum filing fees, from the Land Intensive Agriculture, 60 acre density designation to the Land Intensive Agriculture, 40 acre density designation, or other appropriate designation, in order to eliminate the split density designation as a result of the Lot Line Adjustment.

**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>	April 15, 2014	<b>File No.</b>	LLA13-0052
<b>Applicant:</b>	Edward Gomez and Ellen Mack / Dutton Ranch Family Limited Partnership	<b>APN:</b>	066-280-029 and 066-280-049
<b>Address:</b>	3990 and 3790 Laughlin Road and 4500 Slusser Road		057-070-043 and 057-070-044

**Project Description:** Request for a minor Lot Line Adjustment between three parcels of 22.28 acres, 27.01 acres, and 23.73 acres in size resulting in three parcels of 17.10 acres, 32.31 acres, 24.15 acres in size. Two of the parcels are subject to Williamson Act contracts.

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NOTE: Amendments and changes to approved Lot Line Adjustment conditions may be considered by the Board of Supervisors at a later date if additional information justifies the changes and does not increase the intensity of use approved by the original approval. The Director of the Permit and Resource Management Department will determine if a public hearing is necessary and if additional fees are required.

NOTE: These conditions must be met and the application validated within 24 months (April 15, 2016) unless a request for an extension of time is received before the expiration date.

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1. Submit verification to the Permit and Resource Management Department that taxes, which are a lien and termed as payable, are paid to the Treasurer/Tax Collector's Department on all parcels affected by the adjustment. The Treasurer/Tax Collector knows the amount of the tax due.
2. Submit a draft description of the parcel(s) being transferred to the County Surveyor for approval. The following note shall be placed on the deed or deeds: "The purpose of this deed is for a Lot Line Adjustment for the combination of a portion of the Lands of Edward C. Gomez and Ellen E. Mack, Trustees of the Revocable Trust, as described by Deed recorded under Document No. 2010-052629 and 2013-033770, Sonoma County Records, APN 066-280-028 (ptn) and 066-280-030 (ptn), with the Lands of Dutton Ranch Limited Family Partnership, as described by Deed recorded under Document No. 2013-174265, Sonoma County Records, APN 057-070-043 and with the Lands of Dutton Ranch Family Limited Partnership as described by Deed recorded under Document No. 2003-174266, Sonoma County Records; APN 057-070-044. This deed is pursuant to an application for a Lot Line Adjustment on file in the office of the Sonoma County Permit and Resource Management Department. It is the express intent of the signators hereto that the recordation of this deed extinguishes any underlying parcels or portions of parcels." It is the responsibility of the surveyor/engineer preparing the deeds to insure that the information contained within the combination note is correct. Note: The County Surveyor may modify the above described note.
3. Deed of Trust agreements, which encumber only portions of accepted legal lots, are violations of the Subdivision Map Act; therefore, prior to Permit and Resource Management Department approval of the deed for recordation, the applicant shall submit either recorded documents or documents to be recorded concurrently with the Lot Line Adjustment deeds, showing that any Deed of Trust agreements on the subject properties will conform with the adjusted lot boundaries.
4. After approval of the deed description by the County Surveyor, a grant deed or deeds shall be prepared and submitted to the Permit and Resource Management Department for approval prior to recording.
5. The property owner(s) shall execute a Right-to-Farm Declaration on a form provided by PRMD to be submitted before the Lot Line Adjustment is cleared by PRMD for recordation. The Right-to-Farm Declaration shall be recorded concurrently with the PRMD approved Lot Line Adjustment grant deed(s) to reflect the newly configured parcels.

LLA13-0052  
Conditions of Approval  
April 15, 2014

6. A site plan map of the Lot Line Adjustment shall be prepared by a licensed surveyor or civil engineer and attached to the deed(s) to be recorded. The site plan shall be subject to the review and approval of the County Surveyor. The following note shall be placed on said plan: "THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY. Any errors or omissions on this exhibit shall not affect the deed description."
7. Prior to PRMD stamping the grant deed(s) for the Lot Line Adjustment, the property owners shall submit an application and applicable filing fees for Lot B and Lot C to rescind and replace the single Prime (Type I) Williamson Act contract with two new Prime (Type I) Williamson Act contracts. The request must also include enlarging Agricultural Preserve Area (1-439) by 5.72 acres. This is required in order for the contracts to reflect the new legal descriptions for Lot B and Lot C as a result of the Lot Line Adjustment.
8. Prior to PRMD stamping the grant deed(s) for the Lot Line Adjustment, the property owner of resultant Lot B shall submit a General Plan Amendment and Zone Change application with the applicable filing fees (i.e. Condition of Approval fees) from the LIA 60 acre density to the LIA 40 acre density designation or appropriate designation on the 5.72 acres adjusted into Lot B in order to eliminate the split zoning density designation on the parcel as a result of the Lot Line Adjustment.

# Vicinity Map

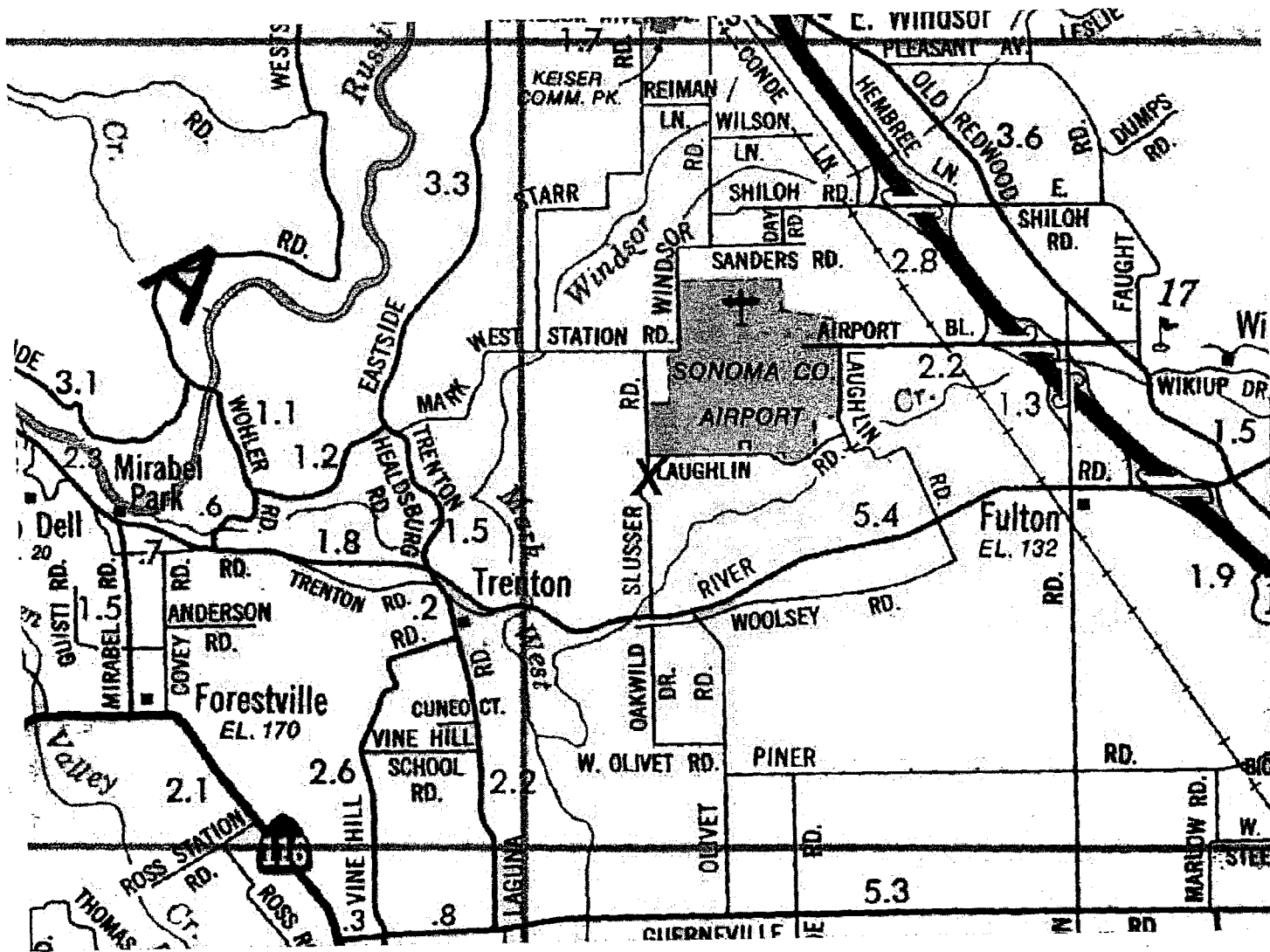
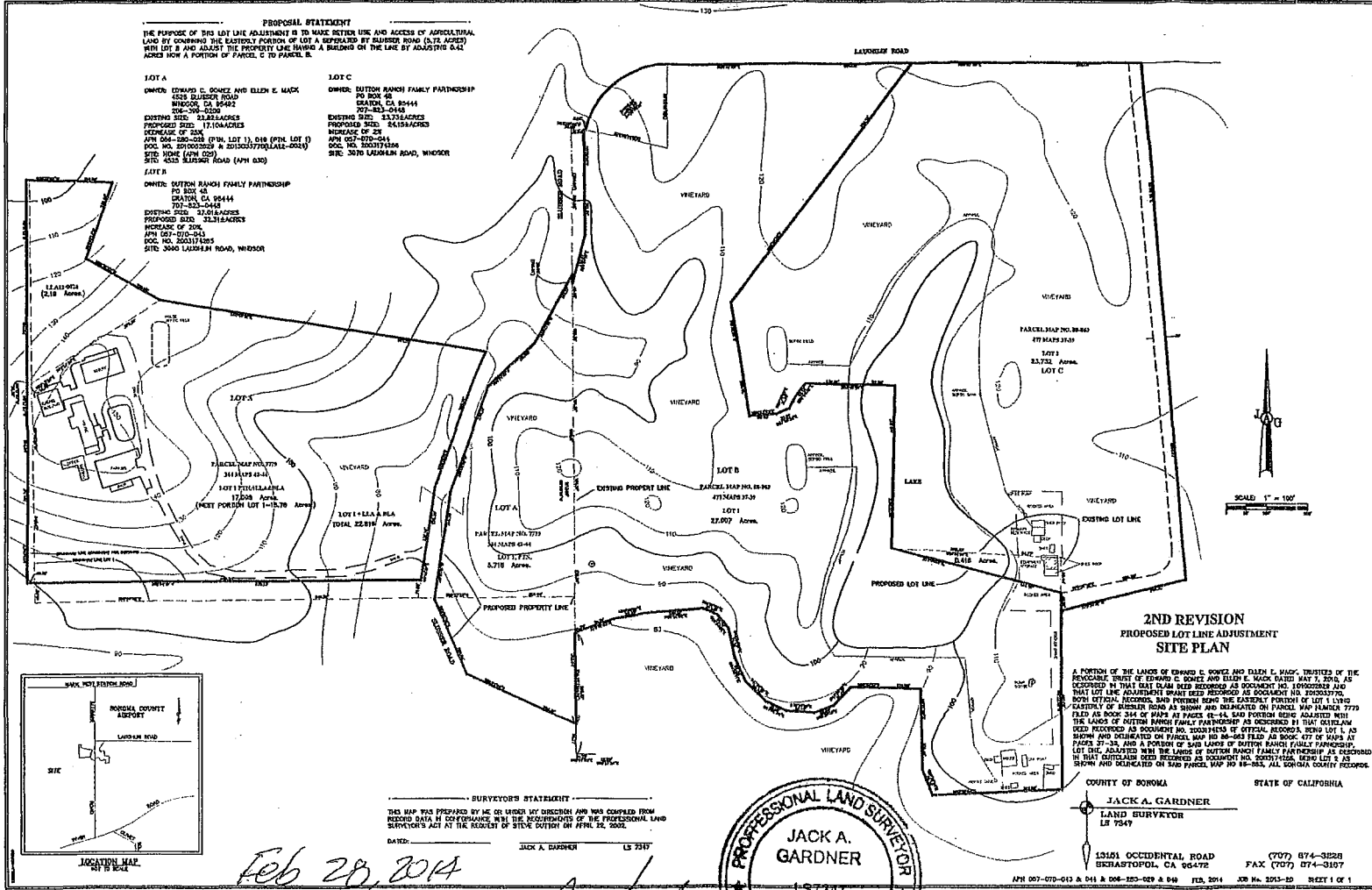


EXHIBIT B



PRMD

EXHIBIT C



# COUNTY ASSESSOR'S PARCEL MAP

TAX RATE AREA 139-002 179-048 66-28  
 179-063 179-061 179-049  
 179-009 9-027 179-051

NOTE: This map was prepared for Assessment purpose only and does not indicate either parcel legality or a valid building site. No liability is assumed for the accuracy of the data delineated. The acreages are based on the information supplied to the Assessor (i.e. recorded survey maps, recorded deeds, prior assessment maps, etc.)

NOTE: Assessor's parcels do not necessarily constitute legal lots. To verify legal parcel status, check with the appropriate city or county community development or planning division.

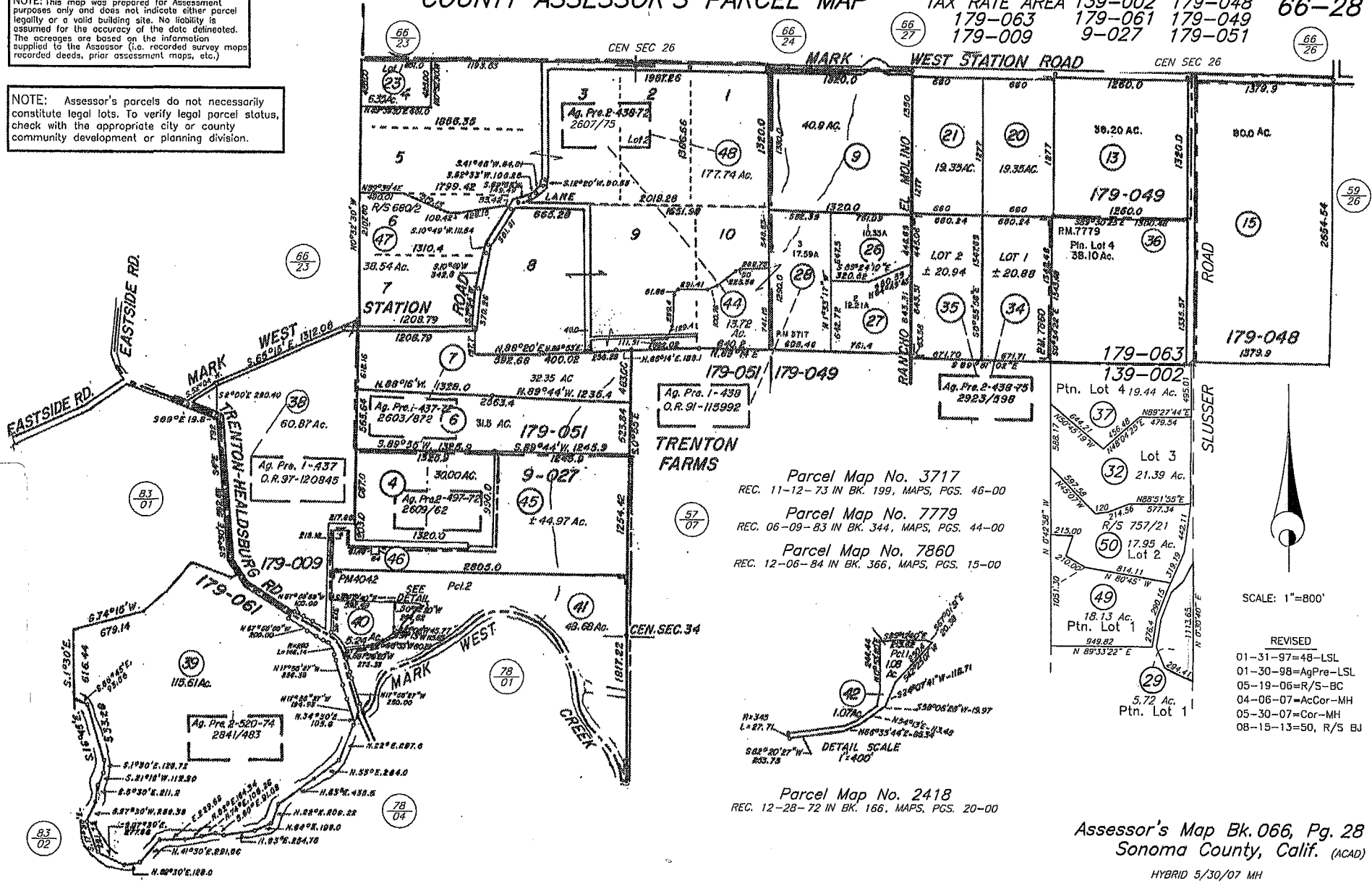


EXHIBIT D

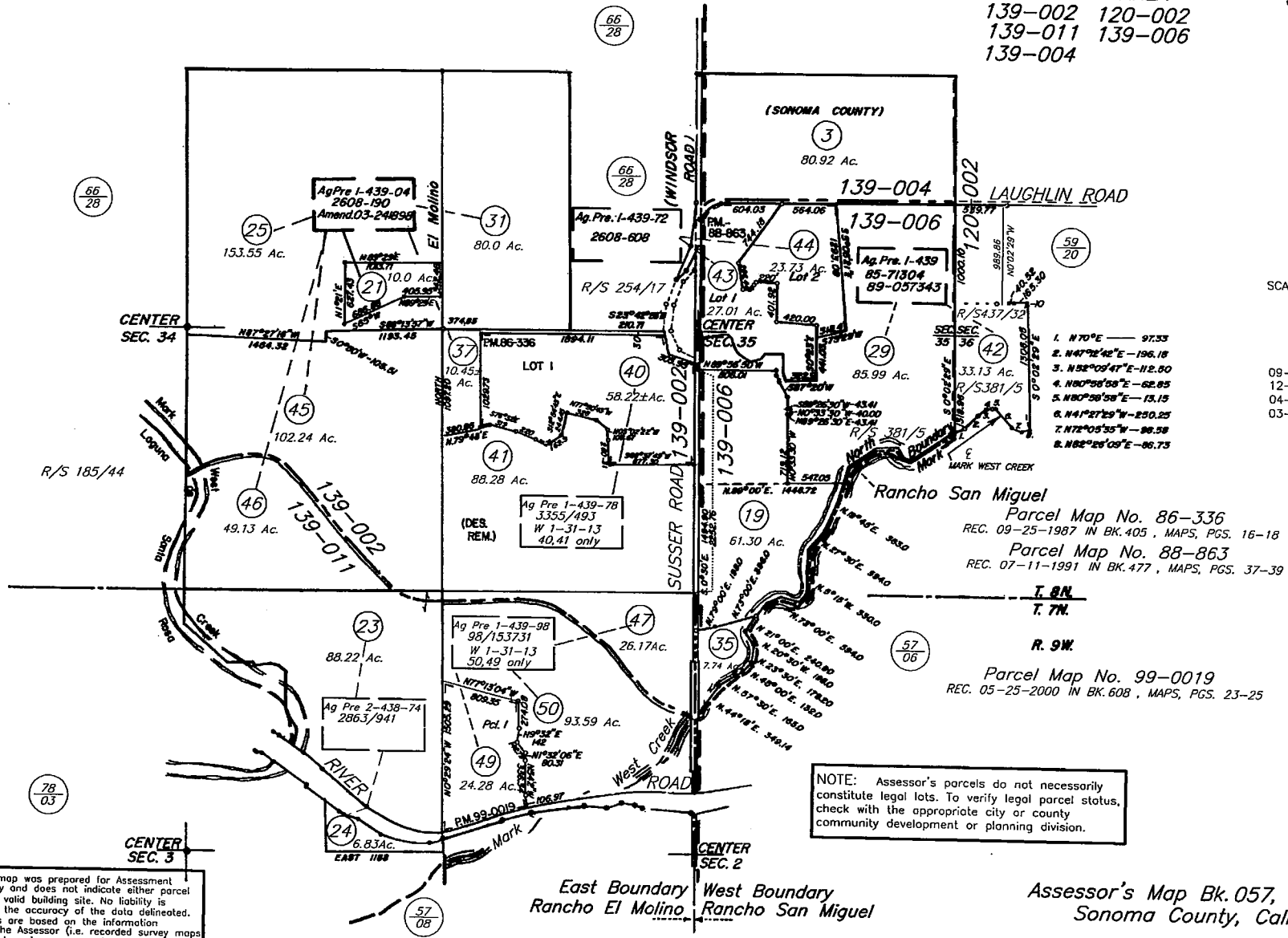
SCALE: 1"=800'

- REVISED
- 01-31-97=48-LSL
  - 01-30-98=AgPre-LSL
  - 05-19-06=R/S-BC
  - 04-06-07=AcCor-MH
  - 05-30-07=Cor-MH
  - 08-15-13=50, R/S BJ

# COUNTY ASSESSOR'S PARCEL MAP

TAX RATE AREA  
 139-002 120-002  
 139-011 139-006  
 139-004

57-07



SCALE: 1"=1000'

REVISED

- 09-01-00=50 RM
- 12-09-03=AgPre KB
- 04-25-05=AgPre KB
- 03-18-13=P/O NJF

1. N70°E — 97.53
2. N47°22'E — 196.18
3. N52°05'47"E — 112.50
4. N80°58'58"E — 62.85
5. N80°58'58"E — 13.15
6. N41°27'29"W — 250.25
7. N72°05'35"W — 86.58
8. N82°20'05"E — 86.73

Parcel Map No. 86-336  
 REC. 09-25-1987 IN BK.405 , MAPS, PGS. 16-18  
 Parcel Map No. 88-863  
 REC. 07-11-1991 IN BK.477 , MAPS, PGS. 37-39

Parcel Map No. 99-0019  
 REC. 05-25-2000 IN BK.608 , MAPS, PGS. 23-25

NOTE: Assessor's parcels do not necessarily constitute legal lots. To verify legal parcel status, check with the appropriate city or county community development or planning division.

NOTE: This map was prepared for Assessment purposes only and does not indicate either parcel legality or a valid building site. No liability is assumed for the accuracy of the data delineated. The acreages are based on the information supplied to the Assessor (i.e. recorded survey maps, recorded deeds, prior assessment maps, etc.)

East Boundary West Boundary  
 Rancho El Molino Rancho San Miguel

Assessor's Map Bk.057, Pg.07  
 Sonoma County, Calif. (ACAD)

HYBRID 02/26/13 NJF





## 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:** Sonoma County Board of Supervisors

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** 4/5

**Department or Agency Name(s):** Sonoma County Permit and Resource Management Department

**Staff Name and Phone Number:**

Nathan Quarles 565.3507

**Supervisorial District(s):**

Fourth

**Title:** An Ordinance No. 3836R Permit and Permit Extensions for Sonoma County Regional Parks

### **Recommended Actions:**

Adopt a Resolution issuing a Roiling Permit (Ordinance No. 3836R) and necessary permit extensions to Sonoma County Regional Parks for the improvements to the pile cap of the spillway under the Healdsburg Veteran's Memorial Beach Dam and Spillway Repair Project.

### **Executive Summary:**

Section VIII of Ordinance No. 3836R requires that an application for a permit be filed with the Board of Supervisors prior to the performance of certain prescribed work or operations in a river, stream or channel which may decrease the clarity of these waterways.

Concurrent Resolution No. 88-1220 of the Board of Supervisors requires that applications for permits describe the work or operations to be done, the purpose of the work or operations, the manner in which the work or operations will be carried out, and the time within which the work or operations will be completed. Pursuant to the Resolution, applications must be accompanied by a copy of the agreement required by Section 1601 et seq. of the California Fish and Wildlife Code (formerly California Fish and Game) and water discharge permits applicable to the work or operations, if any, pursuant to the Porter-Cologne Water Quality Control Act. Applications by public agencies must also be accompanied by evidence of compliance with the California Environmental Quality Act.

The application submitted by Sonoma County Regional Parks complies with the requirements of the 3836R Ordinance. The applicant proposes to repair the existing erosion damage and prevent further damage of the spillway while providing for safer operation of the Healdsburg War Memorial Dam at a water depth of seven feet.

As described in the application and as demonstrated in practice in previous permitting periods, the work will likely require greater than 30 days to complete. To accomplish this, the permit may be extended for additional 30-day periods if such permit period extensions are approved by the Board of

Supervisors as requested in this agenda item. The Director of PRMD shall confirm the need for each permit extension immediately prior to the expiration of the current permit periods to ensure that the work is not yet completed and an additional 30-day period extension is necessary. Two 30-day extensions may be required.

The 3836R permit and 30-day extensions require a 4/5 approval vote by the Board according to the requirements of the 1988 ballot measure creating the 3836R Ordinance.

**Prior Board Actions:**

05/07/2013: Board adopted Resolution Number 13-0177 issuing permit and permit extensions to Sonoma County Regional Parks for annual beach grooming and dam maintenance.

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

The permit allows Sonoma County Regional Parks to properly maintain the beach, install and remove the flashboard dam, and maintain the spillway at Healdsburg Veteran’s Memorial Beach on the Russian River promoting safe public summer recreation.

**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):**

n/a

**Staffing Impacts**

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

<b>Narrative Explanation of Staffing Impacts (If Required):</b>
n/a
<b>Attachments:</b>
A. Draft Resolution B. Application C. Map
<b>Related Items "On File" with the Clerk of the Board:</b>
Application Package



# County of Sonoma

## State of California

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Date: April 15, 2014

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, Issuing A Permit And Permit Extensions Pursuant To Section VIII Of Ordinance No. 3836R Of The County Of Sonoma To Sonoma County Regional Parks For Improvements To The Pile Cap Area of The Spillway Under the Healdsburg Veteran's Memorial Beach Dam.**

**Whereas**, Section VIII of Ordinance No. 3836R requires that an application for a permit be filed with the Board of Supervisors prior to the performance of certain prescribed work or operations in a river, stream, or channel which may decrease the clarity of a river or stream; and

**Whereas**, an application was filed by the Sonoma County Regional Parks for an Ordinance No. 3836R permit for maintenance work in various rivers, streams, and channels at the Permit and Resource Management Department in the manner prescribed by Resolution No. 88-1220 as amended by Resolution No. 89-0746 of the Board of Supervisors; and

**Whereas**, the Board of Supervisors has reviewed said application; and

**Whereas**, the work requires greater than 30 days to complete, as described in the application and demonstrated in practice in past years; and

**Whereas**, the requirements of section VIII of the Sonoma County Code includes a restriction to perform permitted activities within a period of 30 days, except that additional 30-day permit periods may be granted by the Board of Supervisors, and a requirement that all approval votes be by a 4/5 majority of the Board of Supervisors.

**Now, Therefore, Be It Resolved**

1. That the Board of Supervisors finds and determines that the work and operations described on said application is necessary and that the work and operations will be performed in a manner which will not unreasonably decrease the clarity of the waters of the rivers or streams of the County of Sonoma;

2. That a permit is hereby granted to applicant to perform the work and operations described in the aforementioned application;
3. That the work shall be completed within 30 days from the date hereof and any additional 30-day extensions may be required to complete the work;
4. That permit extensions are hereby granted to the applicant to perform the work described herein for additional 30-day periods commencing on June 1, 2014 subject to the Director of PRMD confirming the need for the permit extension immediately prior to the expiration of the permit period;
5. That the work and operations shall be performed in the manner described in the application and in accordance with the terms and conditions of any applicable agreement required by Section 1601 et seq. of the California Fish and Wildlife Code (formerly Fish and Game), any applicable waste discharge permit issued pursuant to the Porter-Cologne Water Quality Control Act (commencing at Section 13000 of the California Water Code), and Chapter 26A of the Sonoma County Code and any plans adopted pursuant thereto.

**Be It Further Resolved** that the permit and permit extensions are hereby granted to the applicant pursuant to Section 25526.6 of the Government Code.

**Supervisors:**

Gorin:	Zane:	McGuire:	Carrillo:	Rabbitt:
Ayes:	Noes:	Absent:	Abstain:	

**So Ordered.**

# Roiling Permit Application

DRN-003

The Board of Supervisors approves all roiling permits under Section VIII of the Water Clarity Ordinance of the County of Sonoma, Ordinance No. 3836R (Chapter 23 of the Sonoma County Code).

**A complete application must be submitted to the Permit and Resource Management Department a minimum of eight weeks before the start of project.**

Applicant  Owner  Architect \ Engineer

Sonoma County Regional Parks - Mark Cleveland

Name

2300 County Center Drive, Suite A120

Mailing Address

Santa Rosa CA

City/Town

707 565-3349

State/Zip

95403

Phone

Bid in April 2014, Start Work July 28, 2014

Fax

Work start date

*Mass. Chen*

Signature

Project Site Information

13839 Healdsburg Avenue

Address(es)

Healdsburg, CA

City/Town

088-170-12, 13, 24, 25, 26, & 27

Assessor's Parcel Number(s)

Russian River

River or Stream Name

October 15, 2014

Estimated completion date

2-10-14

Date

### Types of work (check one):

- To protect riparian property adjacent to a river or stream.
- To construct recreational dams.
- To perform construction work on riparian property, the nature of which may decrease the clarity of the waters of the river or stream.
- To construct temporary bridges, dikes, dams and settling ponds in connection with mining operations, or for agricultural uses.

### Application Requirements:

- A. A detailed statement describing the work or operations to be done and the manner in which they will be carried out to avoid unreasonably decreasing the clarity of the river or stream, including any proposed monitoring or mitigation measures.
- B. A location/vicinity map (8 ½ in. X 11 in.) showing where the project is located in relation to nearby lots, streets, highways and/or major natural features (e.g., locator maps & road maps).
- C. A copy of the Fish and Game permit or waiver.
- D. A copy of the Army Corps of Engineers permit for this project, if required.
- E. A copy of the California Regional Water Quality Control Board water quality certification, if required.
- F. A copy of the last roiling permit, if any.
- G. A check payable to "PRMD" (see current fee schedule). This fee includes any requested extensions for the calendar year.
- H. A copy of the California Environmental Quality Act (CEQA) document.
- I. A copy of any approved County permit conditions (e.g. mining approval).

### Sonoma County Permit and Resource Management Department

2550 Ventura Avenue ❖ Santa Rosa, CA ❖ 95403-2829 ❖ (707) 565-1900 ❖ Fax (707) 565-1103



HEALDSBURG VETERAN'S MEMORIAL BEACH – DAM & SPILLWAY REPAIR  
PROJECT LOCATION & VICINITY MAP



## County of Sonoma Agenda Item Summary Report

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

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

**To:** Sonoma County Board of Supervisors

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** 4/5

**Department or Agency Name(s):** Permit and Resource Management Department

**Staff Name and Phone Number:**

Rosalind Girard 565.3418

**Supervisorial District(s):**

Fourth

**Title:** Roiling Permit (Ordinance No. 3836R) and Permit Extensions for the City of Healdsburg

### **Recommended Actions:**

Adopt a resolution issuing a Roiling permit (Ordinance No. 3836R) and necessary permit extensions to the City of Healdsburg for the Healdsburg Avenue Bridge Retrofit/Rehabilitation Project.

### **Executive Summary:**

Section VIII of Ordinance No. 3836R requires that an application for a permit be filed with the Board of Supervisors prior to the performance of certain prescribed work or operations in a river, stream or channel which may decrease the clarity of these waterways.

Concurrent Resolution No. 88-1220 of the Board of Supervisors requires that applications for permits describe the work or operations to be done, the purpose of the work or operations, the manner in which the work or operations will be carried out, and the time within which the work or operations will be completed. Pursuant to the Resolution, applications must be accompanied by a copy of the agreement required by Section 1601 et seq. of the California Fish and Wildlife Code (formerly California Fish and Game) and water discharge permits applicable to the work or operations, if any, pursuant to the Porter-Cologne Water Quality Control Act. Applications by public agencies must also be accompanied by evidence of compliance with the California Environmental Quality Act.

The application submitted by the City of Healdsburg complies with the requirements of the 3836R Ordinance. The applicant proposes to perform work necessary on the bridge over the Russian River in Healdsburg. Recently conducted studies assessing the integrity and safety of the bridge have indicated that it does not meet safety standards and is considered functionally obsolete. The applicant proposes to reinforce the bridge structure to bring the bridge into compliance with seismic safety standards. The bridge is eligible for listing on the National Register of Historic Places, is an important feature of the City, and is valued by the local community. Furthermore, replacing the bridge would cause other significant environmental effects. Accordingly, the option to reinforce and retrofit has been chosen which will increase the life and improve the structural deficiencies associated with the bridge while preserving its



historic value.

It should be noted that on February 4, 2014, the Sonoma County Board of Supervisors authorized the Director of Regional Parks to execute a Revocable License Agreement granting the City of Healdsburg temporary construction rights-of way to the areas adjacent to the bridge, which includes the Healdsburg Veterans Memorial Beach Park, for the period commencing January 8, 2014, through December 30, 2015.

The 2014-2015 work is proposed to commence on June 15, 2014, and is scheduled to be completed by September 30, 2015, with work in the stream channel below the level of bank confined to the period of June 15 through October 15. No work will be performed during fall and winter salmon runs. In order to allow for the extended period of time necessary to complete the required work, the permit may be extended for additional 30-day periods if such permit period extensions are approved by the Board of Supervisors as requested in this agenda item. The Director of PRMD shall confirm the need for each permit extension immediately prior to the expiration of the current permit period to ensure that the work is not yet completed and an additional 30-day period extension is necessary. Six 30-day permit extensions may be required for the 2014 year.

The 3836R permit and 30-day extensions require a 4/5 approval vote by the Board according to the requirements of the 1988 ballot measure creating the 3836R Ordinance.

**Prior Board Actions:**

02/04/2014: The Board unanimously approved execution of a revocable license agreement executed by the Director of Regional Parks granting the City of Healdsburg rights-of-way in Healdsburg Veteran’s Memorial Beach Park for the purpose of this project.

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

This permit allows the City of Healdsburg to perform the necessary work to preserve the bridge and beach area for safe continued future use.

**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):**

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):**

n/a

**Attachments:**

- A) Resolution Draft
- B) Application
- C) Location map

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

Application Package  
Copy of February 4, 2014 Board authorization for RLA between Regional Parks and the City of Healdsburg



# County of Sonoma State of California

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Date: April 15, 2014

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, Issuing A Permit And Permit Extensions Pursuant To Section VIII Of Ordinance No. 3836R Of The County Of Sonoma To The City Of Healdsburg For The Healdsburg Avenue Bridge Retrofit/Rehabilitation Project.**

**Whereas**, Section VIII of Ordinance No. 3836R requires that an application for a permit be filed with the Board of Supervisors prior to the performance of certain prescribed work or operations in a river, stream, or channel which may decrease the clarity of a river or stream; and

**Whereas**, an application was filed by the City of Healdsburg for an Ordinance No. 3836R permit for work necessary on the bridge over the Russian River in Healdsburg at the Permit and Resource Management Department in the manner prescribed by Resolution No. 88-1220 as amended by Resolution No. 89-0746 of the Board of Supervisors; and

**Whereas**, the Board of Supervisors has reviewed said application; and

**Whereas**, the work requires greater than 30 days to complete, as described in the application and demonstrated in practice in past years; and

**Whereas**, the requirements of section VIII of the Sonoma County Code includes a restriction to perform permitted activities within a period of 30 days, except that additional 30-day permit periods may be granted by the Board of Supervisors, and a requirement that all approval votes be by a 4/5 majority of the Board of Supervisors.

**Now, Therefore, Be It Resolved**

1. That the Board of Supervisors finds and determines that the work and operations described on said application is necessary and that the work and operations will be performed in a manner which will not unreasonably decrease the clarity of the waters of the rivers or streams of the County of Sonoma;
2. That a permit is hereby granted to applicant to perform the work and operations described in the aforementioned application;

3. That the work shall be completed within 30 days from the date hereof and any additional 30-day extensions may be required to complete the work;
4. That permit extensions are hereby granted to the applicant to perform the work described herein for additional 30-day periods commencing on July 14, 2014 subject to the Director of PRMD confirming the need for the permit extension immediately prior to the expiration of the permit period;
5. That the work and operations shall be performed in the manner described in the application and in accordance with the terms and conditions of any applicable agreement required by Section 1601 et seq. of the California Fish and Wildlife Code (formerly Fish and Game), any applicable waste discharge permit issued pursuant to the Porter-Cologne Water Quality Control Act (commencing at Section 13000 of the California Water Code), and Chapter 26A of the Sonoma County Code and any plans adopted pursuant thereto.

**Be It Further Resolved** that the permit and permit extensions are hereby granted to the applicant pursuant to Section 25526.6 of the Government Code.

**Supervisors:**

Gorin:	Zane:	McGuire:	Carrillo:	Rabbitt:
Ayes:	Noes:	Absent:	Abstain:	

**So Ordered.**

# Roiling Permit Application

## DRN-003

The Board of Supervisors approves all roiling permits under Section VIII of the Water Clarity Ordinance of the County of Sonoma, Ordinance No. 3836R (Chapter 23 of the Sonoma County Code).

**A complete application must be submitted to the Permit and Resource Management Department a minimum of eight weeks before the start of project.**

Applicant  Owner  Architect \ Engineer

### Project Site Information

City of Healdsburg Attn: Mario Landeros

Healdsburg Avenue Bridge over Russian River

Name

Address(es)

410 Grove Street

Healdsburg, CA

Mailing Address

City/Town

Healdsburg

CA 95448

ROW; 002-311-003, 004; 088-170-024,042

City/Town

State/Zip

707 431-3335

707 431-2710

Assessor's Parcel Number(s)

Russian River

Phone

Fax

River or Stream Name

June 15, 2014

September 30, 2015

Work start date

Estimated completion date

Signature

Date

2/24/14

### Types of work (check one):

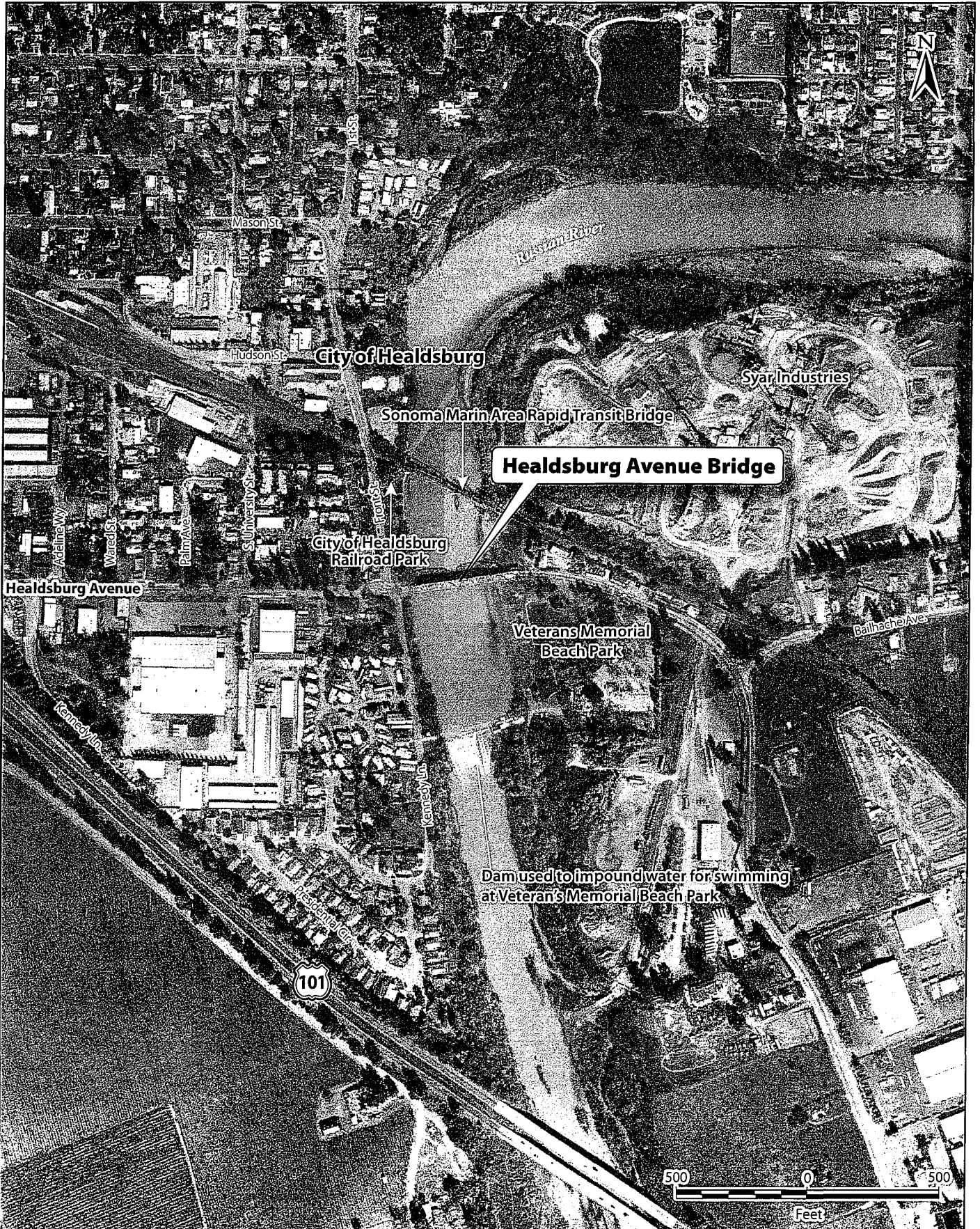
- To protect riparian property adjacent to a river or stream.
- To construct recreational dams.
- To perform construction work on riparian property, the nature of which may decrease the clarity of the waters of the river or stream.
- To construct temporary bridges, dikes, dams and settling ponds in connection with mining operations, or for agricultural uses.

### Application Requirements:

- A. A detailed statement describing the work or operations to be done and the manner in which they will be carried out to avoid unreasonably decreasing the clarity of the river or stream, including any proposed monitoring or mitigation measures.
- B. A location/vicinity map (8 ½ in. X 11 in.) showing where the project is located in relation to nearby lots, streets, highways and/or major natural features (e.g., locator maps & road maps).
- C. A copy of the Fish and Game permit or waiver.
- D. A copy of the Army Corps of Engineers permit for this project, if required.
- E. A copy of the California Regional Water Quality Control Board water quality certification, if required.
- F. A copy of the last roiling permit, if any.
- G. A check payable to "PRMD" (see current fee schedule). This fee includes any requested extensions for the calendar year.
- H. A copy of the California Environmental Quality Act (CEQA) document.
- I. A copy of any approved County permit conditions (e.g. mining approval).

### Sonoma County Permit and Resource Management Department

2550 Ventura Avenue ❖ Santa Rosa, CA ❖ 95403-2829 ❖ (707) 565-1900 ❖ Fax (707) 565-1103



00191.10 Healdsburg Bridge Project Description (06-11).55



## 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:** Sonoma County Board of Supervisors

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

**Department or Agency Name(s):** Regional Parks

**Staff Name and Phone Number:**

Caryl Hart, Director (707) 565-3351

**Supervisorial District(s):**

All Districts

**Title:** Sonoma County Parks & Recreation Commission's report of accomplishments for 2013 and work plan for 2014

### **Recommended Actions:**

Accept and approve the Sonoma County Parks & Recreation Advisory Commission's 2013 Annual Report and 2014 Work Plan

### **Executive Summary:**

#### Discussion:

The Sonoma County Parks & Recreation Advisory Commission was established in 1991 to serve in an advisory capacity to the Board of Supervisors to promote, aid and encourage public recreation, including the development of recreation, park and open space facilities; and to act as an advisory body to the Sonoma County Regional Parks Director regarding the maintenance, development and operation of recreation areas and facilities serving the residents of Sonoma County.

#### Current Parks & Recreation Advisory Commission members:

Karen Collins, 1st District

John Mills, 2nd District

Pam Stafford, 3rd District

Bill Trowbridge, 4th District

Herman Hernandez, 5th District

Every year the Commission submits a summary of their accomplishments and a general work plan to the Board of Supervisors.

#### 2013 accomplishments include:

Reviewed and commented on long-term strategies for the three county-owned bodega bay marinas.

Reviewed and commented on development and funding for a small dog park at Ernie Smith Park.

Reviewed Planning projects and received departmental division updates.

Supported various fund-raising events and fostered partnerships.

2014 work plan and topics include:

These topics are generally brought forward to the Commission and can include, but are not limited to, some of the following:

Review and comment on the Latino Community Engagement Plan.

Review and comment on development of a web-based interpretive hike at Taylor Mountain Regional Park.

Review and comment on the 2014-2015 Budget.

Review priority plans for development of projects proposed by the Regional Parks Planning Division.

Review and comment on issues of concern brought to the Commission by stakeholders or concerned citizens.

Please see the attached 2013 Annual Report and 2014 Work Plan (Attachment A) for a more comprehensive list of accomplishments and items for future discussion.

Use of Ad-hoc Committees:

Ad-hoc committees can be called to meet on an as needed basis and members would work with the Director of Regional Parks to discuss various topics for which they are formed. Because the ad-hoc committees would be held on a time-limited basis, they are exempt from posting requirements of the Brown Act. Public input on ad hoc committee activities would be provided when the committee's report their ideas and advice to the full Commission.

Meeting schedule:

The Commissioners meet on a bi-monthly basis. Please see the attached 2014 Schedule of Meetings and Topic Guideline (Attachment B) for a list the dates and times for regular scheduled Commission meetings. The topic guideline is used as a "general guideline" of the items and issues the Commission can be expected to hear in the upcoming year.

**Prior Board Actions:**

On 3-27-90 the Board established the Sonoma County Parks & Recreation Advisory Commission. The Board has reviewed and adopted the Commission's accomplishments and work plan in subsequent years.

**Strategic Plan Alignment**

Goal 4: Civic Services and Engagement



<b>Fiscal Summary - FY 13-14</b>			
<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>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>			
None.			
<b>Attachments:</b>			
Attachment A – Sonoma County Parks & Recreation Advisory Commission 2013 Annual Report and 2014 Work Plan; Attachment B – 2014 Schedule of Meetings and Topic Guideline			
<b>Related Items “On File” with the Clerk of the Board:</b>			
Resolution No. 90-0534 dated March 27, 1990, establishing the Sonoma County Parks & Recreation Advisory Commission			

## Attachment A

### **Sonoma County Parks & Recreation Advisory Commission 2013 Annual Report and 2014 Work Plan**

#### **Annual Report**

The Sonoma County Parks and Recreation Advisory Commission was established in January 1991 to act in an advisory capacity to the Board of Supervisors. Each Commissioner is appointed by a Board member to represent the five supervisorial districts. The Commissioners role is to study park issues, promote and encourage public recreation and make recommendations to the Board members and the Sonoma County Regional Parks Department regarding the maintenance, development and operation of recreational areas and facilities serving the residents of Sonoma County.

#### **2013 Accomplishments**

##### Reviewed projects and reports:

- Reviewed and commented on the “Bodega Bay Opportunities – Business Improvement Proposal and Potential Long-Term Strategies Report” for the three county-owned bodega bay marinas
- Received a staff update regarding the Board of Supervisors consideration to approve transfer of fee title of the 1,100 acre Taylor Mountain property from the Sonoma County Agricultural Open Space District to Sonoma County Regional Parks, and received an update regarding opening the park to the general public
- Reviewed and recommended to the Board of Supervisors development of a Disc Golf course at Taylor Mountain Regional Park in partnership with United Flyers of Sonoma County
- Reviewed public comments and recommended that Regional Parks utilize existing funding to design and assist in any necessary permits for a small dog park at Ernie Smith Park, and have the Parks Foundation assist with additional fundraising
- Received an update on the success of the pilot year for the 2013 Russian River Water Safety River Patrol program which provided outreach and education along the Russian River and included a life jacket loaner program and patrol units along the Russian River
- Reviewed California Park & Recreation Society (CPRS) District 1 Award nominees for their significant contribution to Sonoma County Parks

Supported fund-raising efforts and fostered partnerships:

Provided support to the Regional Parks Foundation. Commissioners assisted the Foundation through a variety of projects:

- Organized a highly successful fundraising outing at Tolay Lake Regional Park and Gloria Ferrer, initiated a fundraiser at Oliver Ranch (a private outdoor sculpture property near Geyserville). These two fundraisers earned more than \$10,000 for the Foundation
- Secured a live auction package from Safari West for the Foundation's Pasta in the Parks fundraiser in Jul.
- Represented the Commission at the memorial event for Al Gilmour, a former Parks Foundation board member who bequeathed an endowment to the Parks Foundation for the Children's Memorial Grove
- Tabled at Spring Lake Water Bark events, where commissioners helped register Water Bark visitors and sell raffle tickets

Received Division updates:

- Received regular updates from the Parks Foundation Executive Director
- Received Park Operations Division updates on aquatics, Healdsburg Beach Water Carnival, Russian River Festival, Tolay Fall Festival
- Received and commented on update from the Programs and Marketing Division regarding stewardship, health and wellness programs, education and outreach, and volunteering and local partnerships
- Received updates and provided feedback on ways to increase revenue and utilize the Regional Parks system; develop new services and increase visibility in the community

Visited Regional Parks and provided verbal reports regarding:

- Park experience and usage
- Observance of signage and potential barriers
- Trail usage and user types
- Parking and day-use issues

## 2014 Work Plan

The Commission will continue to meet and make recommendations regarding park issues. The following are a few key areas that the Commission could review in 2014. Other issues may replace or preclude some of the topics listed:

- Review and comment on issues of concern brought to the Commission by stakeholders or concerned citizens
- Review and comment on the Latino Community Engagement Plan to collaborate in building and maintaining close relationships across the community
- Ecotourism initiatives and park sustainability plans
- Develop pilot of web-based interpretive hike at Taylor Mountain Regional Park
- Review and comment on 2014-2015 Budget
- Continue to review priority projects proposed by the Planning Division:
  - Tolay Lake Master Plan Process
  - Sonoma County Integrated Park Plan (SCIPP)
  - Taylor Mountain Regional Park trailhead development
  - Riverfront Regional Park Phase 3
  - Healdsburg Veterans Memorial Beach Update
  - Mark West Creek Update
  - Transfer of Fee Lands from the Open Space District
  - Trails Updates - Bodega Bay, Laguna Trails, Central Sonoma Valley Trail, Sonoma Schellville Trail, Hood Mountain Ridge Trail, Timber Cove Coastal Trail
  - SMART bikeway between the Joe Rodota Trail and Hearn Avenue
- Review and recommend grant applications including: Boat Launch Facilities Grant – Doran construction; Transportation Development Act Article 3 funding – Bodega Bay Trail construction; Habitat Conservation Fund Grant – Hudeman construction; Open Space District Matching Grant
- Promote the work of the Regional Parks' Foundation
- Review and participate in Regional Parks sponsored events: Tolay Fall Festival, Park Celebrations, Russian River Festival

## Attachment B

### Sonoma County Parks & Recreation Advisory Commission 2014 Schedule of Meetings and Topic Guideline

Date	Time	Location	2014 Topics for Discussion
Monday, February 24	5 - 7 p.m.	Board Chambers 575 Administration Dr. Room 100 A, Santa Rosa	<ul style="list-style-type: none"> <li>• Election of Officers</li> <li>• Commission's 2012 Annual Report</li> <li>• Commission's 2013 Work Plan</li> <li>• Parks Foundation Board Update</li> <li>• Boat Launch Facilities grant – Doran construction</li> <li>• Transportation Development Act Article 3 funding – Bodega Bay Trail construction</li> <li>• Maddux Community Garden</li> <li>• Deferred Maintenance Report</li> </ul>
Monday, April 21	5 - 7 p.m.	Board Chambers 575 Administration Dr. Room 100 A, Santa Rosa	<ul style="list-style-type: none"> <li>• Parks Foundation Board Update</li> <li>• Latino Community Engagement</li> <li>• OSD Matching Grant</li> <li>• Budget Update</li> <li>• Park Celebration Update</li> <li>• Russian River Festival Update</li> <li>• Ernie Smith Dog Park Update</li> <li>• Status of Potential Moorland Park</li> </ul>
Monday, June 16	5 – 7 p.m.	PRMD Hearing Room  2550 Ventura Avenue, Santa Rosa CA 95403	<ul style="list-style-type: none"> <li>• Parks Foundation Board Update</li> <li>• Sonoma Valley Trail Feasibility Study</li> <li>• Wildlife Conservation Fund grant – Hudeman</li> </ul>

			<p>construction</p> <ul style="list-style-type: none"> <li>• Water Conservation Drought Plan</li> </ul>
Monday, August 18	5 - 7 p.m.	Board Chambers 575 Administration Dr. Room 100 A, Santa Rosa	<ul style="list-style-type: none"> <li>• Parks Foundation Board Update</li> <li>• Taylor Mountain Update</li> <li>• Planning Division Update</li> <li>• Habitat Conservation Fund grant</li> </ul>
Monday, October 20	5 - 7 p.m.	Board Chambers 575 Administration Dr. Room 100 A, Santa Rosa	<ul style="list-style-type: none"> <li>• Parks Foundation Board Update</li> <li>• Summer Operations Update</li> <li>• SPM Marina Update</li> <li>• Status of Potential Moorland Park</li> </ul>
Monday, December 15	5 - 7 p.m.	Board Chambers 575 Administration Dr. Room 100 A, Santa Rosa	<ul style="list-style-type: none"> <li>• Parks Foundation Board Update</li> <li>• Tolay Fall Festival Recap</li> <li>• Land and Water Conservation Fund grant</li> </ul>

The Commissioners can form ad-hoc committees to meet with the Director of Regional Parks (during alternate months of the regularly scheduled Parks & Recreation Advisory Commission meetings), on an “as needed” basis.



## County of Sonoma Agenda Item Summary Report

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

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

**To:** Sonoma County Board of Supervisors

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

Melissa Kelley, Executive Director, (707) 565-1830

**Supervisorial District(s):**

All

**Title:** Expanding the Sonoma County Regional Parks Foundation Board of Directors

### **Recommended Actions:**

Increase the number of directors on the Sonoma County Regional Parks Foundation board from 15 to 19 by adding four more at-large positions.

### **Executive Summary:**

The Sonoma County Board of Supervisors established the nonprofit Sonoma County Regional Parks Foundation in 1997 to provide support to Sonoma County Regional Parks. At the time the Parks Foundation was established, Regional Parks operated and maintained 36 county parks. Since that time, Sonoma County Regional Parks has experienced dramatic growth and now oversees more than 50 parks and trails. Additional properties will be transferred to Regional Parks from the Sonoma County Agricultural Preservation & Open Space District in the coming years.

In January 2014, the Parks Foundation board held a retreat to explore ways that the Parks Foundation could more successfully support Regional Parks. Parks Foundation board members were enthusiastic about a proposal to expand the Foundation's board of directors. Currently, the board consists of 15 directors. Each Sonoma County Supervisor appoints two board members, and the Parks Foundation board appoints the other five board members. The Parks Foundation is asking the Board of Supervisors to expand the number of Foundation board appointees (at-large positions) from five individuals to nine.

Board members are responsible for helping the executive director of the Foundation raise funds for projects at the county parks. The nonprofit is becoming increasingly successful in its fundraising, nearly doubling its annual gross revenues since 2010-11. Expanding the number of board members will help the organization continue to build on that success.

According to the Parks Foundation bylaws, "any change in the term, number or appointment of Foundation Board of Directors" must be approved by the Board of Supervisors. Per the bylaws, upon approval by the Board of Supervisors, the bylaws will be amended to reflect the new composition of the

Foundation Board of Directors.

**Prior Board Actions:**

The Board of Supervisors established the Sonoma County Regional Parks Foundation with Resolution Number 97-0696 on May 20, 1997.

**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>

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

No expenses are associated with this recommendation.

**Staffing Impacts**

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

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

No staffing impacts are associated with this recommendation.

**Attachments:**

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

Sonoma County Regional Parks Foundation bylaws





## 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:** April 15, 2014

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

Thomas F. O’Kane, Jr. (707) 565-2231

**Supervisorial District(s):**

Fourth

**Title:** Approve Professional Services Agreement for Geyserville Pedestrian Improvements (C13003)

### **Recommended Actions:**

Authorize the Chair to execute the Professional Services Agreement for Geyserville Pedestrian Improvements (C13003) for Coastland Civil Engineering, Inc. in an amount not to exceed \$208,681 with a term ending December 31, 2015.

### **Executive Summary:**

Staff of the Transportation and Public Works Department (Department) request that the Board approve an agreement with Coastland Civil Engineering, Inc. for an amount not to exceed \$208,681 with a term ending December 31, 2015 for engineering design work and preparation of plans and specifications for bidding purposes related to the Geyserville Pedestrian Improvement Project (C13003). Since this construction project will involve installing curb, gutter and sidewalk on the east side of State Route 128, a state route, the design engineer will have to coordinate the details through Caltrans which will most likely be a lengthy process, involving multiple meetings in Oakland until all divisions are satisfied with the plans and they are ready to issue the required permits. There is also a segment of the project along Geyserville Avenue in the downtown area of Geyserville. The total project is estimated to cost \$850,000 with construction costs estimated at approximately \$500,000. Funding for the project will come from a combination of Indian Gaming State Distribution funds in the amount of approximately \$82,000 which have been set aside for pedestrian and bicycle safety improvements along casino travel routes and \$128,681 in Tribal Development Impact Mitigation funds which are available for this project due to impacts caused by River Rock Casino. The engineering design costs for the project are to some extent elevated due to many design challenges present within the project limits. The site challenges include:

ADA design standards for the new sidewalk

Existing sidewalk is stepped in various locations

Existing buildings with steep sloped frontages may limit access

Possible elimination of on-street parking

Utility relocation Caltrans approval process on State Route 128, including many design

variances Existing underground storage tank removal  
Construction is scheduled for 2015.

In Fall 2013, the Department issued an RFQ for on-call Civil Engineering Services specializing in Traffic Engineering, Roadway Engineering, and Railroad Traffic Engineering. The RFQ was advertised in the Press Democrat as well as on the Purchasing website. In response to the RFQ, 18 proposals were received and ranked according to responses on the following criteria: key staff, technical ability, experience, and project approach. Three on-call lists resulted from the RFQ. Coastland Engineering was selected for this project because of their experience on similar projects and ability to complete the work in a timely fashion. Additionally, Coastland is a local company.

**Prior Board Actions:**

None.

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

This project will improve the safe passage of pedestrians and bicyclists in this section of downtown Geyserville.

**Fiscal Summary - FY 13-14**

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 208,681		\$
Add Appropriations Req'd.	\$	State/Federal	\$ 82,000
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$ 128,681
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 208,681</b>	<b>Total Sources</b>	<b>\$ 208,681</b>

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

Appropriations are available in the Road Improvements Budget. Funded with State Tribal funds which have been set aside for pedestrian and bicycle safety improvements along casino travel routes and Tribal Development Impact Mitigation funds that are currently in restricted fund balance for projects related to impacts caused by River Rock Casino.

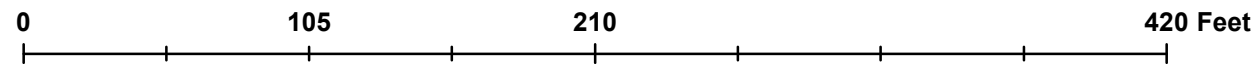
**Staffing Impacts**

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

<b>Narrative Explanation of Staffing Impacts (If Required):</b>
None.
<b>Attachments:</b>
Location Map, Agreement
<b>Related Items "On File" with the Clerk of the Board:</b>
None.



USGS, County of Sonoma



Date: 12/3/2013  
(2011 Aerial)

**Standard Professional Services Agreement (“PSA”)**  
**Revision F – April 2012**

AGREEMENT FOR PROFESSIONAL SERVICES

This agreement ("Agreement"), dated as of \_\_\_\_\_, 20\_\_ (“Effective Date”) is by and between the County of Sonoma, a political subdivision of the State of California (hereinafter "County"), and Coastland Civil Engineering, Inc. (hereinafter "Consultant").

R E C I T A L S

WHEREAS, Consultant represents that it is a duly qualified , experienced in engineering design and related services; and

WHEREAS, in the judgment of the Board of Supervisors, it is necessary and desirable to employ the services of Consultant for the Geyserville Pedestrian Improvement Project (C13003).

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants contained herein, the parties hereto agree as follows:

A G R E E M E N T

I. Scope of Services.

1.1 Consultant's Specified Services. Consultant shall perform the services described in Exhibit “A,” attached hereto and incorporated herein by this reference (hereinafter "Scope of Work"), and within the times or by the dates provided for in Exhibit “A” and pursuant to Article 7, Prosecution of Work. In the event of a conflict between the body of this Agreement and Exhibit “A”, the provisions in the body of this Agreement shall control.

1.2 Cooperation With County. Consultant shall cooperate with County and County staff in the performance of all work hereunder.

1.3 Performance Standard. Consultant shall perform all work hereunder in a manner consistent with the level of competency and standard of care normally observed by a person practicing in Consultant's profession. County has relied upon the professional ability and training of Consultant as a material inducement to enter into this Agreement. Consultant hereby agrees to provide all services under this Agreement in accordance with generally accepted professional practices and standards of care, as well as the requirements of applicable federal, state and local laws, it being understood that acceptance of Contractor’s work by County shall not operate as a waiver or release. If County determines that any of Consultant's work is not in accordance with such level of competency and standard of care, County, in its sole discretion, shall have the right to do any or all of the following: (a)

require Consultant to meet with County to review the quality of the work and resolve matters of concern; (b) require Consultant to repeat the work at no additional charge until it is satisfactory; (c) terminate this Agreement pursuant to the provisions of Article 4; or (d) pursue any and all other remedies at law or in equity.

#### 1.4 Assigned Personnel.

- a. Consultant shall assign only competent personnel to perform work hereunder. In the event that at any time County, in its sole discretion, desires the removal of any person or persons assigned by Consultant to perform work hereunder, Consultant shall remove such person or persons immediately upon receiving written notice from County.
- b. Any and all persons identified in this Agreement or any exhibit hereto as the project manager, project team, or other professional performing work hereunder are deemed by County to be key personnel whose services were a material inducement to County to enter into this Agreement, and without whose services County would not have entered into this Agreement. Consultant shall not remove, replace, substitute, or otherwise change any key personnel without the prior written consent of County. With respect to performance under this Agreement, Consultant shall employ the following key personnel: Heidi Utterback.
- c. In the event that any of Consultant's personnel assigned to perform services under this Agreement become unavailable due to resignation, sickness or other factors outside of Consultant's control, Consultant shall be responsible for timely provision of adequately qualified replacements.

2. Payment: For all services and incidental costs required hereunder, Consultant shall be paid on a time and material/expense basis in accordance with the budget set forth in Exhibit B, provided, however, that total payments to Consultant shall not exceed \$208,681, without the prior written approval of County. Consultant shall submit its bills in arrears on a monthly basis in a form approved by County's Auditor and the Head of the County Department receiving the services. The bills shall show or include: (i) the task(s) performed; (ii) the time in quarter hours devoted to the task(s); (iii) the hourly rate or rates of the persons performing the task(s); and (iv) copies of receipts for reimbursable materials/expenses, if any. Expenses not expressly authorized by the Agreement shall not be reimbursed.

Unless otherwise noted in this agreement, payments shall be made within the normal course of county business after presentation of an invoice in a form approved by the County for services performed. Payments shall be made only upon the satisfactory completion of the services as determined by the County.

Pursuant to California Revenue and Taxation code (R&TC) Section 18662, the County shall withhold seven percent of the income paid to Consultant for services performed within the State of California under this agreement, for payment and reporting to the California Franchise Tax

Board, if Consultant does not qualify as: (1) a corporation with its principal place of business in California, (2) an LLC or Partnership with a permanent place of business in California, (3) a corporation/LLC or Partnership qualified to do business in California by the Secretary of State, or (4) an individual with a permanent residence in the State of California.

If Consultant does not qualify, County requires that a completed and signed Form 587 be provided by the Consultant in order for payments to be made. If consultant is qualified, then the County requires a completed Form 590. Forms 587 and 590 remain valid for the duration of the Agreement provided there is no material change in facts. By signing either form, the contractor agrees to promptly notify the County of any changes in the facts. Forms should be sent to the County pursuant to Article 12. To reduce the amount withheld, Consultant has the option to provide County with either a full or partial waiver from the State of California.

3. Term of Agreement. The term of this Agreement shall be from Effective Date to December 31, 2015 unless terminated earlier in accordance with the provisions of Article 4 below.

4. Termination.

4.1 Termination Without Cause. Notwithstanding any other provision of this Agreement, at any time and without cause, County shall have the right, in its sole discretion, to terminate this Agreement by giving 5 days written notice to Consultant.

4.2 Termination for Cause. Notwithstanding any other provision of this Agreement, should Consultant fail to perform any of its obligations hereunder, within the time and in the manner herein provided, or otherwise violate any of the terms of this Agreement, County may immediately terminate this Agreement by giving Consultant written notice of such termination, stating the reason for termination.

4.3 Delivery of Work Product and Final Payment Upon Termination.

In the event of termination, Consultant, within 14 days following the date of termination, shall deliver to County all materials and work product subject to Section 9.11 (Ownership and Disclosure of Work Product) and shall submit to County an invoice showing the services performed, hours worked, and copies of receipts for reimbursable expenses up to the date of termination.

4.4 Payment Upon Termination. Upon termination of this Agreement by County, Consultant shall be entitled to receive as full payment for all services satisfactorily rendered and expenses incurred hereunder, an amount which bears the same ratio to the total payment specified in the Agreement as the services satisfactorily rendered hereunder by Consultant bear to the total services otherwise required to be performed for such total payment; provided, however, that if services which have been satisfactorily rendered are to be paid on a per-hour or per-day basis, Consultant shall be entitled to receive as full payment an amount equal to the number of hours or days actually worked prior to the termination times the applicable hourly or daily rate; and further provided, however, that if County terminates the Agreement for cause pursuant to Section 4.2, County shall deduct from such amount the

amount of damage, if any, sustained by County by virtue of the breach of the Agreement by Consultant.

4.5 Authority to Terminate. The Board of Supervisors has the authority to terminate this Agreement on behalf of the County. In addition, the Purchasing Agent or Transportation and Public Works Department Head, in consultation with County Counsel, shall have the authority to terminate this Agreement on behalf of the County.

5. Indemnification. Consultant agrees to accept responsibility for loss or damage to any person or entity, including County, and to defend, 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 Consultant, that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of Consultant or its agents, employees, contractors, subcontractors, or invitees hereunder, 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. 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 Consultant or its agents, employees, contractors, subcontractors, or invitees under workers' compensation acts, disability benefits acts, or other employee benefit acts. This indemnity provision survives the Agreement.

6. Insurance. With respect to performance of work under this Agreement, Consultant shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain, insurance as described in Exhibit C, which is attached hereto and incorporated herein by this reference

7. Prosecution of Work. The execution of this Agreement shall constitute Consultant's authority to proceed immediately with the performance of this Agreement. Performance of the services hereunder shall be completed within the time required herein, provided, however, that if the performance is delayed by earthquake, flood, high water, or other Act of God or by strike, lockout, or similar labor disturbances, the time for Consultant's performance of this Agreement shall be extended by a number of days equal to the number of days Consultant has been delayed.

8. 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. Minor changes, which do not increase the amount paid under the Agreement, and which do not significantly change the scope of work or significantly lengthen time schedules may be executed by the Department Head in a form approved by County Counsel. The Board of Supervisors/Purchasing Agent must authorize all other extra or changed work. The parties expressly recognize 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 Consultant 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 Consultant shall be entitled to no compensation whatsoever for the performance of such work. Consultant 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.

9. Representations of Consultant.

9.1 Standard of Care. County has relied upon the professional ability and training of Consultant as a material inducement to enter into this Agreement. Consultant hereby agrees that all its work will be performed and that its operations shall be conducted in accordance with generally accepted and applicable professional practices and standards as well as the requirements of applicable federal, state and local laws, it being understood that acceptance of Consultant's work by County shall not operate as a waiver or release.

9.2 Status of Consultant. The parties intend that Consultant, 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. Consultant 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 Agreement pursuant to Article 4, above, Consultant expressly agrees that it shall have no recourse or right of appeal under rules, regulations, ordinances, or laws applicable to employees.

9.3 Taxes. Consultant agrees to file federal and state tax returns and pay all applicable taxes on amounts paid pursuant to this Agreement and shall be solely liable and responsible to pay such taxes and other obligations, including, but not limited to, state and federal income and FICA taxes. Consultant agrees to indemnify and hold County harmless from any liability which it may incur to the United States or to the State of California as a consequence of Consultant's failure to pay, when due, all such taxes and obligations. In case County is audited for compliance regarding any withholding or other applicable taxes, Consultant agrees to furnish County with proof of payment of taxes on these earnings.

9.4 Records Maintenance. Consultant shall keep and maintain full and complete documentation and accounting records concerning all services performed that are compensable under this Agreement and shall make such documents and records available to County for inspection at any reasonable time. Consultant shall maintain such records for a period of four (4) years following completion of work hereunder.

9.5 Conflict of Interest. Consultant covenants that it presently has no interest and that it will not acquire any interest, direct or indirect, that represents a financial conflict of interest under state law or that would otherwise conflict in any manner or degree with the performance of its services hereunder. Consultant further covenants that in the performance of this Agreement no person having any such interests shall be employed. In addition, if requested to do so by County, Consultant shall complete and file and shall require any other person doing work under this Agreement to complete and file a "Statement of Economic Interest" with County disclosing Consultant's or such other person's financial interests.

9.6 Statutory Compliance. Contractor 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.

9.7 Nondiscrimination. Without limiting any other provision hereunder, Consultant shall comply with all applicable federal, state, and local laws, rules, and regulations in 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, including without limitation, the County's Non-Discrimination Policy. All nondiscrimination rules or regulations required by law to be included in this Agreement are incorporated herein by this reference.

9.8 AIDS Discrimination. Consultant 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.

9.9 Assignment of Rights. Consultant assigns to County all rights throughout the world in perpetuity in the nature of copyright, trademark, patent, right to ideas, in and to all versions of the plans and specifications, if any, now or later prepared by Consultant in connection with this Agreement. Consultant agrees to take such actions as are necessary to protect the rights assigned to County in this Agreement, and to refrain from taking any action which would impair those rights. Consultant's responsibilities under this provision include, but are not limited to, placing proper notice of copyright on all versions of the plans and specifications as County may direct, and refraining from disclosing any versions of the plans and specifications to any third party without first obtaining written permission of County. Consultant shall not use or permit another to use the plans and specifications in connection with this or any other project without first obtaining written permission of County.

9.10 Ownership and Disclosure of Work Product. All reports, original drawings, graphics, plans, studies, and other data or documents ("documents"), in whatever form or format, assembled or prepared by Consultant or Consultant's subcontractors, consultants, and other agents in connection with this Agreement shall be the property of County. County shall be entitled to immediate possession of such documents upon completion of the work pursuant to this Agreement. Upon expiration or termination of this Agreement, Consultant shall promptly deliver to County all such documents, which have not already been provided to County in such form or format, as County deems appropriate. Such documents shall be and will remain the property of County without restriction or limitation. Consultant may retain copies of the above-described documents but agrees not to disclose or discuss any information gathered, discovered, or generated in any way through this Agreement without the express written permission of County.

9.11 Authority. The undersigned hereby represents and warrants that he or she has authority to execute and deliver this Agreement on behalf of Consultant.



transmission or email, and (3) the facsimile or email is transmitted before 5 p.m. (recipient's time). In all other instances, notices, bills and payments shall be effective upon receipt by the recipient. Changes may be made in the names and addresses of the person to whom notices are to be given by giving notice pursuant to this paragraph.

13. Miscellaneous Provisions.

13.1 No Waiver of Breach. The waiver by County of any breach of any term or promise contained in this Agreement shall not be deemed to be a waiver of such term or provision or any subsequent breach of the same or any other term or promise contained in this Agreement.

13.2 Construction. To the fullest extent allowed by law, the provisions of this Agreement shall be construed and given effect in a manner that avoids any violation of statute, ordinance, regulation, or law. The parties covenant and agree that in the event that any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions hereof shall remain in full force and effect and shall in no way be affected, impaired, or invalidated thereby. Consultant and County acknowledge that they have each contributed to the making of this Agreement and that, in the event of a dispute over the interpretation of this Agreement, the language of the Agreement will not be construed against one party in favor of the other. Consultant and County acknowledge that they have each had an adequate opportunity to consult with counsel in the negotiation and preparation of this Agreement.

13.3 Consent. Wherever in this Agreement the consent or approval of one party is required to an act of the other party, such consent or approval shall not be unreasonably withheld or delayed.

13.4 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.

13.5 Applicable Law and Forum. This Agreement shall be construed and interpreted according to the substantive law of California, regardless of the law of conflicts to the contrary in any jurisdiction. Any action to enforce the terms of this Agreement or for the breach thereof shall be brought and tried in Santa Rosa or the forum nearest to the city of Santa Rosa, in the County of Sonoma.

13.6 Prevailing Wage. CONSULTANT shall comply with the State of California's General Prevailing Wage Rate requirements in accordance with California Labor Code, Section 177, and all federal, state, and local laws and ordinances applicable to the work. Any subcontract entered into as a result of this contract if for more than \$25,000 for public works construction or more than \$15,000 for the alteration, demolition, repair, or maintenance of public works, shall contain all of the provisions of this Article.

13.7 Captions. The captions in this Agreement are solely for convenience of reference. They are not a part of this Agreement and shall have no effect on its construction or interpretation.

13.8 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 Code of Civil Procedure Section 1856. No modification of this Agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.

13.9 Survival of Terms. All express representations, waivers, indemnifications, and limitations of liability included in this Agreement will survive its completion or termination for any reason.

13.10 Time of Essence. Time is and shall be of the essence of this Agreement and every provision hereof.

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- SIGNATURES FOLLOW ON NEXT PAGE -

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

COUNTY: COUNTY OF SONOMA

CONSULTANT: \_\_\_\_\_

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

\_\_\_\_\_

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

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

Name: \_\_\_\_\_

Department Head

Title: \_\_\_\_\_

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

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

APPROVED AS TO FORM FOR  
COUNTY:

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

County Counsel

Date: 2-28-11

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

Chair  
Board of Supervisors

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

ATTEST:

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

## EXHIBIT A



# Coastland

Civil Engineering - Construction Management - Building Dept. Services

February 18, 2014

Ms. Janice Thompson, P.E.  
Sonoma County Department of Transportation and Public Works  
2300 County Center Drive, Ste. B100  
Santa Rosa, CA 95403

Subject: Proposal for Engineering Design Services for  
Geyserville Pedestrian Improvements

Dear Janice,

In follow-up to your request, we are pleased to provide you with this revised letter proposal for the engineering services on the Geyserville Pedestrian Improvements project on Geyserville Avenue and State Route 128. This proposal is based on our discussions and findings from our site visit on December 12, 2013.

### Project Understanding

The County has requested assistance in engineering services to install pedestrian improvements on the east side of Geyserville Avenue and State Route 128 in Geyserville from Crowell Street to the existing Visitor Plaza Park and Ride Lot. This project will follow the Caltrans encroachment permit process, as it falls below the \$3 million Cooperative Agreement process. The County is requesting improvement plans, specifications and engineer's estimate for bidding purposes.

Engineering services will include ground survey and basemap preparation, existing right-of-way determination, technical support to County Environmental staff, design and plan preparation for roadway shoulder widening and sidewalks including compliance with ADA standards, roadway structural section design, possible short retaining wall design, basemap for street and pedestrian lighting, utility relocation, striping and signing, and specifications and estimate required for bidding purposes. Engineering assistance will also include support for issues of community concern, which may include community meetings.

Some of the design challenges that have been identified are:

- ADA standards, existing steep-sloped frontages, existing stepped sidewalks
- Possible elimination of on-street parking
- Existing building thresholds and driveway slopes
- Utility relocation
- Existing underground storage tank
- Caltrans Design Exception for shoulder width

We understand that the County would like to preserve and maintain the existing sidewalk and overhang located in front of the general merchandise stores. Additionally, the existing underground

storage tank (UST) will remain and the tank access will need to be adjusted to finish grade. The County will coordinate any sampling, testing and/or permitting required for the UST.

Existing utility poles (PG&E/AT&T) will remain. Existing storm drain facilities will likely need adjustment and/or relocation. Other utility facilities such as valves, utility boxes, and manholes may also need adjustment.

Curb return radii at the intersection of Geyserville Avenue and Hwy 128 will be designed to accommodate bus and truck turning movements. Also at this intersection, a commercial driveway will be provided for the access to the market parking lot.

Modifications and/or removals of the existing parking areas will need to be carefully evaluated. We will work with the County during the design process on the parking concerns and what can be accommodated with the new improvements.

Based on the above understanding of the project, we have prepared the following scope of work and estimated fee for your consideration:

## **SCOPE OF WORK**

### **Task 1 – Meetings with County Staff**

We will conduct a project kick-off meeting with the County Department of Transportation and Public Works staff to discuss project details, goals and to coordinate efforts. In order to keep the County apprised of the project progress, we will provide the County with monthly design status reports detailing project milestones, budget and schedule. Updates to the design schedule will be provided as required. Also included are three (3) progress design review meetings at the County offices.

### **Task 2 – Background Information**

Coastland will assemble all of the available County information pertaining to the project including any related plans, base maps, as-built drawings, and any additional pertinent information for the project.

Coastland has already conducted a preliminary site review for the purpose of preparing this proposal. We will perform another field review, take additional digital photos and further analyze existing site characteristics and observe general site conditions and identify any unusual or potential issues which may affect the project design or construction. Special attention will be given to potential project constraints such as excessive roadway cross slope, conforms to existing driveways, environmental concerns, accessibility compliance, and utility conflicts.

### **Task 3 – Utility Coordination**

Coastland will use the photographs taken during our site reviews for future reference and documentation of current utility field conditions encountered. We will write letters to PG&E, AT&T, and cable television informing them of the project and requesting their facility drawings to ensure that all existing facilities are identified accurately during the design phase. Utility base maps and improvement plans information obtained from the utility companies will be incorporated into the design drawings.





After preliminary engineering and layout is completed, we will follow up with each utility provider by preparing submittal packages to each so they can verify the accuracy of their facilities and provide comments. During design we will evaluate potential conflicts with existing utilities and provide recommendations on relocations.

#### **Task 4 –Surveying Services**

**Task 4A Topographic Survey:** Our subconsultant, Cinquini and Passarino, will conduct the topographic survey. Topographic survey coverage area will include the northerly half of Highway 128 and Geyserville Avenue between the existing Visitor Plaza Park and Ride Lot and Crowell Street. The survey includes detailed design level topographic mapping sufficient to design the ADA sidewalk improvements and includes picking up store frontages and finish floors. Topographic survey will include features such as, but not limited to; building corners and elevations, curb lines, water meters, cleanouts, valves, manholes and inlets (including rim, invert and pipe information), utility markings on the pavement, utility poles, driveway and doorway locations, sidewalks, trees four (4) inches and larger, retaining wall or decorative walls, and any other pertinent information that could apply to the project during design. Topographic survey will be provided on NAVD 88 vertical datum and will horizontally relate to the California Coordinate System of 1983, Zone 2. The topographic mapping will include record right of way lines within the project area. Cinquini and Passarino efforts include notification to Caltrans for work within their right of way and notification to parcels adjacent to the project area of work.

**Task 4B Right of Way Survey:** Cinquini & Passarino will determine the right of way line along Geyserville Avenue for the project area. Based on their preliminary research along the project reach there have been some surveys performed. Cinquini & Passarino will perform a right of way survey in sufficient detail to delineate the road right of way. The right of way survey will include the following:

- Perform the necessary boundary research to compile existing right of way data.
- Perform boundary surveys to search for, and locate if found, existing monumentation.
- Perform reduction and resolution to the road right of way.
- Prepare a Record of Survey for recording at with the Sonoma County Surveyor.

Please note, this proposal assumes the County of Sonoma will provide title reports as necessary and waive the Record of Survey checking fee.

**Task 4C Right of Way Appraisal Map Assistance:** Cinquini & Passarino will prepare the right of way appraisal map in accordance with Caltrans format to assist with right of way acquisition. Mapping will include:

- Topographic base map (per Task 4A)
- Existing right of way (per Task 4B)
- Right of way areas to be acquired
- Adjacent parcel ownership

**Task 4D Legal Descriptions and Plats:** Should any additional right of way become necessary, Cinquini & Passarino will prepare legal descriptions and plats for right of way acquisition. This task will include preparing draft legal description and plat for review. Once comments are received and addressed Cinquini & Passarino will finalize the legal description



and plat for the County's use. This proposal assumes the County will provide any title reports for any affected parcels where a right of way acquisition is necessary. For purposes of this proposal we have assumed up to a total of twelve (12) legal descriptions and plats: six (6) legal descriptions for permanent right of way acquisition and six (6) legal descriptions for temporary right of way acquisition.

#### **Task 5- Geotechnical Investigation**

Our geotechnical subconsultant, RGH Geotechnical & Environmental Consultants (RGH) will conduct a geotechnical investigation of the existing pavement section and subgrade soils. The scope will include:

- Obtain Encroachment Permits from Caltrans and the County. We understand that the County will assist us in expediting their permit. However, Caltrans is only required to make a decision within 60 days of submittal of the completed permit application.
- Obtain five (5) pavement cores and subgrade samples along the existing paved shoulder. Record the asphalt concrete and aggregate base thicknesses at each location and sample the subgrade soils. Two subgrade samples will be selected for R-value testing. The borings will be backfilled with cement-bentonite grout with fast-setting concrete placed in the upper few inches.
- Based on the analysis of the field and laboratory work, RGH will prepare a letter report which will include a brief description of the pavement sections encountered, laboratory results and specific conclusions and recommendations for a new pavement section.

RGH will also provide some existing building foundation assessment if required. Efforts include field review and cursory recommendations in a memorandum. If there are extensive foundation problems or extensive foundation repairs that are needed, we will prepare a separate scope and fee for County review and consideration.

#### **Task 6 – Environmental Support**

We understand the County will provide environmental assessments, studies and clearances for the project as needed. If required, we will provide environmental support to the County. Support services may include such items as coordination with environmental staff, meetings, and additional mapping or exhibit type documents.

#### **Task 7 – 30% Design**

Following our kick-off/pre-design meeting, field review, utility coordination and topographic survey, we will begin the preliminary (30%) design of the improvements. Coastland will prepare conceptual plans of the roadway shoulder widening and sidewalks, including compliance with ADA standards, curb, gutter, driveways and pedestrian ramp improvement locations.

As part of the 30% design efforts we will prepare a base sheet(s) for street and pedestrian lighting for the County's use in the design and layout of these lighting improvements. The base sheets will be set up with a County stamp and approval block. The County will coordinate with PG&E for the electrical service for the new lighting improvements.



### **Task 8 – Caltrans Review & Coordination**

For work performed within the Caltrans right-of-way, Coastland will coordinate with Caltrans to obtain an Encroachment Permit. The coordination effort will include beginning communication during the preliminary design phase, providing design submittals (30% and 65%) to Caltrans and preparing and submitting the Encroachment Permit Application to Caltrans (note that the County will be the responsible party to sign the actual permit). Coordination with Caltrans to obtain the permit and incorporation of Caltrans requirements into the bid documents will be ongoing throughout the design phase. We will prepare design exception(s) (i.e. shoulder width, building overhangs, etc.) if required as part of the encroachment permit application process. This proposal assumes up to three (3) meetings with Caltrans District 4 representatives in Oakland to review the project. We will maintain open communication to keep the County updated as to the status of the Caltrans coordination effort. Please note that this task assumes that the County will be responsible for any permit fees.

### **Task 9 – Public Outreach/Meetings**

We will provide engineering support for issues of community concerns. This may include attendance at a public outreach meeting and preparation of informational flyers and/or exhibits. For purposes of this proposal we have included up to two (2) outreach meeting(s) to answer questions regarding the design. The meetings will help explain the need for the improvements and gather local information about needs, concerns and recommendations.

### **Task 10 – Construction Storm Water Treatment**

We will prepare the Notice of Intent (NOI) in accordance with Regional Water Quality Control Board requirements. Please note that this task assumes that the County will be responsible for any NOI permit/filing fees. Coastland will also prepare a Construction Storm Water Pollution Prevention Plan (SWPPP) or Water Pollution Control Plan (WPCP) for this project based on Caltrans' "Construction Site Best Management Practices (BMPs) Manual" and "Stormwater Pollution Prevention Plan (SWPPP) and Water Pollution Control Program (WPCP) Preparation Manual". The SWPPP will include a site map, listing and placement of BMP's to be used to protect storm water runoff, maintenance and inspection requirements and the NOI.

### **Task 11 – 65% PS&E Submittal**

Based on feedback from the County and Caltrans review of the preliminary design submittal, we will prepare a 65% submittal. The plans will include most of the expected details for the proposed improvements. Included in the 65% PS&E submittal will be the street lighting plan(s). It is our understanding the County will prepare the redline markups on the plan(s) for the street lighting improvements as well as provide any lighting details and forward to our office for drafting.

We will also prepare draft technical specifications. The County will provide us with the technical specifications for the street and pedestrian lighting for inclusion into the technical specification document. We are assuming the County will prepare the front end, general provisions and bid proposal sections of the specifications.

Plans and cost estimates will be developed using the County and/or Caltrans format, as well as applicable Caltrans Standard Plans and County standard details and special provisions for the pedestrian facility improvements. The 65% submittal will include three (3) sets of full-size plans, technical specifications and an engineer's cost estimate.



### **Task 12 – 90% PS&E Submittal**

Following the County and Caltrans review of the 65% submittal, 90% PS&E documents will be prepared. The project design will essentially be complete for this submittal. The 90% submittal will include three (3) sets of full-size plans, technical specifications and an engineer's cost estimate.

### **Task 13 – Final Documents**

Upon final County review, we will provide one (1) set of unbound stamped and signed drawings, technical specifications and estimate (PS&E) suitable for reproduction. An electronic copy of the drawings (PDF), specifications (Word) and cost estimate (Excel) will also be provided.

### **Task 14 – Bid Support**

It is our understanding the County will advertise, reproduce and distribute bid documents. During the bidding process, we will provide bid assistance to the County to answer any questions that may arise during the bidding phase. This will include preparing any addenda or clarifications that may be necessary. This task also includes attendance at a pre-bid meeting if required.

Once bids are opened, we will assist the County in reviewing the bids and preparing a bid tabulation of the bid results.

### **Task 15 – Construction Design Support**

This task includes providing the County with design support during construction. Design support during construction will include assistance in answering contractor requests for information, review of design substitutions or changes proposed by the contractor. For this proposal we are estimating a combined total of ten (10) RFI's or design change submittals. This task also includes answering questions and coordination with the construction manager and/or inspector. Also included in this task is attending the preconstruction meeting and up to four (4) site visits.

Cinquini & Passarino will be responsible for materials staking on the curb, gutter, sidewalk, street lighting, storm drain and possible retaining walls. This will include staking of rough and finish grades for curb and gutter, accessible ramps, and sidewalks and staking for street lighting, storm drains and retaining walls (if required). Our proposal is based on an assumed need of 40 hours of staking which is on the upper end of what will be required. Once the design plans have been completed we can re-evaluate the staking needs and provide a updated estimate for County review.

We will prepare Record Drawings based on red-line "as-builts" submitted by contractor. Record Drawings shall be submitted to the County in electronic format (AutoCAD and PDF) and one hard copy on archival quality mylar.

### **Schedule**

We are ready to proceed as soon as the Professional Services Agreement is signed and the Notice to Proceed is given. At that time a detailed project schedule, noting milestones, will be prepared and submitted to the County for approval.



**Exceptions**

The following work is not included in our proposal. However, Coastland would be pleased to provide these services if the County desires:

- Environmental assessments and clearances; soil contamination.
- Public participation effort beyond those noted above.
- Meetings beyond those noted above.
- Preliminary title reports
- Record of Survey checking fee
- Permit/filing fees (Encroachment Permit and NOI)
- Bid document advertisement, reproduction and distribution

**Estimated Cost**

Based on our scope of work, we are proposing that the services associated with this project be completed for a not-to-exceed amount of \$208,681. The amount quoted is assuming that all of the work for this project will fall under the scope of work as previously described. If additional work is necessary that falls outside of this scope of work, we can either re-negotiate a new scope of work or provide these services on a time and materials basis per our adopted schedule of hourly rates.

We appreciate the opportunity to propose on this work for the County of Sonoma. Please review this information and let me know if you have questions.

Sincerely yours,



Heidi Utterback  
Coastland Civil Engineering

Cc: John Wanger

Attachment: Work Estimate





## EXHIBIT B

### County of Sonoma - Geyserville Pedestrian Improvements

Task Information		Billing Classification & Rate					Hours & Cost Information		
Task #	Task Description	Principal Engineer \$177	Supervising Engineer \$160	Associate Engineer \$120	CAD Designer \$110	Construction Manager \$140	TOTAL CCE HOURS	TOTAL FEE	Subconsultant / Notes
<b>1 MEETINGS WITH COUNTY STAFF</b>									
	Kick Off Meeting		3	3			6	\$840	
	Design Review Meetings (3)		9	9			18	\$2,520	
	Conference Calls & Coordination		8				8	\$1,280	
	<b>Subtotal</b>						<b>24</b>	<b>\$4,640</b>	
<b>2 BACKGROUND INFORMATION</b>									
	Background Information		6	4	8		18	\$2,320	
	Coordinate with County		8	6			14	\$2,000	
	Field Review & Photo Log		4	4			8	\$1,120	
	<b>Subtotal</b>						<b>40</b>	<b>\$5,440</b>	
<b>3 UTILITY COORDINATION</b>									
	Utility Coordination		4	6	12		22	\$2,680	
	Utility Verification		4	4	4		12	\$1,560	
	<b>Subtotal</b>						<b>34</b>	<b>\$4,240</b>	
<b>4 TOPOGRAPHIC SURVEY</b>									
4A	Topographic Mapping						0	\$7,711	Cinquini & Passarino
4B	Right of Way Survey						0	\$6,714	Cinquini & Passarino
4C	Right of Way Appraisal Map Assistance						0	\$2,422	Cinquini & Passarino
4D	Legal Descriptions/Plats (12)						0	\$7,810	Cinquini & Passarino
	Coordinate with Surveyor		8		8		16	\$2,160	
	<b>Subtotal</b>						<b>16</b>	<b>\$26,818</b>	
<b>5 GEOTECHNICAL INVESTIGATION</b>									
	Geotechnical Investigation						0	\$6,589	RGH
	Building Foundation Assessment						0	\$1,980	RGH
	Coordinate with Geotech		12		6		18	\$2,580	
	<b>Subtotal</b>						<b>18</b>	<b>\$11,149</b>	
<b>6 ENVIRONMENTAL SUPPORT</b>									
	Meetings and Coordination		10				10	\$1,600	
	Mapping and Exhibits		2	4	12		18	\$2,120	
	<b>Subtotal</b>						<b>28</b>	<b>\$3,720</b>	
<b>7 30% DESIGN</b>									
	Prelim. Improvement Plans		16	30	60		106	\$12,760	
	Street Lighting Base Plan				2		2	\$220	
	QA/QC	2	2			2	6	\$954	
	<b>Subtotal</b>						<b>114</b>	<b>\$13,934</b>	
<b>8 CALTRANS REVIEW &amp; COORDINATION</b>									
	Caltrans Coordination		20	16	8		44	\$6,000	
	Encroachment Permit		20	16	16		52	\$6,880	
	Design Exceptions		40	32	24		98	\$12,880	
	Meetings (3)	6	18				24	\$3,042	
	<b>Subtotal</b>						<b>216</b>	<b>\$29,702</b>	
<b>9 PUBLIC OUTREACH/MEETINGS</b>									
	Outreach Meetings (2)	3	6				9	\$1,491	
	Presentation Materials & Flyers		4	4	8		16	\$2,000	
	<b>Subtotal</b>						<b>25</b>	<b>\$3,491</b>	
<b>10 CONSTRUCTION STORM WATER TREATMENT</b>									
	NOI		4	6	4		14	\$1,800	
	SWPPP/WPCP	2	6	32	8		50	\$6,354	
	<b>Subtotal</b>						<b>64</b>	<b>\$8,154</b>	



# WORK ESTIMATE

County of Sonoma - Geyserville Pedestrian Improvements

Task Information		Billing Classification & Rate					Hours & Cost Information		
Task #	Task Description	Principal Engineer \$177	Supervising Engineer \$160	Associate Engineer \$120	CAD Designer \$110	Construction Manager \$140	TOTAL CCE HOURS	TOTAL FEE	Subconsultant / Notes
<b>11 65% PS&amp;E SUBMITTAL</b>									
	Improvement Plans	2	32	48	120		202	\$24,434	
	Street Lighting Plan				12		12	\$1,320	
	Specifications		6	8			14	\$1,920	
	Cost Estimate		2	4	6		12	\$1,460	
	QA/QC	2	2			4	8	\$1,234	
	<b>Subtotal</b>						<b>240</b>	<b>\$30,368</b>	
<b>12 90% PS&amp;E SUBMITTAL</b>									
	Improvement Plans	2	24	40	60		126	\$15,594	
	Street Lighting Plan				8		8	\$880	
	Specifications		3	6			9	\$1,200	
	Cost Estimate		1	2	6		9	\$1,060	
	QA/QC	4	4			4	12	\$1,908	
	<b>Subtotal</b>						<b>162</b>	<b>\$20,642</b>	
<b>13 FINAL DOCUMENTS</b>									
	Final Documents		16	20	32		68	\$8,480	
	Street Lighting Plan				4		4	\$440	
	QA/QC	2	2			2	6	\$954	
	<b>Subtotal</b>						<b>68</b>	<b>\$9,874</b>	
<b>14 BID SUPPORT</b>									
	Pre-Bid Meeting		3				3	\$480	
	Addenda / Clarifications		4	2	4		10	\$1,320	
	Review / Bid Tabulation		3		2		5	\$700	
	<b>Subtotal</b>						<b>18</b>	<b>\$2,500</b>	
<b>15 CONSTRUCTION DESIGN SUPPORT</b>									
	Pre-Construction Meeting		4				4	\$640	
	RFI's and Design Substitution Review (10)	2	20	24		16	62	\$8,674	
	Coordination with CM and Inspector		12	4	4		20	\$2,840	
	Site Visits (4)		16				16	\$2,560	
	Construction Staking						0	\$13,475	Cinquini & Passarino
	Record Drawings		4	2	24		30	\$3,520	
	<b>Subtotal</b>						<b>86</b>	<b>\$31,709</b>	
	<b>Direct Costs</b>							<b>\$2,300</b>	Mileage, printing, reproduction
<b>TOTAL COST</b>		<b>27</b>	<b>374</b>	<b>336</b>	<b>462</b>	<b>28</b>	<b>947</b>	<b>\$208,681</b>	

## Exhibit C

With respect to performance of work under this Agreement, Consultant shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain insurance as described below unless such insurance has been expressly waived by the attachment of a *Waiver of Insurance Requirements*. Any requirement for insurance to be maintained after completion of the work shall survive this Agreement.

County reserves the right to review any and all of the required insurance policies and/or endorsements, but has no obligation to do so. Failure to demand evidence of full compliance with the insurance requirements set forth in this Agreement or failure to identify any insurance deficiency shall not relieve Consultant from, nor be construed or deemed a waiver of, its obligation to maintain the required insurance at all times during the performance of this Agreement.

### 1. Workers Compensation and Employers Liability Insurance

- a. Required if Consultant has employees.
- b. Workers Compensation insurance with statutory limits as required by the Labor Code of the State of California.
- c. Employers Liability with minimum limits of \$1,000,000 per Accident; \$1,000,000 Disease per employee; \$1,000,000 Disease per policy.
- d. Required Evidence of Insurance: Certificate of Insurance.

If Consultant currently has no employees, Consultant 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.

### 2. General Liability Insurance

- a. Commercial General Liability Insurance on a standard occurrence form, no less broad than Insurance Services Office (ISO) form CG 00 01.
- b. Minimum Limits: \$1,000,000 per Occurrence; \$2,000,000 General Aggregate; \$2,000,000 Products/Completed Operations Aggregate. The required limits may be provided by a combination of General Liability Insurance and Commercial Umbrella Liability Insurance. If Consultant maintains higher limits than the specified minimum limits, County requires and shall be entitled to coverage for the higher limits maintained by Consultant.
- c. 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. Consultant is responsible for any deductible or self-insured retention and shall fund it upon County's written request, regardless of whether Consultant has a claim against the insurance or is named as a party in any action involving the County.
- d. The County of Sonoma, its Officers, Agents, and Employees shall be additional insureds for liability arising out of operations by or on behalf of the Consultant in the performance of this Agreement.
- e. The insurance provided to the additional insureds shall be primary to, and non-contributory with, any insurance or self-insurance program maintained by them.



- f. The policy definition of “insured contract” shall include assumptions of liability arising out of both ongoing operations and the products-completed operations hazard (broad form contractual liability coverage including the “F” definition of insured contract in ISO form CG 00 01, or equivalent).
- g. The policy shall cover inter-insured suits between the additional insureds and Consultant and include a “separation of insureds” or “severability” clause which treats each insured separately.
- h. Required Evidence of Insurance:
  - i. Copy of the additional insured endorsement or policy language granting additional insured status; and
  - ii. Certificate of Insurance.

### 3. Automobile Liability Insurance

- a. Minimum Limits: \$1,000,000 combined single limit per accident.
- b. Insurance shall apply to all owned autos. If Consultant currently owns no autos, Consultant agrees to obtain such insurance should any autos be acquired during the term of this Agreement or any extensions of the term.
- c. Insurance shall apply to hired and non-owned autos.
- d. Required Evidence of Insurance: Certificate of Insurance.

### 4. Professional Liability/Errors and Omissions Insurance

- a. Minimum Limit: \$1,000,000 per claim or per occurrence.
- b. 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.
- c. If the insurance is on a Claims-Made basis, the retroactive date shall be no later than the commencement of the work.
- d. Coverage applicable to the work performed under this Agreement shall be continued for two (2) years after completion of the work. Such continuation coverage may be provided by one of the following: (1) renewal of the existing policy; (2) an extended reporting period endorsement; or (3) replacement insurance with a retroactive date no later than the commencement of the work under this Agreement.
- e. Required Evidence of Insurance: Certificate of Insurance.

### 5. Standards for Insurance Companies

Insurers, other than the California State Compensation Insurance Fund, shall have an A.M. Best's rating of at least A:VII.

### 6. Documentation

- a. The Certificate of Insurance must include the following reference: Geyserville Pedestrian Improvements – C13003
- b. All required Evidence of Insurance shall be submitted prior to the execution of this Agreement. Consultant agrees to maintain current Evidence of Insurance on file with County for the entire term of this Agreement and any additional periods if specified in Sections 1 – 4 above.
- c. The name and address for Additional Insured endorsements and Certificates of Insurance is: The County of Sonoma, its Officers, Agents, and Employees, Transportation and Public Works, 2300 County Center Drive, B-100, Santa Rosa,

CA 95403

- d. Required Evidence 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. Consultant 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.
- f. Upon written request, certified copies of required insurance policies must be provided within thirty (30) days.

**7. Policy Obligations**

Consultant's indemnity and other obligations shall not be limited by the foregoing insurance requirements.

**8. Material Breach**

If Consultant fails to maintain insurance which is required pursuant to this Agreement, it shall be deemed a material breach of this Agreement. County, at its sole option, may terminate this Agreement and obtain damages from Consultant resulting from said breach. Alternatively, County may purchase the required insurance, and without further notice to Consultant, County may deduct from sums due to Consultant any premium costs advanced by County for such insurance. These remedies shall be in addition to any other remedies available to County.



## 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 of Supervisors

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

Board of Supervisors (707) 565-2241

**Supervisorial District(s):**

**Title:** Minutes of March 18, 21, 25, 2014

**Recommended Actions:**

Approval.

**Executive Summary:**

Minutes of the Meeting of:

- (A) Minutes of the meeting of March 18, 2014 for the following: Community Development Commission, Sonoma County Water Agency, and Board of Supervisors; and
- (B) Minutes of the March 21, 2014 Special Meeting of the Board of Supervisors, and
- (C) Minutes of the Meeting of March 25, 2014 for the following: Agricultural Preservation and Open Space District, Community Development Commission, Northern Sonoma County Air Pollution Control District, Sonoma County Public Financing Authority, Sonoma County Water Agency, and Board of Supervisors.

**Prior Board Actions:**

None.

**Strategic Plan Alignment** Not Applicable

<b>Fiscal Summary - FY 13-14</b>			
<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>
<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>			
Minutes			
<b>Related Items "On File" with the Clerk of the Board:</b>			
None			

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

**TUESDAY**

**MARCH 18, 2014**

**8:30 A.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, and as the governing board of all special districts having business on the agenda to be heard this date.

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.

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***APPROVAL OF THE CONSENT CALENDAR***

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***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. Closed session items may be added prior to the Board adjourning to closed session. 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. While members of the public are welcome to address the Board, under the Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally may only listen.

8:32 A.M. CALL TO ORDER

8:32 A.M. Chairman Rabbitt called the meeting to order.

Supervisors Present: Susan Gorin, David Rabbitt, Shirlee Zane, Mike McGuire, Efren Carrillo

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

Chairman Rabbitt presiding.

PLEDGE OF ALLEGIANCE

I. APPROVAL OF THE AGENDA (Items may be added or withdrawn from the agenda consistent with State law)

Chairman Rabbitt announced that Closed Session Item #19 - Existing Litigation - City of Santa Rosa v. Cohen, is a joint matter for the Sonoma County Water Agency and the Board of Supervisors.

II. BOARD MEMBER ANNOUNCEMENTS

Supervisor McGuire announced the upcoming Airport Neighbors meeting on March 20, 2014; the Annual Geyserville Town Hall meeting on April 1, 2014 and he reported that he had attended the Roads Ad Hoc Committee meeting.

Supervisor Zane announced that she had attended the National Association of Counties (NACo) Legislative Conference; chaired the Long Term Health Care Committee meeting; the National Committee to Preserve Social Security and Medicare Foundation; the Sonoma County Healthy Aging Collaborative; the National Leadership Academy for the Public's Health and the Joint City of Santa Rosa/Sonoma County Southwest Annexation meeting. She made a request to the Board to send letter in support of the proposal for the restoration of the Older Californians Act and a letter in support for funding for transitional foster care youth of the Dream Center to the Santa Rosa City Council. She shared a few words about the victims of an automobile accident, Sharon Hufford and Sue Hufford, and made a request to the County Administrator to send a message to all County Employees reminding them to not text while driving.

Supervisor Gorin asked that staff work with Caltrans to reduce the speed along Highway 12 where the tragic automobile accident occurred during the weekend and reported that she had attended the Ahwahnee Conference for Local Elected Officials in Yosemite.

Supervisor Carrillo announced that he had attended the Joint City of Santa Rosa/Sonoma County Southwest Annexation meeting; the Occidental Town Hall meeting regarding Occidental County Sanitation District compliance with permit discharge of recycled water; met with California Energy Commissioner Hochschild regarding Sonoma County Energy Independence Program; attended the Latino Caucus of California Counties; and will be hosting Town Hall meeting regarding Affordable Care forum for the Latino community with Congressman Thompson at Shepherd Elementary School.

BOARD ANNOUNCEMENTS (Continued)

Chairman Rabbitt reported that he had traveled to Sacramento on behalf of the North Bay Water Reuse Authority and attended Water Bonds related meetings; attended the California Seismic Safety Commission meeting; and the Golden Gate Bridge Highway and the Transportation District Board meeting. He made comments regarding the Highway 12 tragic automobile accident and needed signage for the curve along the highway and reported that he will be attending the California State Association of Counties Tribal Relations and Intergovernmental Relations committee meeting.

III. CONSENT CALENDAR (Items 1 through 10)

PRESENTATIONS/GOLD RESOLUTIONS  
(Items 1 through 2)

PRESENTATIONS AT BOARD MEETING

1. Adopt a Gold Resolution declaring March 2014 as National Professional Social Worker Month in Sonoma County. (Human Services/Health Services)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No.14-0091

2. Adopt a Gold Resolution proclaiming March 2014 as American Red Cross Month in Sonoma County. (County Administrator)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No.14-0092

COMMUNITY DEVELOPMENT COMMISSION

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

AND

BOARD OF SUPERVISORS

3. Approve a Substantial Amendment to Sonoma County Consolidated Plan Action Plan for Fiscal Year 2013-14 to provide \$433,300 in HOME Investment Partnerships funds to MidPen Housing Corporation for the Sonoma Springs Family Apartments project, and authorize the Executive Director of the Community Development Commission to take all actions and execute all documents required to receive the funds from the U.S. Department of Housing and Urban Development (HUD) and to provide them in the form of a loan to MidPen Housing Corp in accordance with the amended Action Plan for Fiscal Year 2013-14, Sonoma County Funding Policies, and Community Development Commission Loan Policies.

Board Action: Approved as Recommended

UNANIMOUS VOTE

CONSENT CALENDAR (Continued)

SONOMA COUNTY WATER AGENCY  
(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

4. 2150 West College Avenue Surplus Property Declaration -
  - (A) Adopt a Resolution determining that the Sonoma County Water Agency (Water Agency) real property located at 2150 College Avenue in Santa Rosa (Property) is no longer necessary to be retained for the uses and purposes of the Water Agency.
  - (B) Authorize the General Manager to take such steps as are necessary to accomplish the sale of the Property as required by State law, including notifying the appropriate state and local agencies of the Board's determination and the availability of the Property.
  - (C) Authorize the General Manager to file a Notice of Exemption in accordance with the California Environmental Quality Act. (Fifth District)

Board Action: Approved as Recommended  
UNANIMOUS VOTE  
Approved by Resolution No.14-0093

COUNTY ADMINISTRATOR

5. Approve and authorize the Chair to execute a Memorandum of Understanding between the Superior Court of Sonoma County and the County of Sonoma establishing the appointment and employment of the Chief Probation Officer.

Board Action: Approved as Recommended  
UNANIMOUS VOTE

PERMIT AND RESOURCE MANAGEMENT

6. Adopt a Resolution authorizing the Chair to execute a replacement Land Conservation Act (Williamson Act) Contract for 27.08 +/- acres requested by Katherine Philippakis for Sinskey Vineyards, Inc.; 23500 Ramal Road, Sonoma; APN 135-061-004 (File No. AGP13-0025). (First District)

Board Action: Approved as Recommended  
UNANIMOUS VOTE  
Approved by Resolution No.14-0094

7. Adopt a Resolution and Conditions of Approval for a Lot Line Adjustment between two parcels under Land Conservation Act (Williamson Act) Contract owned by Sonoma County Agricultural Preserve and Open Space District and William Cresta, for properties located at 3000 and 3035 Porter Creek Road, Santa Rosa; APN's 079-090-008, 179-020-033, and 079-090-012 (File No. LLA13-0050). (First District)

Board Action: Approved as Recommended  
UNANIMOUS VOTE  
Approved by Resolution No.14-0095



CONSENT CALENDAR (Continued)

TRANSPORTATION AND PUBLIC WORKS

8. Adopt a Resolution authorizing the filing of an application for Fiscal Year 2013-14 Transit Performance Initiative (TPI) Incentive Program funding in the amount of \$173,052 through the Metropolitan Transportation Commission, committing necessary matching funding and stating the assurance to complete the project. (First District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No.14-0096

MISCELLANEOUS

9. Approve the minutes of the Special Meeting of February 21, 2014 of the Board of Supervisors.

Board Action: Approved as Recommended

UNANIMOUS VOTE

APPOINTMENTS/REAPPOINTMENTS

(Item 10)

10. Appoint Katherine A. Higgins to the Sonoma County Commission on the Status of Women for a term of two years expiring March 18, 2016. (Second District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

IV. REGULAR CALENDAR (Items 11 through 17)

ECONOMIC DEVELOPMENT BOARD

9:19 A.M. Supervisor Gorin left the meeting

9:21 A.M. Supervisor Gorin rejoined the meeting

11. Receive a presentation of the Annual Report for 2013 and the 2014 Marketing Plan prepared by Sonoma County Tourism and ongoing program initiatives.

9:20 A.M.

Present:

Ben Stone, Economic Development Board Executive Director  
Pauline Wood, Chairperson, Sonoma County Tourism Board of Directors  
Ken Fischang, President/CEO, Sonoma County Tourism Bureau  
Mark Crabb, Chief Sales Officer, Sonoma County Tourism Bureau  
Tim Zahner, Chief Marketing Officer, Sonoma County Tourism Bureau

Information Only.

10:28 A.M. The Board recessed

10:44 A.M. The Board reconvened

INFORMATION SYSTEMS

12. Authorize the Director of the Information Systems Department to execute a Professional Services Agreement with Nexus IS, Inc. for the daily operational support of the new Cisco Unified Communications System (Voice over IP) for a total not to exceed \$821,071 for the period March 19, 2014 to March 18, 2015; and Pursuant to Government Code §7522.56 and required findings, certify the appointment of Louis Maricle as a Communications Manager Retiree Extra-Help, in order to fill a critically needed position within 180 days of his retirement, with an appointment date as early as March 24, 2014.

10:44 A.M.

Present: John Hartwig, Director - Information Systems Department, and Dan Fruchey, Information Systems Division Director

Board Action: Approved as Recommended  
UNANIMOUS VOTE

REGULAR CALENDAR (Continued)

HEALTH SERVICES

13. Pursuant to Government Code §7522.56 and required findings, certify that appointment of Mr. Mark Ruddick as a Dairy Inspector (Retiree Extra-Help) is necessary to fill a critically needed position within 180 days of his retirement and approve his hiring date as early as March 18, 2014.

10:57 A.M.

Present: Ellen Bauer, Public Health Division Director and Christine Sosko, Department of Health Services

Board Action: Approved as Recommended  
UNANIMOUS VOTE

TRANSPORTATION AND PUBLIC WORKS

14. Adopt a Resolution authorizing the issuance and sale of a County Note in the amount of \$1,000,000 with a term ending March 31, 2015 to purchase land for approach protection for the Sonoma County Airport. (Fourth District)

10:58 A.M.

Present: Jon Stout, Airport Manager

Board Action: Approved as Recommended  
UNANIMOUS VOTE

Approved by Resolution No.14-0097

COMMUNITY DEVELOPMENT COMMISSION  
(Commissioners: Gorin, Rabbitt, Zane, McGuire, Carrillo)

15. Adopt a Resolution electing to have the Sonoma County Community Development Commission become subject to the Uniform Construction Cost Accounting policies and procedures of the California Uniform Public Construction Cost Accounting Commission; and adopt a Resolution introducing, reading the title of, and waiving further reading of an ordinance entitled "An Ordinance of the Sonoma County Community Development Commission Establishing an Informal Bidding Process for Certain Public Projects." (First Reading)

10:59 A.M.

Present: John Haig, Community Development Commission Redevelopment Manager

Board Action: Approved as Recommended  
UNANIMOUS VOTE

Approved by Resolution No.14-0098 and 14-0098a

REGULAR CALENDAR (Continued)

BOARD OF SUPERVISORS / COUNTY ADMINISTRATOR

16. Board of Supervisors 2014 Priorities - (A) Receive Chair appointments to Board Ad-Hoc committees on facilities and fire services; and (B) Affirm Board priorities for 2014 identified in the Board's February 21, 2014 Study Session.

11:02 A.M.

Present: Veronica Ferguson, County Administrator, and Peter Rumble, Deputy County Administrator

Speaker:

Michael Weinberg

The Board directed staff to add the following items to the 2014 list of priorities:

1. Under "Improve community's health to achieve Healthiest County by 2020: Homeless Services/Affordable Housing" - add pursue the consent of housing for veterans and work proximity housing fund.
2. Under "Support Immigrants and Families" - add hospitality/tourism related housing and conducting an assessment on living wage
3. Under "Economic development, education, and jobs for the benefit of all" - add comprehensive approach
4. Under "Ensure the long-term fiscal health of the County organization - add revisit the pension reform plan
5. Under "Highest and best use of County facilities and systems: Online bill pay capability"- add platform wide with regard to modernization
6. Under "Professionally manage County organization that is responsive to community needs" - add water quality and waste water system.
7. Return to the Board on local tax measure for priorities.

Board Action: (A) Appoint Supervisor Gorin and Supervisor Zane to the Facilities Ad Hoc Committee and Supervisor McGuire and Supervisor Carrillo to the Fire Services Ad hoc Committee; and (B) Affirm Board priorities for 2014 identified in the Board's February 21, 2014 Study Session and direction given to staff.

UNANIMOUS VOTE

BOARD OF SUPERVISORS

17. Approve a fee waiver in the amount of \$362 for Phi Theta Kappa Honors Society Club for the Santa Rosa Junior College Phi Theta Kappa Student Food Pantry at the Santa Rosa Junior College Barnett Hall Kiosk. (Third District)

12:22 P.M.

Board Action: Approved as Recommended

UNANIMOUS VOTE

12:22 P.M. The Board recessed to closed session.

V. CLOSED SESSION CALENDAR (Items 18 through 24)

2:18 P.M. Counsel Goldstein reported on Closed Session Items #18-22. The Board recessed into Closed Session after Item #28 to address Items #23-24.

4:53 P.M. The Board reconvened from Closed Session. Counsel Goldstein reported on Closed Session Items #23-24.

18. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - Name of Case: Bodega Bay Concerned Citizens v. County of Sonoma, et al. Sonoma County Superior Court SCV 250521(Govt. Code Section 54956.9(d)(1)).

Board Action: The Board approved settlement whereby the Bodega Bay Public Utility District will pay \$35,000 to the petitioners. There is no payment by the County to the petitioners in the lawsuit and direction is given to Counsel to sign all documents necessary to effectuate the settlement.

UNANIMOUS VOTE

19. The Board of Supervisors and the Board of Directors of the Sonoma County Water Agency will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - Name of Case: City of Santa Rosa v. Cohen, et al., Sacramento County Superior Court Case No. 34-2014-80001759 (Govt. Code Section 54956.9(d)(1)).

Direction was given to Counsel.

20. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - Name of Case: County of Sonoma v. Danny Nakash Sonoma County Superior Court, SCV 253378 (Govt. Code Section 54956.9(d)(1)).

Board Action: The Board approved the settlement of the code enforcement case against Danny Nakash in the compromised amount of \$12,194.57, payable to the County over a specified time period. Direction was given to County Counsel to sign all documents necessary to effectuate the settlement.

UNANIMOUS VOTE

21. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - Name of Case: Friends of Lafferty Park, et al. v. County of Sonoma, et al.; Sonoma County Superior Court Case No. SCV-253148 (Govt. Code Section 54956.9(d)(1)).

Direction was given to Counsel and staff to continue to participate in settlement discussions to facilitate resolution of the dispute.

22. The Board of Supervisors will consider the following in closed session: Public Employee Performance Evaluation - Title: Human Resources Department Director (Govt. Code Section 54957(b)(1)).

Direction was given to staff.

CLOSED CALENDAR (Continued)

23. 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. Employee organization: All. Unrepresented employees: All, including retired employees (Govt. Code Section 54957.6 (b)).

Direction was given to the labor negotiators and Counsel.

24. The Board of Supervisors will consider the following in closed session: Public Employee Performance Evaluation - Title: Human Services Department Director (Govt. Code Section 54957(b)(1)).

Direction was given to staff.

VI. REGULAR AFTERNOON CALENDAR (Items 25 through 29)

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

Supervisors Present: Susan Gorin, David Rabbitt, Shirlee Zane, Mike McGuire, Efren Carrillo

Staff Present: Veronica Ferguson, County Administrator and Bruce Goldstein, County Counsel

25. Report on Closed Session.

2:18 P.M. Counsel Goldstein reported on Closed Session Items #18-22. See Section V. The Board will reconvene into Closed Session after Item #28 to address Items #23-24.

26. PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA (Comments are restricted to matters within the Board's 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. While members of the public are welcome to address the Board, under the Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally may only listen.)

2:19 P.M. Public Comment Opened

Bill Kortum  
Larry King  
Richard Hannan  
Mary Morrison  
Michelle Miller

2:37 P.M. Supervisor Zane left the meeting  
2:38 P.M. Supervisor Zane joined the meeting

John Jenkel  
Rebel Fagin  
Annette S. Elder  
Colleen Fernald

2:55 P.M. Public Comment Closed

27. Permit and Resource Management Department: Review and possible action on the following:
- a) Acts and Determinations of Planning Commission/Board of Zoning Adjustments
  - b) Acts and Determinations of Project Review and Advisory Committee
  - c) Acts and Determinations of Design Review Committee
  - d) Acts and Determinations of Landmarks Commission
  - e) Administrative Determinations of the Director of Permit and Resource Management

REGULAR AFTERNOON CALENDAR (Continued)

2:55 P.M. No Acts or Determinations were acted on or reviewed.

2:55 P.M. David Hurst, Deputy County Counsel joined the Board replacing Counsel Goldstein.

PERMIT AND RESOURCE MANAGEMENT

28. 2:10 P.M. - ZCE09-0032 - (FOURTH DISTRICT)

- a) APPLICANT: Ed Brady and Maureen McSorley, applicant for Richard and Donna Sanfilippo, owners
- b) LOCATION: 1515 Gumview Road, Windsor
- c) ASSESSOR'S PARCEL NO.: 066-030-078
- d) ENVIRONMENTAL DOCUMENT: Categorical Exemption
- e) REQUEST: Conduct a public hearing and consider adopting a Resolution and Ordinance to rezone a 2.01 acre parcel to add the Frozen Lot Size (B7) combining zone to fulfill a condition of previously approved Lot Line Adjustment and eliminate future subdivision potential for property.

2:55 P.M.

2:56 P.M. Public Hearing Opened

2:56 P.M. Public Hearing Closed

Board Action: Adopt A Resolution Finding That The Project Is Exempt From CEQA And Approve The Zone Change To Add The B7 (Frozen Lot Size) Combining District As Requested By Ed Brady And Maureen McSorley, Applicant For Richard And Donna Sanfilippo, Owners, For Property Located At 1515 Gumview Road, Windsor; APN 066-030-078.

UNANIMOUS VOTE

Approved by Resolution No.14-0099

Board Action: Adopt An Ordinance Amending The Official Zoning Database Of The County Of Sonoma, Adopted By Reference By Section 26-02-110 Of The Sonoma County Code, By Reclassifying Certain Real Property From RR (Rural Residential), B6-1 Acre Density District(s) To The RR (Rural Residential), B7 (Frozen Lot Size) District For 2.01 Acres Located At 1515 Gumview Road, Windsor, APN 066-030-078.

UNANIMOUS VOTE

Approved by Ordinance No. 6061

2:56 P.M. The Board recessed into Closed Session to address Items #23-24.

4:53 P.M. The Board reconvened from Closed Session.



29. ADJOURNMENTS

4:55 P.M. The Board adjourned the meeting in memory of Sharon Hufford, Sue Hufford, David Aggio, and Gus Hermoso. The meeting was adjourned to March 21, 2014 at 1:00 P.M.

Respectfully submitted,

Michelle Arellano  
Chief Deputy Clerk of the Board

## **ACTION SUMMARY**

**SPECIAL MEETING OF THE  
COUNTY OF SONOMA  
BOARD OF SUPERVISORS  
FRIDAY, MARCH 21, 2014  
575 ADMINISTRATION DRIVE, ROOM 102A  
SANTA ROSA, CALIFORNIA**

---

The Board of Supervisors of the County of Sonoma met this date in adjourned session with the following members present: Susan Gorin, David Rabbitt, Shirlee Zane, Mike McGuire, Efren Carrillo

Chairman David Rabbitt presiding

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

### **I. CALL TO ORDER**

1:04 P.M. Chairman Rabbitt called the meeting to order.

### **II. PLEDGE OF ALLEGIANCE**

### **III. PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA - None.**

1:05 P.M. The Board recessed to closed session.

### **IV. CLOSED SESSION CALENDAR**

1. The County of Sonoma Board of Supervisors will meet in closed session for the following: Public Employee Appointment: Health Officer (Govt. Code Section 54957(b)(1)).

### **V. ADJOURN**

4:05 P.M. Adjourn to March 25, 2014 at 8:30 A.M.

Respectfully submitted,

Michelle Arellano, Chief Deputy Clerk

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

**TUESDAY**

**MARCH 25, 2014**

**8:30 A.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, and as the governing board of all special districts having business on the agenda to be heard this date.

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***APPROVAL OF THE CONSENT CALENDAR***

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***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. Closed session items may be added prior to the Board adjourning to closed session. 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. While members of the public are welcome to address the Board, under the Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally may only listen.

8:32 A.M. CALL TO ORDER

8:32 A.M. Chairman Rabbitt called the meeting to order.

Supervisors Present: Susan Gorin, David Rabbitt, Shirlee Zane, Mike McGuire, Efren Carrillo

Staff Present: Veronica A. Ferguson, County Administrator and Sheryl Bratton, County Counsel

Chairman Rabbitt presiding.

PLEDGE OF ALLEGIANCE

I. APPROVAL OF THE AGENDA (Items may be added or withdrawn from the agenda consistent with State law)

Chairman Rabbitt announced that consent item #4 had been pulled from the agenda and he noted a correction to the title for regular afternoon item #34 clarifying that the project site is in the Third District, not the Fourth.

II. BOARD MEMBER ANNOUNCEMENTS

Supervisor Carrillo provided the Board with a Fort Ross road update.

Supervisor Gorin announced that she had attended the Sonoma County First 5 Commission meeting.

Supervisor Zane announced that she had attended the Sonoma County Waste Management Agency Board meeting; the Sonoma Marin Area Rail Transit Board meeting; spoke at the Redwood Credit Union Financial Literacy Academy; and will host the showing of the Academy Award winning film The Invisible War on April 1, 2014. She asked the Board to consider sending a letter in support of the California Education and Resource Reinvestment Act SB 117.

Supervisor McGuire reported that a Geyserville Town Hall meeting is scheduled April 1, 2014 to discuss sidewalks and public restrooms, and a Biological Opinion Dry Creek Restoration Project meeting will be held on April 24, 2014. He acknowledged the Mental Health Counseling program in local high schools.

Chairman Rabbitt announced that he had attended the Sonoma Marin Area Rail Transit Board meeting; the Sonoma County Employees Retirement Association meeting; the Association of Bay Area Governments Legislative Committee, Financial, Personnel and Executive Board meetings; and a JPC meeting with the Metropolitan Transportation Commission, Bay Conservation Development Commission and the Bay Area Air Quality Management Board.

III. CONSENT CALENDAR (Items 1 through 19)

PRESENTATIONS/GOLD RESOLUTIONS

(Items 1 through 3)

PRESENTATIONS AT BOARD MEETING

1. Adopt Gold Resolution supporting the dedication of a portion of Highway 116, in the Jenner area, in memory of Deputy Sheriff Merrit W. Deeds upon the upcoming 40th anniversary of his death. (Fifth District/Sheriff's Office)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No.14-0100

PRESENTATIONS AT DIFFERENT DATE

2. Adopt a Gold Resolution honoring California resident and U.S. Army veteran Kate Weber as a powerful activist for military rape survivors, and an inspiration for those seeking to find their voice after enduring significant trauma. (Third District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No.14-0101

3. Adopt a Gold Resolution proclaiming the week of April 7 to April 13, 2014 as Public Health Week in Sonoma County. (Health Services)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No.14-0102

AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

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

4. Adopt a Resolution (1) making findings in support of proposed amendment to Windsor Town Green Conservation Easement increasing the area of protected land by 3,731 square feet and (2) authorizing the President to execute amendment agreement documents. (Fourth District)

Item #4 was pulled from the agenda.

COMMUNITY DEVELOPMENT COMMISSION

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

5. Adopt an Ordinance of the Sonoma County Community Development Commission Establishing an Informal Bidding Process for Certain Public Projects based the Uniform Construction Cost Accounting Act. (Second Reading - Ready for Adoption.)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Ordinance No. 6062

CONSENT CALENDAR (Continued)

SONOMA COUNTY WATER AGENCY

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

6. Authorize the Chair to terminate the 2009 Renewable Energy Purchase Agreement between Power and Water Resource Pooling Authority (PWRPA) and the Sonoma County Water Agency (Water Agency) for Warm Springs Dam Power; and execute the 2014 Renewable Energy Purchase Agreement between PWRPA and the Water Agency for Warm Springs Dam power for a term of ten years.

Board Action: Approved as Recommended

UNANIMOUS VOTE

7. Authorize General Manager of Water Agency to execute an agreement with Kennedy/Jenks Consultants to conduct scoping studies to evaluate development of Russian River modeling and a Geographic Information Management system for \$225,000; agreement terminates on December 31, 2015.

Board Action: Approved as Recommended

UNANIMOUS VOTE

BOARD OF SUPERVISORS

8. Adopt a Resolution supporting a coordinated regional approach to protecting the ecosystem health and the need for fresh water for the San Francisco Bay-Delta estuary. (Second District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No.14-0103

GENERAL SERVICES

9. Authorize the Director of General Services to execute an Operator's License Agreement with Nabi Baitsaeed, a sole proprietor, for provision of food services within portions of the County Administration Building and the Hall of Justice, for a term of five (5) years with one (1) option to extend, and generating annual revenues in the amount of twenty-three thousand, three hundred thirty-seven dollars (\$23,337), subject to annual increases. (4/5 vote required)

Board Action: Approved as Recommended

UNANIMOUS VOTE

PERMIT AND RESOURCE MANAGEMENT

10. Adopt a Resolution to approve an application to replace an existing Land Conservation Act (Williamson Act) Contract with a new Land Conservation Act Contract for agricultural land planted in wine grapes for 20.71 acres requested by James Alex Vyborny; 1600 Highway 128, Geyserville; APN 141-170-029 (File No. AGP13-0026). (Fourth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No.14-0104

CONSENT CALENDAR (Continued)

11. Adopt a Resolution approving changes to the Conditions, Covenants & Restrictions requested by the Sonoma Greens Condominium Association to include (a) restriction on the number of units that can be rented; (b) require review by the Permit and Resource Management Department of any changes to the Conditions, Covenants, and Restrictions related to the conditions of approval of the Sonoma Greens Condominiums; and (c) re-establish the County as a third party beneficiary. The Sonoma Greens Condominiums are located at the intersection of Cherry Avenue and Railroad Avenue, Sonoma; Assessor's Parcel Numbers: Book 52, Page 86 all parcels on the page (File No. ZPE13-0368). (First District)

Speaker: Barbara Zimmerman

Board Action: Approved as Recommended  
UNANIMOUS VOTE  
Approved by Resolution No.14-0105

REGIONAL PARKS

12. Authorize the Director of Regional Parks to extend the current Revocable License Agreement with North Coast Fisheries at the Mason's Marina fish-buying dock, on a month-to-month basis for a minimum of \$2,500 per month with North Coast Fisheries while Regional Parks prepares a competitive bid process for the property. (Fifth District)

Board Action: Approved as Recommended  
UNANIMOUS VOTE

13. Adopt a Resolution authorizing the Director of Regional Parks to apply for \$990,000 in grant funding from the California Division of Boating & Waterways for construction of improvements for boat launch to meet the needs of watercraft users and provide other public amenities to those utilizing the facility at Doran Beach Regional Park. (Fifth District)

Board Action: Approved as Recommended  
UNANIMOUS VOTE  
Approved by Resolution No.14-0106

14. Adopt a Resolution approving the request to Metropolitan Transportation Commission by the County of Sonoma for an allocation of Transportation Development Act Article 3 Pedestrian and Bicycle Project funding for Fiscal Year 2014-2015. (Fifth District)

Board Action: Approved as Recommended  
UNANIMOUS VOTE  
Approved by Resolution No.14-0107

15. Authorize the Chair to execute multi-year, as-needed professional agreements for the following professional services and "not to exceed" amounts for each contractor:

- (A) Architectural and access compliance (\$100,000): Glass Architects, Oscia Wilson Architects, Inc., dba Boiled Architecture, RossDrulisCusenbery Architecture, Inc., VPRM, Inc., dba STRATAap;

CONSENT CALENDAR (Continued)

Item #15 Continued

- (B) Boat launch and marina civil engineering (\$250,000): Ben C. Gerwick, Inc., CLE Engineering, Inc. Moffatt & Nichol, Noble Consultants, Incorporated
- (C) Civil and bio-engineering (\$250,000): BKF Engineers, Brelje & Race Consulting Engineers, Coastland Civil Engineering, Inc., EBA Engineering, Environmental Science Associates, Green Valley Consulting Engineers, Inc., Prunuske Chatham, Inc., Questa Engineering Corporation
- (D) Cultural resources (\$100,000): Alta Archaeological Consulting, LLC, Environmental Science Associates, Garcia and Associates, Tom Origer & Associates
- (E) Environmental and regulatory processing (\$100,000): Analytical Environmental Services, Environmental Science Associates, LSA Associates, Inc., Questa Engineering Corporation

Board Action: Approved as Recommended  
UNANIMOUS VOTE

SHERIFF'S OFFICE

- 16. Approve and authorize the Sheriff to execute Amendment No. 2 to the agreement for maintenance of fingerprint identification equipment with 3M Cogent, Inc. to extend the agreement one additional year, from April 1, 2014 to March 31, 2015, for an amount not to exceed \$150,000.

Board Action: Approved as Recommended  
UNANIMOUS VOTE

SHERIFF'S OFFICE / PROBATION

- 17. Authorize the Sheriff and Chief Probation Officer, on behalf of the County, to jointly execute a professional services agreement with BI Inc., to operate an adult offender Electronic Monitoring Program for the period of April 1, 2014 through March 31, 2016, in the amount of \$320,000.

Board Action: Approved as Recommended  
UNANIMOUS VOTE

APPOINTMENTS/REAPPOINTMENTS

(Items 18 through 19)

- 18. Appoint Mary Kaufmann to the Sonoma County Advisory Council on Area Agency on Aging for a two year term effective March 25, 2014. (First District)

Board Action: Approved as Recommended  
UNANIMOUS VOTE

- 19. Appoint Karen Collins to the Sonoma County Parks and Recreation Advisory Commission effective March 25, 2014 and expiring March 25, 2016. (First District)

Board Action: Approved as Recommended  
UNANIMOUS VOTE



IV. REGULAR CALENDAR (Items 20 through 26)

HEALTH SERVICES / HUMAN SERVICES/  
ECONOMIC DEVELOPMENT BOARD / HUMAN RESOURCES

20. County of Sonoma Affordable Care Act Implementation Update -

- (A) Receive update on Sonoma County Implementation of the Patient Protection and Affordable Care Act.
- (B) Authorize the Director of Health Services to execute an agreement with Redwood Community Health Coalition for health insurance enrollment assistance services for the period April 1, 2014 through June 30, 2016 in an amount not to exceed \$149,650.

9:02 A.M.

Present:

Tammy Chandler, Health Services Assistant Director  
Jerry Dunn, Human Services Director  
Marcia Chadbourne, Human Resources Department Risk Manager  
Al Lerma, Economic Development Board

Speakers:

Victor McKnight, Edgewood Partners Insurance Center  
Kim Seamans, Human Services Division Director  
Kelly Windsor

Board Action: Approved as Recommended  
UNANIMOUS VOTE

10:39 A.M. Board recessed

10:55 A.M. Board reconvened

COUNTY ADMINISTRATOR / FIRE AND EMERGENCY SERVICES

AND

SONOMA COUNTY WATER AGENCY

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

21. Receive update on response to drought and adopt a 30 day extension of the Resolution proclaiming a drought emergency in Sonoma County.

10:56 A.M.

Present:

Veronica Ferguson, County Administrator  
Al Terrell, Fire Chief  
Chris Helgren, Emergency Manager  
Grant Davis, Sonoma County Water Agency General Manager  
Peter Rumble, Deputy County Administrator

REGULAR CALENDAR (Continued)

Item #21 Continued

Speakers:

Chris De Gabriel, Technical Advisory Committee

Brenda Adelman

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No.14-0108

TRANSPORTATION AND PUBLIC WORKS / COUNTY ADMINISTRATOR

22. Pavement Preservation Program -

- (A) Receive overview of current Roads financing.
- (B) Approve the proposed 2014 Pavement Preservation Program and various one-time expenditures totaling \$9.8 million, to be financed by the Fiscal Year 2013-14 General Fund allocation.
- (C) Receive a report regarding the 2013 Pavement Management Program Update prepared by Harris & Associates.

11:56 A.M.

Present:

Veronica Ferguson, County Administrator

Susan Klassen, Director of Transportation and Public Works

Jason Nutt, Deputy Director of Transportation and Public Works

Tom O'Kane, Deputy Director Engineering & Maintenance, Transportation and Public Works

Speakers:

Craig Harrison

Ken Adelson

Rob Shiperly

Ken Churchill

Michael Troy

Gina Cuclis

Kelly Windsor

Board Action: Approved as Recommended

UNANIMOUS VOTE

SONOMA COUNTY WATER AGENCY

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

- 23. Consider rate agreement with Power and Water Resource Pooling Authority (PWRPA) for the Astoria II Solar Project for up to 5 MW of solar power for a term of 20 years, and

REGULAR CALENDAR (Continued)

Item #23 Continued

authorize the Water Agency's General Manager to execute the Rate Agreement with Power and Water Resources Pooling Authority.

1:39 P.M.

Speaker:

Bob Williamson

Board Action: Approved as Recommended

UNANIMOUS VOTE

GENERAL SERVICES / AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR

AND

SONOMA COUNTY WATER AGENCY

SONOMA COUNTY PUBLIC FINANCING AUTHORITY

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

24. Sonoma County Energy Independence Program Update -

- (A) Accept update report on Sonoma County Energy Independence Program; and
- (B) Acting as the Board of Directors of the Sonoma County Public Financing Authority: Adopt a Resolution and approve agreements authorizing continued issuance and sale of revenue bonds, and loan of funds to the County, to fund the Sonoma County Energy Independence Program; and
- (C) Acting as the County Board of Supervisors: Adopt three (3) Resolutions authorizing the Treasurer to invest in bonds issued by the Public Financing Authority, and authorizing execution of various related agreements, including a bond purchase agreement and a loan agreement; and receive an update on the program activity of the Sonoma County Energy Independence Program (SCEIP); and
- (D) Acting as the Directors of the Sonoma County Water Agency: Adopt a Resolution withdrawing funds from the County Treasury Pool, and authorizing the withdrawn funds to be invested in Sonoma County Energy Independence Program bonds as a long-term Water Agency investment; and
- (E) Acting as the County Board of Supervisors: Authorize the Program Administrator to take necessary actions to participate in the California Alternative Energy and Advanced Financing Authority (CAEATFA) PACE Loss Reserve Program.

1:40 P.M.

Chairman Rabbitt announced that the Board would consider action items B through E, and Action A would be brought back at a later date.

REGULAR CALENDAR (Continued)

Item #24 Continued

Present: Jane Elias, Sonoma County Energy Independence Program Manager

Speaker:

Ken Churchill

Board Action:

- (B) Acting as the Board of Directors of the Sonoma County Public Financing Authority: Adopt a Resolution and approve agreements authorizing continued issuance and sale of revenue bonds, and loan of funds to the County, to fund the Sonoma County Energy Independence Program; and
- (C) Acting as the County Board of Supervisors: Adopt three (3) Resolutions authorizing the Treasurer to invest in bonds issued by the Public Financing Authority, and authorizing execution of various related agreements, including a bond purchase agreement and a loan agreement; and receive an update on the program activity of the Sonoma County Energy Independence Program (SCEIP); and
- (D) Acting as the Directors of the Sonoma County Water Agency: Adopt a Resolution withdrawing funds from the County Treasury Pool, and authorizing the withdrawn funds to be invested in Sonoma County Energy Independence Program bonds as a long-term Water Agency investment; and
- (E) Acting as the County Board of Supervisors: Authorize the Program Administrator to take necessary actions to participate in the California Alternative Energy and Advanced Financing Authority (CAEATFA) PACE Loss Reserve Program.

UNANIMOUS VOTE

Approved by Resolutions No. 14-0109, 14-0110, 14-0111, 14-0112, 14-0113

HUMAN RESOURCES

AND

AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

COMMUNITY DEVELOPMENT COMMISSION

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

SONOMA COUNTY WATER AGENCY

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

- 25. Accept staff report on a conceptual design for an Incentive Retirement Savings Plan which would include County contributions and matching of employee savings for retirement consistent with the Board's Pension Reform goals

Item #25 was continued to April 8, 2014.

REGULAR CALENDAR (Continued)

BOARD OF SUPERVISORS

26. Approve waiver of health inspection fees in the amount of \$7,739.88 for 14 facilities throughout Sonoma County for the Council on Aging's Congregate Dining Sites and Adult Day Programs where meals are served to seniors throughout Sonoma County. (All Districts)

1:47 P.M.

Board Action: Approved as Recommended  
UNANIMOUS VOTE

1:47 P.M. The Board recessed to closed session.

V. CLOSED SESSION CALENDAR (Items 27 through 29)

2:21 P.M. Assistant County Counsel Sheryl Bratton reported on Closed Session Items #27-29.

27. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Anticipated Litigation or Significant Exposure to Litigation (Govt. Code Section 54956.9(d)(4)).

Direction was given to Counsel. Delegated County Counsel the authority to amend a legal contract without site council by increasing the not to exceed amount from \$95,000 to \$195,000.

28. 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. Employee organization: All. Unrepresented employees: All, including retired employees (Govt. Code Section 54957.6 (b)).

Item was withdrawn.

29. The Board of Supervisors will consider the following in closed session: Public Employee Performance Evaluation - Title: Permit and Resource Management Department Director (Govt. Code Section 54957(b)(1)).

Item was withdrawn.

VI. REGULAR AFTERNOON CALENDAR (Items 30 through 36)

2:21 P.M. - RECONVENE FROM CLOSED SESSION

Supervisors Present: Susan Gorin, David Rabbitt, Mike McGuire, Efren Carrillo

Supervisor Absent: Shirlee Zane

Staff Present: Veronica Ferguson, County Administrator and Sheryl Bratton, Assistant County Counsel

30. Report on Closed Session.

2:21 P.M. Assistant County Counsel Sheryl Bratton reported on Closed Session Items #27-29. See Section V.

31. PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA (Comments are restricted to matters within the Board's 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. While members of the public are welcome to address the Board, under the Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally may only listen.)

2:21 P.M. Public Comment Opened

Colleen Fernald

2:23 P.M. Supervisor Zane joined the meeting

Rachel Lam  
Michelle Miller  
Richard Hannan  
John Jenkel  
Katie Sanchez  
Dawn Clayton  
Jessica Ramirez  
Diane Mendoza

2:50 P.M. Public Comment Closed

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

2:50 P.M. There were no Acts or Determinations to be acted on or reviewed.

REGULAR AFTERNOON CALENDAR (Continued)

33. PLP12-0009 - (FOURTH DISTRICT)

- a) APPLICANT: Windsor Oaks Winery
- b) APPELLANT: Dave and Joy Koch
- c) LOCATION: 10810 Hillview Road, Windsor
- d) ASSESSOR'S PARCEL NO.: 086-100-016 and 161-020-043
- e) ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration
- f) REQUEST: Conduct a public hearing and consider adopting a Resolution denying the appeal and upholding the Board of Zoning Adjustment's approval of the request for a phased Use Permit and Design Review for an existing winery to increase production, add public and private tasting, retail sales, tours, agricultural promotional events, weddings, and participate in industry-wide events.

2:50 P.M.

2:52 P.M. David Hurst, Deputy County Counsel joined the Board replacing Assistant County Counsel Bratton

Present: Traci Tesconi, Project Planner and Jennifer Barrett, Deputy Director Planning, Permit and Resource Management Department

Speakers:

Mike Merrill, Appellant  
Joy Koch  
David Koch  
Steve Martin, Applicant  
Fred Svinth  
Robert M. Miller  
Douglas Lumgair  
Stephen Butler  
Bob Stein

3:48 P.M. Public Hearing Opened

Erika Jansson  
Michael L. Murphy  
Lukhbir Gill  
Louis Gonzalez  
Hardi Gill  
Frank Hubach  
Bruce W. Hagen  
Edna Honza  
Sandra Hognestad  
Seth Trunwick  
Kent Julin  
Sam Salmon  
Lindsay Schwartz



REGULAR AFTERNOON CALENDAR (Continued)

Item #33 (Continued)

Public Hearing (Continued)

Mike Hyjack

Marie Beckner

4:26 P.M. Public Hearing Closed

4:39 P.M. Supervisor Zane left the meeting

4:43 P.M. Supervisor Zane joined the meeting

The Board gave direction to staff to revise the Conditions of Approval to reflect the following additional requirements: Add rubberized asphalt in specific areas near the neighbor's horse arena; enhance landscaping near that arena; provide traffic calming measures including valley gutters at 400 feet North and South of the horse arena; reduce the speed limit from 25 miles an hour to 20 miles an hour; add signage at three main points on the road including quiet zone signage; include in event contracts such as weddings about the road requirements and provide increased awareness of residential neighbors; and work with a specialist on oak tree preservation, landscape maintenance and irrigation.

STRAW VOTE:

Board Action: Straw Vote To Adopt A Resolution Continuing The Final Decision To Revise The Conditions Of Approval, Deny The Appeal, Adopting A Mitigated Negative Declaration And Granting A Phased Use Permit And Design Review For The Expansion Of An Existing Winery (Windsor Oaks Winery) To Increase Maximum Annual Production Capacity From 43,000 To 100,000 Cases, Enlarge The Existing Winery Buildings, Add A New Winery Building, Add Public And Private Tasting Rooms, With Retail Sales, And Public Tours, And To Allow 22 Agricultural Promotional Events Per Year With A Maximum Range Of Guests To Include: 8 Events With 60 Guests, 10 Events With 100 Guests, One Event With 300 Guests, Three Weddings Per Year With A Maximum Of 100 Guests, And Participation In Industry-Wide Events Consisting Of A Total Of 10 Annual Event Days With 300 Maximum Guests On 471.89 Acres, For Property Located At 10810 Hillview Road, Windsor; APN 086-100-016 And APN 161-020-043, Fourth District To April 22, 2014 on The Consent Calendar.

UNANIMOUS VOTE

Approved by Resolution No.14-0114

4:55 P.M. The Board recessed

5:06 P.M. The Board reconvened

Supervisor Absent: Mike McGuire

34. PLP13-0030 - (THIRD DISTRICT)
  - a) APPLICANT: Asa Shaeffer
  - b) LOCATION: 4170 Santa Rosa Avenue, Santa Rosa
  - c) ASSESSOR'S PARCEL NO.: 045-290-097
  - d) ENVIRONMENTAL DOCUMENT: Categorical Exemption

REGULAR AFTERNOON CALENDAR (Continued)

Item #34 Continued

- e) REQUEST: Conduct a public hearing and consider adopting a Resolution denying the Use Permit and Design Review application for Sonoma County Collective, a level II Medical Marijuana Dispensary.

5:06 P.M.

5:07 P.M. Supervisor McGuire joined the meeting

Present: Blake Hillegas, Project Planner, and Jennifer Barrett, Deputy Director Planning, Permit and Resource Management Department

Speakers:

Arthur D. Hodge, Attorney for the Applicant

5:54 P.M. Public Hearing Opened

Gibson Best  
Robert Delaney  
Joshua Dobrow Cacci  
Jessica Morell  
David Lloyd  
Lauren Myers  
Gabriel Dolce-Pacheco  
Robert Park  
Jason Reid  
Taylor DeArmon  
Whitney Camacho  
Alfonso Velazquez  
Daniel Burdick  
Christine Weiss  
Robert W. Semmons  
Matthew Atkinson  
Robert Vosgrau  
Jack Baker  
Anne Musso  
Shawn Shaeffer  
Kate Silva  
Valerie Brunamayer  
Tim Paylen  
Shirley Bucerro  
Chatanel \_\_\_\_\_  
Jessie Stevenson  
\_\_\_\_\_ Cardenas

6:34 P.M. Public Hearing Closed

REGULAR AFTERNOON CALENDAR (Continued)

Item #34 Continued

Board Action: Adopt a Resolution Denying A Request For A Use Permit For A Level II Medical Cannabis Dispensary for Sonoma County Collective At 4170 Santa Rosa Avenue, Santa Rosa, APN 045-290-097 (File No. PLP13-0030).

AYES: Shirlee Zane, Mike McGuire, Susan Gorin, David Rabbitt

NOES: Efren Carrillo

Approved by Resolution No.14-0115

7:05 P.M. The Board recessed

7:15 P.M. The Board reconvened

35. UPE13-0065 - (SECOND DISTRICT)

a) APPLICANT: Republic Service of Sonoma County, Inc.

b) LOCATION: 500 Meacham Road, Cotati

c) ASSESSOR'S PARCEL NO.: 024-080-019 & 030

d) ENVIRONMENTAL DOCUMENT: Subsequent Mitigated Negative Declaration

e) REQUEST: Conduct a continued public hearing on the request for a Use Permit for a recycling/materials recovery at the County's Central Disposal site (i.e. landfill) and conduct a vote on the Subsequent Mitigated Negative Declaration and Project.

7:15 P.M.

Present: Tennis Wick, Director Permit and Resource Management Department and Jennifer Barrett, Deputy Director Planning, Permit and Resource Management Department

7:17 P.M. Public Hearing Opened

Christina Caro

Roger Larsen

7:23 Public Hearing Closed

Board Action: Continue the public hearing on the request for a Use Permit for a Materials Recovery Facility at the County landfill for Republic Services of Sonoma County Inc., and vote on the Subsequent Mitigated Negative Declaration and Project for property located at 500 Meacham Road, Cotati, APN 024-080-019 & 030 (File No. UPE13-0065) to April 22, 2014 at 2:10 P.M.

UNANIMOUS VOTE

Approved by Resolution No.14-0116

36. ADJOURNMENTS

7:24 P.M. The Board adjourned the meeting in memory of Dorothy Breitenstein, Frank Imwinkelried, James Michael Ferina, James McCaffrey, Rosmarie Dal Molin-Blood, Edward Huser, and Sam Pullaro. The meeting was adjourned to April 8, 2014 at 8:30 A.M.

Respectfully submitted,

Michelle Arellano  
Chief Deputy Clerk of the Board



County of Sonoma  
Agenda Item  
Summary Report

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

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

**To:** Board of Supervisors

**Board Agenda Date:** April 15, 2014

**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 District

**Title:** Appointment

**Recommended Actions:**

Appoint Sean Bellach to the Sonoma Valley Citizens Advisory Commission (El Verano West seat) effective 4/16/14 and expiring 4/15/18 (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>

<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:**  
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**To:** Board of Supervisors

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

Efren Carrillo 565-2241

**Supervisorial District(s):**

Fifth

**Title:** Appointment

**Recommended Actions:**

Approve appointment of Beth Lamb to the Sonoma County Fish and Wildlife Commission Board beginning April 15, 2014, at the pleasure of the Board. (Fifth District)

**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	\$		\$
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>			
None.			
<b>Attachments:</b>			
None.			
<b>Related Items “On File” with the Clerk of the Board:</b>			
None.			





County of Sonoma  
Agenda Item  
Summary Report

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

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

**To:** Board of Supervisors

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

Efren Carrillo 565-2241

**Supervisorial District(s):**

Fifth

**Title:** Appointment

**Recommended Actions:**

Approve appointment of Kalia Mussetter to the Mental Health Board beginning April 15, 2014 through April 14, 2017. (Fifth District)

**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	\$		\$
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>			
None.			
<b>Attachments:</b>			
None.			
<b>Related Items “On File” with the Clerk of the Board:</b>			
None.			



County of Sonoma  
Agenda Item  
Summary Report

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

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

**To:** Board of Supervisors

**Board Agenda Date:** April 15, 2014

**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 District

**Title:** Appointment

**Recommended Actions:**

Reappoint Tricia Stocks to the Advisory Council to Area Agency on Aging Sonoma County effect 04/18/2014 and expiring on 04/17/2016. (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 (Payroll Classification)</b>	<b>Monthly Salary Range (A – I Step)</b>	<b>Additions (Number)</b>	<b>Deletions (Number)</b>

**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:**

--



County of Sonoma  
Agenda Item  
Summary Report

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

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

**To:** Board of Supervisors

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

Mike McGuire, 565-3758

**Supervisorial District(s):**

Fourth

**Title:** Appointment

**Recommended Actions:**

Reappoint Thomas Colbert to the Library Commission for a four year term, effective April 15, 2014, through April 15, 2018.  
(Fourth 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	\$		\$
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 (Payroll Classification)</b>	<b>Monthly Salary Range (A – I Step)</b>	<b>Additions (Number)</b>	<b>Deletions (Number)</b>

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

--

**Attachments:**

--

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

Mental Health Board application



County of Sonoma  
Agenda Item  
Summary Report

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

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

**To:** Board of Supervisors

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

Supervisor Efren Carrillo 707-565-2241

**Supervisorial District(s):**

Fifth District

**Title:** Reappointment

**Recommended Actions:**

Approve Reappointment of Leo Bartolotta to the Sonoma County Regional Parks Foundation Board from February 20, 2014 through February 20, 2016. (Fifth District)

**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>			
None.			
<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>			
None.			





## County of Sonoma Agenda Item Summary Report

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

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

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

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

Marcus Trotta, 547-1978

**Supervisorial District(s):**

First

**Title:** Sonoma Valley Groundwater Management Program Five Year Review

### **Recommended Actions:**

Approve Five Year Review and Update Report for the Sonoma Valley Groundwater Management Program and direct implementation of report recommendations.

### **Executive Summary:**

This agenda item provides the Sonoma County Water Agency's Board of Directors (Board) with a summary of the Five Year Review and Update Report for the Sonoma Valley Groundwater Management Program (Program) and requests Board approval of the report and direction to implement report recommendations. The Five Year Review and Update Report reviews progress in implementing the Program between 2008 and 2013. The report also provides an overview of groundwater conditions, assesses whether management activities are achieving basin management objectives, and describes recommended and planned future management activities.

In June 2006, the Board directed Sonoma County Water Agency (Water Agency) staff to begin a Groundwater Management planning process in compliance with AB 3030 in the Sonoma Valley. At that time, the Board approved a work plan to develop a groundwater management plan (Plan). After approval, Water Agency staff and consultants worked with a Basin Advisory Panel (Panel), comprised of Sonoma Valley stakeholders, to develop a groundwater management plan for Sonoma Valley that was approved by the Water Agency's Board on November 6, 2007. The Panel, in development of the Plan, identified a number of primary areas to focus Plan implementation activities including:

1. Stakeholder involvement and public outreach;
2. Monitoring and assessment of groundwater conditions;
3. Groundwater quality protection;
4. Groundwater sustainability; and
5. Planning integration

### Program Progress

The Five Year Review and Update Report, which was developed with the participation, review and approval of Panel members, describes substantial progress achieved during implementation of the Plan in each of these primary areas. Some of the major activities and accomplishments include:

- 1) Stakeholder involvement and public outreach have been accomplished through routine Panel and Technical Advisory Committee meetings, numerous public forums, workshops and briefings, and regular communications with the media.
- 2) Synchronized groundwater-level monitoring is performed in the Spring and Fall by trained volunteers. The voluntary monitoring program began with existing groundwater-level monitoring programs in Sonoma Valley, comprising a total of 56 wells. Since its initiation, 86 voluntary private wells were added bringing the total number of wells to 142.
- 3) Streamflow/Groundwater interaction monitoring is conducted along Sonoma Creek and its tributaries to characterize where groundwater supports streamflows and where surface water recharges groundwater.
- 4) A long-term groundwater quality monitoring program has been developed, including collection of water quality data from voluntary private wells and compilation of data collected by public water suppliers, small water systems, and mutual water companies.
- 5) Two nested 500-foot deep monitoring wells were constructed with funding from a State grant in southern Sonoma Valley and have been incorporated into the monitoring program.
- 6) The Panel has provided Water Conservation Awards that recognize members and groups from Sonoma Valley for extraordinary levels of water conservation.
- 7) The Sonoma Valley Recycled Water Project has continued to expand and provide a source of water to offset groundwater pumping for agricultural irrigation.
- 8) The "Slow It, Spread It, Sink It" guidebook was developed by the Southern Sonoma County Resource Conservation District with input from the Panel and Technical Advisory Committee to serve as a resource guide for property owners to implement projects that promote stormwater retention and groundwater recharge.
- 9) Mapping of potential areas of groundwater recharge was completed by the Sonoma Ecology Center with funding from a State grant and can help guide the development of small- and larger-scale enhanced groundwater recharge projects.
- 10) A study was initiated to identify and assess stormwater management and groundwater recharge opportunities in the Sonoma Valley. The City Watersheds Project, which includes a stormwater detention and recharge component, was awarded a \$1.9 million grant in 2013 and is currently in the initial phases of design.
- 11) A Feasibility Study for a Groundwater Banking Program was completed in partnership with the City of Sonoma and Valley of the Moon Water District and has identified opportunities to improve long-term water supply reliability in Sonoma Valley, by utilizing the wintertime Russian River supplies and existing conveyance infrastructure to meet dry year water needs. Pilot projects are being planned for implementation.
- 12) Numerous grants have been awarded by State and other entities that total over \$8 million for activities that are directly associated with or support initiatives of the Program, such as groundwater monitoring and recharge mapping, water conservation, construction or design of recycled water and stormwater recharge facilities, and groundwater quality planning.

### Water Resource Conditions

Groundwater in Sonoma Valley is obtained from wells within both shallow and deeper aquifers. Shallow aquifers are generally considered to be less than 200 feet deep and deeper aquifers are considered to be greater than 200 feet deep. Groundwater level trends within shallow aquifers are generally stable, with the exception of an area in the southwestern Sonoma Valley (El Verano/Fowler Creek area), where localized declines within the shallow zone are evident. Groundwater level declines are present within deep zone aquifers primarily in the southwestern and southeastern Sonoma Valley. The areas of decline have persisted for the last decade or more and appear to be expanding. Groundwater levels in many wells in these two areas are declining at rates of several feet per year and have fallen below sea level. While groundwater quality within the Sonoma Valley is generally good, brackish groundwater present beneath the southernmost Sonoma Valley has historically affected water wells located in this area and represents a serious threat to groundwater resources should groundwater declines continue to persist.

Based on recent analysis of water demands, the total amount of water used in Sonoma Valley for 2012 was estimated to be approximately 17,900 acre-feet. Groundwater pumped from wells in Sonoma Valley represents nearly 60% (approximately 10,500 acre-feet) of the total water used. Other sources of water used in Sonoma Valley include imported water from the Russian River (4,700 acre-feet), local surface water diverted from Sonoma Creek and tributaries (1,500 acre-feet), and recycled water produced at the Sonoma Valley Wastewater Treatment Plant and used for agricultural and landscape irrigation (1,200 acre-feet).

Groundwater supports a variety of uses in Sonoma Valley. The percentages of the total 10,500 acre-feet per year of groundwater pumped from Sonoma Valley are estimated for the following uses: agricultural irrigation (52%), rural residential demands (29%), golf course and park irrigation (7%), and municipal, commercial businesses, and mutual/private water systems for small communities and subdivisions (ranging from 3% to 5% each). Additionally, groundwater within shallow aquifers of Sonoma Valley supports streamflows in Sonoma Creek and its tributaries and is estimated to represent approximately 50% of the total streamflow in Sonoma Creek upstream of Agua Caliente Road.

The groundwater level declines are due to a combination of increasing demands and declining levels of precipitation over last few decades. These declining groundwater levels, which have locally fallen below sea level, could exacerbate the intrusion of poor quality water into the deeper aquifer. Reversing the declining trends and recovering groundwater levels in the deeper aquifers is necessary to protect and preserve groundwater resources in these areas. Additionally, maintaining groundwater levels in the shallow aquifer is important for supporting stream habitat and aquatic ecosystems, since shallow groundwater provides baseflow to the streams.

### Recommendations and Next Steps

Based on the persistent declining trends of groundwater levels, primarily within deeper aquifers of southern Sonoma Valley, and the water quality threat posed by salinity intrusion, an alternatives analysis is recommended to assess scenarios and consider and screen a range of possible approaches to address groundwater depletion in southern Sonoma Valley. The proposed alternatives analysis will rely on a refined groundwater flow model to assess various land use, water management and climate scenarios to evaluate possible future groundwater conditions. A range of technical, regulatory and institutional response action approaches would initially be screened by the Technical Advisory

Committee and then further assessed and prioritized using the groundwater flow model. The response action approaches would then be provided to the Panel for consideration and development of recommendations to the Board. It is anticipated that the alternatives analysis will be completed by the end of 2014.

The next steps for implementing the planned and recommended program over the next five years (2014 through 2018) include:

1. Conduct forums and briefings on the water resources conditions and proposed actions to disseminate information to the public and solicit public involvement in addressing groundwater issues in Sonoma Valley. A public forum on both Sonoma Valley groundwater conditions and the current drought is planned for March 31 at the Sonoma Valley Veteran’s Hall.
2. Perform an alternatives analysis with input from local stakeholders to evaluate appropriate response actions to address declining groundwater levels in southern Sonoma Valley.
3. Continue to foster stakeholder and public involvement.
4. Continue to implement activities under the monitoring program.
5. Continue pursuing strategies to sustain groundwater resources in Sonoma Valley, including increasing the availability and use of recycled water, increasing water conservation and pursuing enhanced recharge strategies.

**Prior Board Actions:**

11/12/2012	Board Approval of Second Amended Agreement with Parker Groundwater for Implementation of Sonoma Valley Groundwater Management Program.
09/15/2009	Board Approval of Cooperative Funding Agreement for Years 4-6 of Sonoma Valley Groundwater Management Program.
11/06/2007	Board Approval of Sonoma Valley Groundwater Management Plan and Direction to Implement Plan.

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

Implementing the recommendations of the Five Year Review and Update Report will help ensure that community members continue to have access to safe and reliable water supplies.

Water Agency Water Supply Goals and Strategies, Goal 1: Work with water contractors to retain and improve the reliability of the water supply production and distribution systems, including during short-term emergencies, such as earthquakes, and during long-term challenges caused by extended droughts and global climate change.

<b>Fiscal Summary - FY 13-14</b>			
<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$ 0	County General Fund	\$ 0
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>
<b>Narrative Explanation of Fiscal Impacts (If Required):</b>			
<p>There are no budget actions associated with this item. Initial costs for implementing the recommendations of the Five Year Review and Update Report are funded through an existing agreement with Parker Groundwater and costs for staff resources are funded through FY13/14 budget appropriations. Future costs to fund technical consultant and staff resources to continue implementing the Groundwater Management Program and recommendations of the Five Year Review and Update Report will be funded through a Cooperative Funding Agreement between and among the Water Agency, County of Sonoma, City of Sonoma, Valley of the Moon Water District, County of Sonoma Open Space and Agricultural Preservation District, and the Sonoma Valley County Sanitation District, which is currently under development and will be brought to the Board for approval in the near future.</p>			
<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>			
Executive Summary (Attachment A)			
<b>Related Items "On File" with the Clerk of the Board:</b>			
N/A			

## Executive Summary

This Five-Year Review and Update Report for the Sonoma Valley Groundwater Management Program (GMP) reviews progress between 2008 and 2013. The report also provides an overview of groundwater conditions, assesses whether management activities are achieving basin management objectives, and describes recommended and planned future management activities. **While progress has been made in many areas of the GMP, additional efforts are needed to meet several basin management objectives and address areas of long term declining groundwater levels in southern Sonoma Valley.**

The GMP is implemented under the voluntary, non-regulatory Sonoma Valley Groundwater Management Plan (Plan) completed in 2007 by a Basin Advisory Panel (Panel ) comprised of a broad coalition of local stakeholders. ***The goal of the Plan is to locally manage, protect, and enhance groundwater resources for all beneficial uses, in a sustainable, environmentally sound, economical, and equitable manner for generations to come.*** As part of the Plan, Basin Management Objectives (BMOs) were developed by the Panel to provide measurable and verifiable accomplishments for meeting the overall goal of the Plan.

### **Basin Management Objectives**

- BMO-1** Maintain groundwater elevations for the support of beneficial uses of groundwater and to protect against inelastic land subsidence.
- BMO-2** Improve water use efficiency and conservation.
- BMO-3** Identify and protect groundwater recharge areas and enhance the recharge of groundwater where appropriate.
- BMO-4** Manage groundwater in conjunction with other water sources.
- BMO-5** Protect groundwater quality for beneficial uses including minimizing saline intrusion.
- BMO-6** Protect against adverse interactions between groundwater and surface water flows.
- BMO-7** Improve the community's awareness of groundwater planning, water resources, and legal issues.
- BMO-8** Improve the groundwater database and basin understanding through consistent monitoring and additional surveys, and improve basin analytical tools including the groundwater simulation model.
- BMO-9** Manage groundwater with local control.
- BMO-10** Explore, identify and maximize non-regulatory approaches to manage the groundwater

Management components developed to meet the BMOs are:

- |   |                                       |
|---|---------------------------------------|
| <b>1 - Stakeholder Involvement</b>          | <b>4 - Groundwater sustainability</b> |
| <b>2 - Monitoring Program</b>               | <b>5 - Planning Integration</b>       |
| <b>3 - Groundwater Resources Protection</b> |                                       |

The plan is available at: <http://www.scwa.ca.gov/svgroundwater/>

### **PLAN PROGRESS**

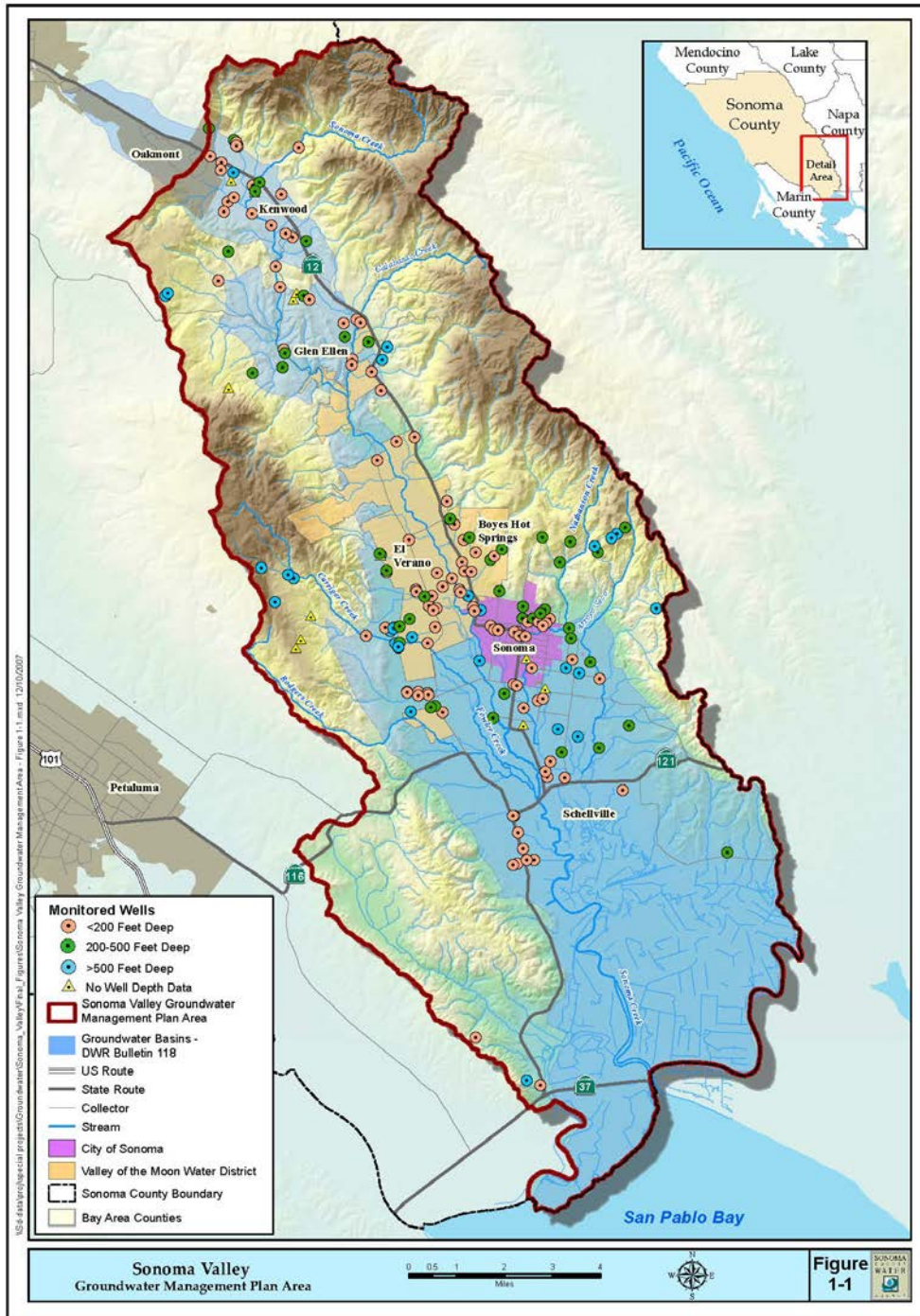
#### *Component One - Stakeholder Involvement & Public Outreach*

- **Advisory Meetings** – The Panel meets quarterly, and a Technical Advisory Committee (TAC) meets monthly.
- **Outreach and briefings** – Targeted briefings, focused outreach, and informational talks.
- **Communications** - Announcements and supporting materials in advance of meetings, maintaining email distribution lists, and updating the project website
- **Media Communications** – GMP staff, Panel members, and local stakeholders worked with local media to provide press releases on key events and milestones for the GMP.

*Component Two - Monitoring Program*

The monitoring program consists of the collection of several types of hydrologic data and includes:

- **Voluntary Groundwater Level Monitoring Program** – Synchronized groundwater-level monitoring in the Spring and Fall by trained volunteers. The monitoring program began with existing groundwater-level monitoring programs in Sonoma Valley, comprising a total of 56 wells. Since its initiation, 86 voluntary private wells were added bringing the total number of wells to 142. Approximate locations of monitored wells are shown on Figure ES-1.



- **Dedicated Nested Groundwater Monitoring Wells** – Two nested 500-foot deep monitoring wells were constructed in southern Sonoma Valley and have been incorporated into the monitoring program.
- **High-Frequency Groundwater-Level Monitoring** - High-frequency groundwater-level data has been collected utilizing automated data collection systems at a number of wells.
- **Stream-Gaging of Sonoma Creek** - Monitoring and evaluation of streamflow data for Sonoma Creek has been conducted.
- **Streamflow/Groundwater Interaction Monitoring** - Seepage runs (instantaneous streamflow measurements) were conducted to characterize where groundwater supports streamflows and where surface water recharges groundwater.
- **Volunteer Rainfall Monitoring** - A plan was developed for a volunteer rainfall-monitoring program for the SVGMP.
- **Development of Long-Term Water Quality Monitoring Program** – A long-term groundwater quality monitoring program has been implemented, including collection of water quality data from voluntary private wells and compilation of data collected by public water suppliers, small water systems, and mutual water companies.

#### *Component 3 - Groundwater Quality Protection*

Groundwater quality protection is a key component for ensuring a sustainable groundwater resource in Sonoma Valley. The primary focus of this component is the **continued monitoring of potential saline intrusion** and **long-term groundwater quality monitoring**, as described above. Additionally, a well owner's guide, *WELLness – A Guide to Your Water Well*, was developed and distributed to private well owners, which includes many recommended practices to protect and sustain groundwater quality.

#### *Component 4 - Groundwater Sustainability*

To ensure a long-term, viable, sustainable supply of groundwater, the GMP seeks to **increase stormwater recharge, groundwater banking, increase recycled water use, and increase conservation**. Activities that have been conducted since 2008 that contribute to groundwater sustainability include:

- **Development of Stormwater Management Guide** - A homeowner's guide, *Slow It. Spread It. Sink It. – A Homeowner's & Landowner's Guide to Beneficial Stormwater Management*, was developed and provided in various public meetings and settings.
- **Groundwater Recharge Potential Mapping** – Mapping of potential areas of groundwater recharge can help guide the development of small- and larger-scale enhanced groundwater recharge projects.
- **Water Conservation**- A pilot program to evaluate water conservation programs for areas within the Sonoma Valley that currently do not have formal conservation programs (primarily rural areas outside the service areas of the Valley of the Moon Water District and the City of Sonoma) was completed. The Panel has provided Water Conservation Awards that recognize members and groups from Sonoma Valley for extraordinary levels of water conservation.
- **Recycled Water** - The Sonoma Valley Recycled Water Project (SVRWP) has continued to expand and provide a source of water to offset groundwater pumping for agricultural irrigation.
- **Stormwater Management/Groundwater Recharge** - A study was initiated to identify and assess stormwater management and groundwater recharge opportunities in the Sonoma Valley. The City Watersheds Project, which includes a stormwater detention and recharge component, was awarded a \$1.9 Million grant in 2013 and is currently in the initial phases of design.
- **Groundwater Banking** - A groundwater banking feasibility study has identified opportunities to improve long-term water supply reliability in Sonoma County, by utilizing the SCWA Russian River supplies and existing conveyance infrastructure to meet dry year water needs and summer water shortages. Pilot projects are planned for implementation in the future.



### Component 5 - Planning Integration

Integration of planning amongst Sonoma Valley stakeholders has been accomplished through many programs and initiatives, including the **Bay Area Integrated Regional Water Management Plan, enhanced recharge studies, water conservation programs, the recycled water program and implementation of this GMP.**

### Water Resources Setting and Conditions

The climate of the Sonoma Valley is Mediterranean, with moderate temperatures and distinct wet and dry seasons. Mean annual precipitation at Sonoma averaged 29.2 inches during the 60-year period from 1953 through 2013, however over the **past ten years the region has experienced below average rainfall of approximately 26 inches per year** (Figure ES-2). Hydrologic models of potential climate change scenarios predict that precipitation could be subject to increased variability resulting in reduced water supply reliability and water demands will likely increase due to increased evapotranspiration rates during warmer and extended summers.

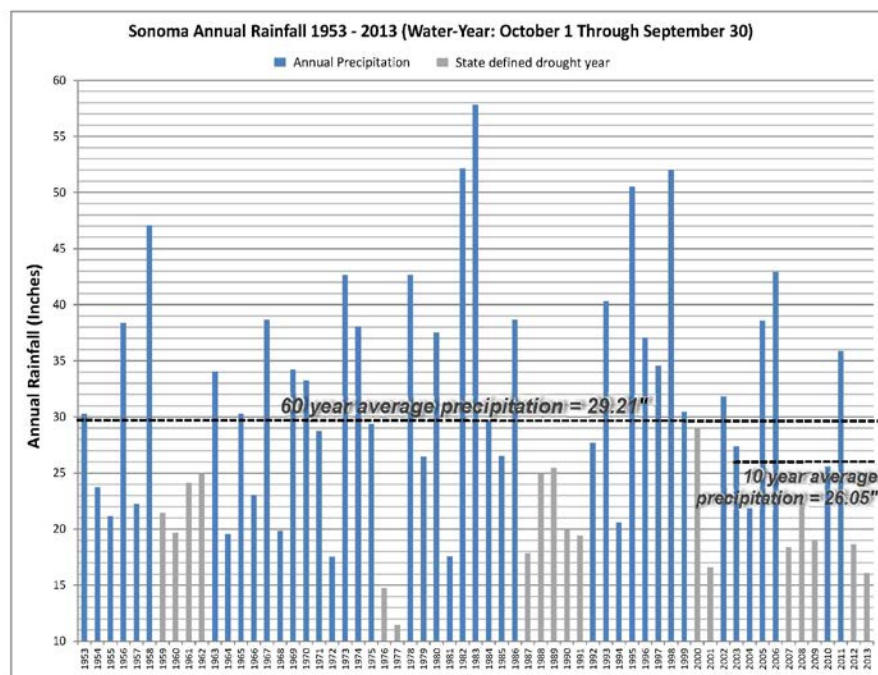


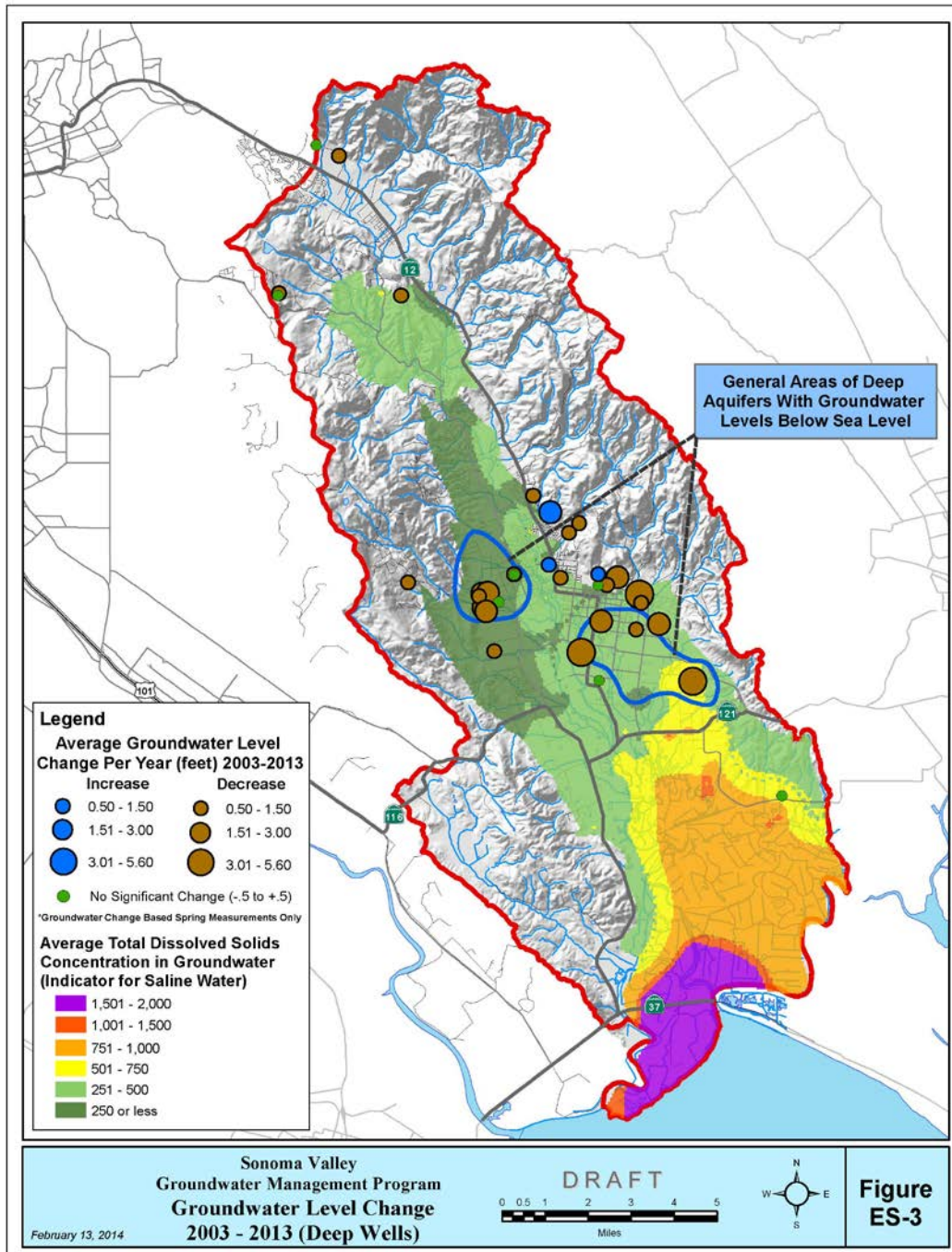
Figure ES-2

**Surface water-groundwater interaction** is a significant part of the groundwater system in Sonoma Valley. Much of Sonoma Creek and many of its tributaries gain water from groundwater discharge and the baseflow (the proportion of streamflow due to groundwater discharge to stream channels) represents an estimated 50% of the total flow in Sonoma Creek upstream of Agua Caliente Bridge. Reaches of Sonoma Creek and its tributaries that contribute recharge to the groundwater system during the springtime include portions of the upper reach of Sonoma Creek near Kenwood, much of Carriger Creek and portions of Nathanson and Arroyo Seco Creeks (downstream of upland reaches and upstream of Napa Road).

Groundwater in Sonoma Valley is obtained from wells within **both shallow and deeper aquifers**. Shallow aquifers, generally considered to be 200 feet deep or less, and deeper aquifers, considered to be greater than 200 feet deep, are separated in many areas of Sonoma Valley by thick sequences of clay generally present between approximately 100 and 350 feet deep. Where present, the clays can limit hydraulic connection between the shallow and deeper aquifer zones.

**Groundwater level trends** within the shallow zone are generally stable, with the exception of an area in the southwestern Sonoma Valley (El Verano/Fowler Creek area), where localized declines within the shallow zone are evident. Groundwater level declines are present within deep zone aquifers primarily in the southwestern and southeastern Sonoma Valley. The areas of decline have persisted for the last decade or more and appear to be expanding. Groundwater levels in many wells in these two areas are declining at rates of several feet per year and have fallen below sea level (Figure ES-3)

**Groundwater quality** within the Sonoma Valley is generally good for all beneficial uses, with the exception that some wells contain elevated levels of arsenic, boron, manganese or iron. Brackish groundwater present beneath the southernmost Sonoma Valley has historically affected water wells located in southern Sonoma Valley and represents a threat to groundwater resources should groundwater declines continue to persist (Figure ES-3)



**Based on recent analysis of water demands**, the total amount of water used in Sonoma Valley for Water Year 2012 was estimated to be 17,900 acre-feet (AF). (One acre-foot is equal to 325,851 gallons or approximately the amount of water to cover a football field with one foot of water.) The sources and estimated amounts of water used in Sonoma Valley are shown in Figure ES-4 and indicate that local groundwater makes up nearly 60% of the total supply.

Figure ES-4: 2012 Water Supply Sources and Demands

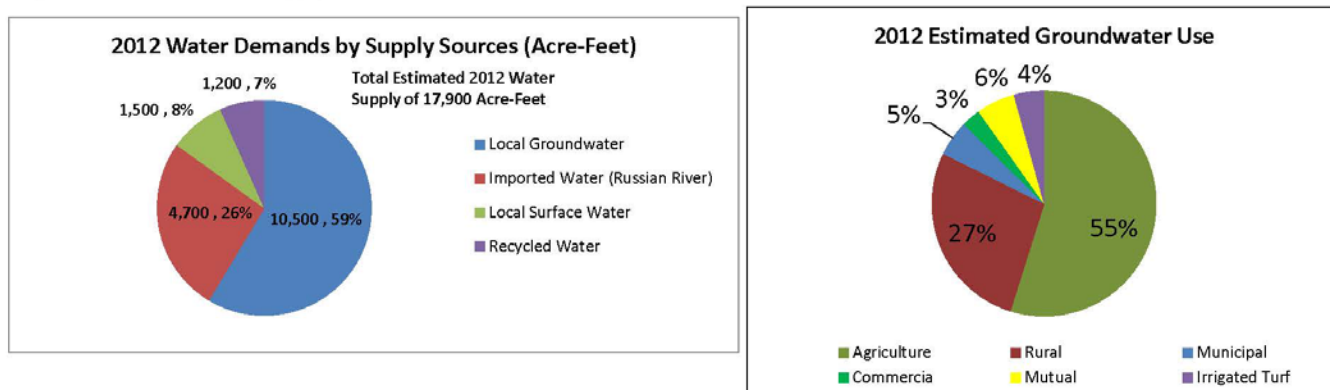


Figure ES-4

Other sources include imported water from the Russian River, local surface water diverted from Sonoma Creek and tributaries, and recycled water produced at the Sonoma Valley Wastewater Treatment Plant and used for agricultural and landscape irrigation. Estimates of groundwater demands, also shown in Figure ES-4, indicate that groundwater supports a variety of uses, including agricultural irrigation, rural domestic, golf course and park irrigation, municipal and smaller drinking water system supplies, and commercial businesses. In the areas of groundwater level declines in the southern Sonoma Valley, groundwater uses are primarily a combination of agricultural and rural domestic pumping.

**The water budget for Sonoma Valley** (amount and sources of water entering into the basin versus the amounts and sources of water exiting) is estimated using a computer model of groundwater flow. The results indicate that **more water is exiting the groundwater basin than entering it**, resulting in an average annual loss of groundwater storage of 1,419 AFY, and total cumulative groundwater storage loss of 45,440 AF for the period from 1975 to 2006. The areas of declining groundwater levels in the southern Sonoma Valley corroborate the results of the model and groundwater storage loss over time.

**The net loss of groundwater is due to a combination of increasing demands and declining levels of precipitation over last few decades.** These declining groundwater levels, which have locally fallen below sea level **could exacerbate the intrusion of poor quality water** into the deeper aquifer. **The declines in groundwater levels and storage are not sustainable** and will require measures to bring the water budget back into balance so that the net inflow is equivalent to the outflow in the groundwater basin. Reversing the declining trends and recovering groundwater levels in the deeper aquifers is necessary to protect and preserve groundwater uses in these areas. Additionally, maintaining groundwater levels in the shallow aquifer is important for supporting stream habitat and aquatic ecosystems, since shallow groundwater provides baseflow to the streams.

#### **Progress on Groundwater Management Program and Basin Management Objectives**

As described above, under *Plan Progress*, substantial progress was accomplished toward implementing plan component actions and BMOs by the Sonoma Valley GMP between 2008 and 2013, including stakeholder involvement and outreach, expanding the monitoring program, groundwater quality protection, groundwater sustainability, and planning integration. However, based on the persistent declining trends of groundwater levels, primarily within deeper aquifers of southern Sonoma Valley, and

the water quality threat posed by salinity intrusion, there has not been sufficient progress on BMO-1 (maintain groundwater elevations) and BMO-5 (protect groundwater quality) and additional actions are necessary.

### **Recommendations for Actions to Address BMOs and Areas of Groundwater Decline**

An alternatives analysis is recommended to assess scenarios and consider and screen a range of possible approaches to address groundwater depletion in southern Sonoma Valley. The proposed alternatives analysis will rely on a refined groundwater flow model to assess various land use, water management and climate scenarios to evaluate possible future groundwater conditions. A range of technical, regulatory and institutional response action approaches would initially be screened by the TAC, further assessed and prioritized using the groundwater flow model and provided to the Panel for consideration in 2014.

### **Proposed 2014-2018 Program and Next Steps**

The next steps for implementing the planned and recommended program for the GMP over the next five years (2014 through 2018) includes:

- Conduct forums and briefings on the water resources conditions and proposed actions to disseminate information to the public and solicit public involvement in addressing groundwater issues in Sonoma Valley
- Perform an alternatives analysis with input from local stakeholders to evaluate appropriate response actions to address declining groundwater levels in southern Sonoma Valley
- Continue advisory meetings and stakeholder involvement
- Continue to implement activities under the monitoring program.
- Continue pursuing strategies to sustain groundwater resources in Sonoma Valley, including increasing the availability and use of recycled water, increasing water conservation and pursuing enhanced recharge strategies.

For many proposed future actions, funding mechanisms will need to be identified and pursued.

For more information, contact Marcus Trotta at (707) 547-1978 [mtrotta@scwa.ca.gov](mailto:mtrotta@scwa.ca.gov) or visit the project website at <http://sonomacountywater.org/projects/svgroundwater/>



## County of Sonoma Agenda Item Summary Report

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

**Agenda Item Number: 34**  
(This Section for use by Clerk of the Board Only.)

**To:**

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** 4/5

**Department or Agency Name(s):** County Counsel

**Staff Name and Phone Number:**

Bruce Goldstein – (707) 565-2421

**Supervisorial District(s):**

Second

**Title:** Resolution of Necessity, Highway 101 Interchange and Improvement Project, at the Marin Sonoma Narrows

**Recommended Actions:**

Approve resolution authorizing acquisition and condemnation of real property necessary for public purposes for the property identified as Lands Peach Tree Terrace and Corto Meno Sand & Gravel II, LLC (APN 019-320-019; 019-320-022; and 019-320-023), for the Highway 101 Interchange and Improvement Project at the Marin Sonoma Narrows, Caltrans Project No. 264089.

**Executive Summary:**

In June 2011, the Board accepted the delegation of authority from CalTrans and SCTA to hear Resolutions of Necessity on behalf of the State of California concerning acquisition of state highway right of way for the Highway 101 Interchange and Improvements Project at the Marin Sonoma Narrows and the Airport Blvd./Fulton Road Interchange. This resolution requests approval for the initiation of eminent domain to obtain legal possession of right-of-way along the east side of Highway 101 located in the Marin Sonoma Narrows. Attached for ease of reference is a right of way appraisal map.

The California Department of Transportation (Caltrans), in conjunction with the Sonoma County Transportation Authority (SCTA), is improving State Highway 101 in Sonoma County. Part of these improvements for Project MSN B-2 in the Marin Sonoma Narrows south of Petaluma include replacement of the Petaluma River Bridge and 1.1 miles of new High Occupancy Vehicle lanes, a new interchange at Petaluma Boulevard South and new frontage roads.

The majority of the necessary right of way for the MSN B-2 improvements has been acquired through voluntary negotiations, which are ongoing. At this time, negotiations and signed agreements have not been completed with a few property owners, including approximately 2.3 acres for State highway fee and various related right of way and utility easements, approximately 45,000 square feet which are the subject of this Resolution. Formal offers to acquire the property were made to the property owner in November 2011. The background of the subject property (also known as Caltrans parcel 61876) is

described in the attachments, which will be addressed by Caltrans and SCTA staff at the hearing.

Due to the length of time that has elapsed since the first offers were made and an unresolved billboard lease on the property, staff is recommending acquiring the right-of-way from the subject properties through the County's eminent domain powers, with the county acting on behalf of the State of California. This will allow the acquisition process to proceed in a timely and orderly manner in order to meet project construction deadlines. A delay in obtaining all of the required right-of-way for this project within the current schedule may delay the project construction. After the hearing, counsel and the Caltrans/SCTA staff will continue to negotiate with the owner and diligently pursue satisfactory conclusions to the right-of-way acquisitions.

In order to initiate this process, County Counsel requests that the Board hold a hearing and then adopt the proposed Resolutions of necessity, which provide the following:

1. A description of the property locations and the use for which the property is to be used.
2. Certifies that an offer, in accordance with legal statutes, has been made to the owner of record.
3. Certifies that public interest and necessity require the project.

Hearing notification letters were sent to the property owners at least 15 days prior to the scheduled hearing per Section 1245.235, Code of Civil Procedure. In April 2012, the fee owner executed a Possession and Use Agreement in which they waived the right to appear at or contest the proposed Resolution of Necessity hearing.

**Prior Board Actions:**

In June 2011, the Board accepted the delegation of authority from Caltrans and SCTA to hear Resolutions of Necessity on behalf of the State of California concerning acquisition of state highway right of way for the Highway 101 Interchange and Improvements Project at the Marin Sonoma Narrows and the Airport Boulevard Interchange.

**Strategic Plan Alignment**      Goal 3: Invest in the Future

The proposed Resolution of necessity aligns with the County's goal of Investing in the Future by facilitating progress on an infrastructure project that will contribute to the outcome of having a well maintained transportation network that promotes mobility, health and safety, connectivity, and convenience.

**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):**

<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)

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

**Attachments:**

Proposed Resolution of Necessity with attached legal description and maps.

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



County of Sonoma  
State of California

Date: April 15, 2014

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

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, State Of California, Authorizing Acquisition And Condemnation Of Real Property Identified as the Lands of Peach Tree Terrace and Corto Meno Sand & Gravel II, LLC, Necessary For Highway 101 Interchange and Improvement Project, Caltrans Project No. 264089.**

**Whereas**, on behalf of the State of California, the County of Sonoma proposes to acquire real property identified as the Lands of Peach Tree Terrace and Corto Meno Sand & Gravel II, LLC (APN 019-320-019; 019-320-022; and 019-320-023) (hereinafter described in detail in the legal description and maps attached as Exhibit “A” hereto) for the Highway 101 Interchange and Improvement Project, Marin Sonoma Narrows [Caltrans Project No. 264089]); and

**Whereas**, the Project has met all the requirements of Government Code §65402 for General Plan consistency; and

**Whereas**, the Project has been reviewed and has met all the requirements of the California Environmental Quality Act,

**Now, Therefore, Be It Resolved**, on behalf of the State of California, after a duly noticed public hearing, the Board of Supervisors of the County of Sonoma resolves and finds as follows:

1. The public use for which the property is to be taken is for the purpose of improving Highway 101 at the Marin Sonoma Narrows.
2. The statute that authorizes the County to act at the request of the State of California to acquire the property by eminent domain on behalf of the State of California is Streets and Highway Code §760.
3. The general location and extent of the property to be taken, with sufficient detail for reasonable identification, is described in Exhibit “A” attached.
4. The public interest and necessity require this project.
5. This project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.



6. The property described in this resolution is necessary for this proposed project.

7. The acquisition, construction, and completion by the County of the public improvements and the use of the property described in this resolution is a public use authorized by law.

8. It is necessary under all the facts and circumstances that the real property described in this resolution be acquired in fee and easement except where a lesser estate or interest is specifically designated.

9. An offer required by Government Code §7267.2 has been made to the owner or owners of each property.

**Be It Further Resolved**, on behalf of the State of California that the State of California proposes to acquire the real property herein concerned for said public improvements purposes by donation, purchase, or condemnation in accordance with the provisions of California law relating to eminent domain, and that the County Counsel of Sonoma County be and is hereby authorized and directed to institute and prosecute in the name of the State of California such suit or suits in the proper court having jurisdiction thereof, as shall be necessary to condemn said real property for such public use.

**Be It Further Resolved**, on behalf of the State of California that should it appear from declarations of the Director of the California Department of Transportation and the Executive Director of the Sonoma County Transportation Authority that construction of public improvements and utilities herein concerned necessitates the taking of possession of the real property described in Exhibit "A" attached prior to final determination of the suit or suits authorized, application shall be made to the court for an order authorizing the State of California to take immediate possession of and to sue the property sought to be condemned; and that the State of California deposit probable just compensation with said court in such manner as the law may direct out of proper funds held by or provided to the State of California.

**Be It Further Resolved**, on behalf of the State of California that the Director of the California Department of Transportation, the Executive Director of the Sonoma County Transportation Authority and the County Counsel acting together, be and they are hereby authorized to employ at rates of compensation standard in this area such appraisers, engineers, and other expert witnesses as they deem necessary to the preparation for trial and, upon receipt of the appropriate claim forms approved by the Director of the California Department of Transportation and the Executive Director of the Sonoma County Transportation Authority, the State of California is authorized and directed to issue and honor warrants in payment for said service.

**Supervisors:**

Gorin:	Zane:	McGuire:	Carrillo:	Rabbitt:
Ayes:	Noes:	Absent:	Abstain:	

**So Ordered.**

Resolution #  
Date: April 15, 2014  
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# **EXHIBIT A**

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Portions of PARCEL ONE of TRACT TWO as described in the Corporation Grant Deed recorded May 18, 2005 under Recorder's Serial No. 2005068311, Official Records of Sonoma County, more particularly described as follows:

PARCEL 1(61876-1):

BEGINNING at the most westerly corner of said PARCEL ONE; thence along the general northwesterly line of said PARCEL ONE, N. 66°14'47" E., 177.71 feet; thence from a radial line that bears N. 58°31'01" E., southerly along a curve to the right with a radius of 320.48 feet, through an angle of 13°33'53", an arc length of 75.87 feet; thence S. 17°55'06" E., 234.91 feet; thence along a curve to the left with a radius of 979.52 feet, through an angle of 14°52'26", an arc length of 254.28 feet; thence S. 32°47'32" E., 25.63 feet to a point on the general southwesterly line of said PARCEL ONE; thence along said general westerly line, N. 34°58'47" W., 379.08 feet and N. 46°52'47" W., 235.23 feet to the POINT OF BEGINNING.

CONTAINING 37,541 square feet, more or less.

PARCEL 2(61876-7 and 61876-8):

BEGINNING at the southwesterly corner of said PARCEL ONE; thence along the general southwesterly line of said PARCEL ONE, N. 18°24'47" W., 291.40 feet; along a curve to the left with a radius of 4590.82 feet, through an angle of 16°34'00", an arc length of 1327.40 feet and N. 34°58'47" W., 11.73 feet; thence S. 57°46'41" E., 53.55 feet; thence S. 30°50'01" E., 243.53 feet; thence at a right angle, N. 59°09'59" E., 25.00 feet; thence at a right angle, S. 30°50'01" E., 59.69 feet; thence S. 29°17'33" E., 480.83 feet; thence S. 21°01'11" E., 830.29 feet to a point the southerly line of said PARCEL ONE; thence along said southerly line, N. 87°35'47" W., 62.27 feet to the POINT OF BEGINNING.

EXCEPTING of that parcel of land as described as follows:

COMMENCING at the southwesterly corner of said PARCEL ONE; thence along the general southwesterly line of said PARCEL ONE, N. 18°24'47" W., 291.40 feet and along a curve to the left with a radius of 4590.82 feet, through an angle of 9°49'06", an arc length of 786.70 feet to the POINT OF BEGINNING; thence northerly continuing along said general southwesterly line, from a radial line that bears N. 61°46'07" E., along a curve to the left with a radius of 4590.82 feet, through an angle of 0°13'34", an arc length of 18.12 feet; thence N. 54°58'23" E., 35.59 feet; thence S. 29°17'33" E., 18.09 feet; thence S. 54°58'23" W., 35.89 feet to the POINT OF BEGINNING.

CONTAINING 61,061 square feet, more or less.

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PARCEL 3(61876-2):

An EASEMENT to the State of California or its assigns for wall maintenance and utility access purposes and incident thereto, upon, over and across the following described strip of land:

A strip of land 15.00 feet wide, the general westerly sideline of which described as follows:

COMMENCING at the most westerly corner of said PARCEL ONE; thence along the general northwesterly line of said PARCEL ONE, N. 66°14'47" E., 177.71 feet to POINT OF BEGINNING; thence from a radial line that bears N. 58°31'01" E., southerly along a curve to the right with a radius of 320.48 feet, through an angle of 13°33'53", an arc length of 75.87 feet; thence S. 17°55'06" E., 234.91 feet; thence along a curve to the left with a radius of 979.52 feet, through an angle of 14°52'26", an arc length of 254.28 feet; thence S. 32°47'32" E., 25.63 feet to a point on the general southwesterly line of said PARCEL ONE; thence along said general southwesterly line, S. 34°58'47" E., 34.36 feet to the terminus point herein described general westerly sideline.

The sidelines of said strip shall be shortened and prolonged to beginning at said general northwesterly line and terminate at a line that bears S. 57°46'41" E., running through said terminus point.

CONTAINING 9,634 square feet, more or less.

PARCEL 4(61876-3):

An EASEMENT to the State of California or its assigns for the right at any time, and from time to time, to excavate for, install, replace (of the initial or any other size), maintain and use such pipe lines as the State of California or its assigns shall from time to time elect for conveying gas, with necessary and proper valves and other appliances and fittings, and devices for controlling electrolysis for use in connection with said pipe lines, and such underground wires, cables, conduits, and other electrical conductors, appliances, fixtures and appurtenances, as the State of California or its assigns shall from time to time elect for communication purposes, together with adequate protection therefor, and also a right of way, within the easement area described as follows:

COMMENCING at the most westerly corner of said PARCEL ONE; thence along the general southwesterly line of said PARCEL ONE, S. 46°52'47" E., 235.23 feet and S. 34°58'47" E., 413.44 feet; thence S. 57°46'41" E., 5.83 feet to the POINT OF BEGINNING; thence continuing last described course, S. 57°46'41" E., 23.18 feet; thence N. 32°13'35" W., 188.77 feet; thence from a radial line that bears S. 63°16'34" W., northerly along a curve to the right with a radius of 969.52 feet, through an angle of 1°26'49", an arc length of 24.48 feet; thence S. 64°43'23" W., 10.00 feet; thence from a radial line that bears S. 64°43'23" W.,

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southerly along a curve to the left with a radius of 979.52 feet, through an angle of 1°28'31", an arc length of 25.22 feet; thence S.32°13'35" E., 168.33 feet to the POINT OF BEGINNING.

CONTAINING 2,034 square feet, more or less.

Grantor further grants to Grantee:

(a) the right of ingress to and egress from said easement area over and across the lands of Grantor conveyed as PARCEL ONE of TRACT TWO in said Corporation Grant Deed recorded May 18, 2005, by means of roads and lanes thereon, if such there be, otherwise by such route or routes as shall occasion the least practicable damage and inconvenience to Grantor, provided, that such right of ingress and egress shall not extend to any portion of said lands which is isolated from said easement area by any public road or highway, now crossing or hereafter crossing said lands;

(b) the right, from time to time, to trim or to cut down any and all trees and brush now or hereafter within said easement area, and the further right, from time to time, to trim and cut down trees and brush along each side of said easement area which now or hereafter in the opinion of Grantee may interfere with or be a hazard to the facilities installed hereunder, or as Grantee deems necessary to comply with applicable state or federal regulations,

(c) the right to use such portion of said lands contiguous to said easement area as may be reasonably necessary in connection with the installation and replacement of said facilities;

(d) the right to install, maintain and use gates in all fences which now cross or shall hereafter cross said easement area; and

(e) the right to mark the location of said easement area by suitable markers set in the ground; provided that said markers shall be placed in fences or other locations which will not interfere with any reasonable use Grantor shall make of said easement area.

Grantee hereby covenants and agrees:

(a) not to fence said easement area;

(b) to promptly backfill any excavations made by it on said easement area and repair any damage it shall do to Grantor's private roads or lanes on said lands; and

(c) to indemnify Grantor against any loss and damage which shall be caused by any wrongful or negligent act or omission of Grantee or of its agents or employees in the course of their employment, provided, however, that this indemnity shall not extend to that portion of such loss or damage that shall have been caused by Grantor's comparative negligence or willful misconduct.

Grantor reserves the right to use said easement area for purposes which will not interfere with Grantee's full enjoyment of the rights hereby granted; provided that Grantor shall not erect or construct any building or other structure, or drill or operate any well, or construct any reservoir or other obstruction within said easement area, or plant any trees or vines, or construct associated supporting structures, within ten feet of the centerline(s) of the pipeline(s), or diminish or

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substantially add to the ground cover over said facilities, or construct any fences that will interfere with the maintenance and operation of said facilities.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

PARCEL 5(61876-4):

An EASEMENT to the State of California or its assigns for the right to erect, construct, reconstruct, replace, remove, maintain and use a line of poles with such wires and cables as the State of California or its assigns shall from time to time suspend therefrom for the transmission and distribution of electric energy and for communication purposes, and all necessary and proper crossarms, guys, anchors and other appliances and fixtures for use in connection with said poles, wires and cables together with a right of way, on, along and in all of the easement area described as follows:

COMMENCING at the most westerly corner of said PARCEL ONE; thence along the general southwesterly line of said PARCEL ONE, S. 46°52'47" E., 235.23 feet and S. 34°58'47" E., 413.44 feet; thence S. 57°46'41" E., 20.45 feet to the POINT OF BEGINNING; thence continuing last described course, S. 57°46'41" E., 33.10 feet; thence S. 30°50'01" E., 243.53 feet; thence at a right angle, N. 59°09'59" E., 25.00 feet; thence at a right angle, N. 30°50'01" W., 513.09 feet; thence N. 41°05'08" W., 121.81 feet; thence S. 17°55'06" E., 30.15 feet; thence along a curve to the left with a radius of 979.52 feet, through an angle of 4°37'29", an arc length of 79.06 feet; thence S. 41°05'08" E., 16.64 feet; thence S. 30°50'01" E., 236.46 feet to the POINT OF BEGINNING.

CONTAINING 19,436 square feet, more or less.

Grantor further grants to Grantee:

(a) the right of ingress to and egress from said easement area over and across said lands by means of roads and lanes thereon, if such there be, otherwise by such route or routes as shall occasion the least practicable damage and inconvenience to Grantor, provided, that such right of ingress and egress shall not extend to any portion of said lands which is isolated from said easement area by any public road or highway, now crossing or hereafter crossing said lands;

(b) the right, from time to time, to trim or to cut down any and all trees and brush now or hereafter within said easement area, and the further right, from time to time, to trim and cut down trees and brush along each side of said easement area which now or hereafter in the opinion of Grantee may interfere with or be a hazard to the facilities installed hereunder, or as Grantee deems necessary to comply with applicable state or federal regulations;

(c) the right from time to time to enlarge, improve, reconstruct, relocate and replace any poles constructed hereunder with any other number or type of poles either in the original location or at any alternate location or locations within said easement area;

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(d) the right to install, maintain and use gates in all fences which now cross or shall hereafter cross said easement area; and

(e) the right to mark the location of said easement area by suitable markers set in the ground; provided that said markers shall be placed in fences or other locations which will not interfere with any reasonable use Grantor shall make of said easement area.

Grantee hereby covenants and agrees:

(a) not to fence said easement area;

(b) to repair any damage it shall do to Grantor's private roads or lanes on said lands; and

(c) to indemnify Grantor against any loss and damage which shall be caused by any wrongful or negligent act or omission of Grantee or of its agents or employees in the course of their employment, provided, however, that this indemnity shall not extend to that portion of such loss or damage that shall have been caused by Grantor's comparative negligence or willful misconduct.

Grantor reserves the right to use said easement area for purposes which will not interfere with Grantee's full enjoyment of the rights hereby granted; provided that Grantor shall not erect or construct any building or other structure, or drill or operate any well, or construct any reservoir or other obstruction within said easement area, or diminish or substantially add to the ground cover in said easement area, or construct any fences that will interfere with the maintenance and operation of said facilities.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

PARCEL 6(61876-5):

An EASEMENT for access purposes and incidents thereto, upon, over and across the following described parcel land:

COMMENCING at the most westerly corner of said PARCEL ONE; thence along the general southwesterly line of said PARCEL ONE, S. 46°52'47" E., 235.23 feet and S. 34°58'47" E., 379.08 feet to the POINT OF BEGINNING; thence continuing along last said line, S. 34°58'47" E., 34.36 feet; thence S. 57°46'41" E., 53.55 feet; thence S. 30°50'01" E., 243.53 feet; thence at a right angle, N. 59°09'59" E., 25.00 feet; thence at a right angle, S. 30°50'01" E., 25.00 feet; thence at a right angle, N. 59°09'59" E., 20.48 feet; thence N. 31°40'27" W., 99.58 feet; thence N. 54°18'36" W., 47.75 feet; thence N. 30°50'01" W., 131.15 feet; thence N. 57°46'41" W., 54.50 feet; thence N. 34°58'47" W., 28.85 feet; thence N. 32°47'32" W., 25.15 feet, thence along a curve to the right with a radius of 954.52 feet, through an angle of 8°58'26", an arc length of 149.50 feet; thence S. 58°07'00" W., 25.24 feet to a point on a curve; thence from a radial line that bears S. 65°58'29" W., southerly along the



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curve to the left with a radius of 979.52 feet, through an angle of 8°46'01", an arc length of 149.88 feet; thence S. 32°47'32" E., 25.63 feet to the POINT OF BEGINNING.

CONTAINING 15,064 square feet, more or less.

PARCEL 7(61876-9):

An EASEMENT for roadway purposes and incidents thereto, upon, over and across the following described parcel land:

COMMENCING at the southwesterly corner of said PARCEL ONE; thence along the general southwesterly line of said PARCEL ONE, N. 18°24'47" W., 291.40 feet and along a curve to the left with a radius of 4590.82 feet, through an angle of 9°49'06", an arc length of 786.70 feet to the POINT OF BEGINNING; thence northerly continuing along said general southwesterly line, from a radial line that bears N. 61°46'07" E., along a curve to the left with a radius of 4590.82 feet, through an angle of 0°13'34", an arc length of 18.12 feet; thence N. 54°58'23" E., 4.32 feet; thence S. 29°17'33" E., 18.09 feet; thence S. 54°58'23" W., 4.62 feet to the POINT OF BEGINNING.

CONTAINING 80 square feet, more or less.

PARCEL 8(61876-10):

An EASEMENT to the State of California, its successors or assigns for the right to suspend, replace, remove, maintain and use such overhanging wires, cables, fixtures, and appurtenances, as the State of California, its successors or assigns, deems necessary for the transmission and distribution of electric energy, and for communication purposes located within the parcel of land described as follows:

COMMENCING at the southwesterly corner of said PARCEL ONE; thence along the general southwesterly line of said PARCEL ONE, N. 18°24'47" W., 291.40 feet and along a curve to the left with a radius of 4590.82 feet, through an angle of 10°02'40", an arc length of 804.82 feet; thence N. 54°58'23" E., 11.47 feet to the POINT OF BEGINNING; thence continuing last described course, N. 54°58'23" E., 24.12 feet; thence S. 29°17'33" E., 18.09 feet; thence S. 54°58'23" W., 24.12 feet; thence N. 29°17'33" W., 18.09 feet to the POINT OF BEGINNING.

CONTAINING 434 square feet, more or less.

Grantor further grants to the State of California, its successor or assigns the right, from time to time, to trim or to cut down any and all trees and brush now or hereafter within said easement area, and shall have the further right, from time to time, to trim and cut down trees and brush along

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each side of said easement area which now or hereafter in the opinion of the State of California, its successors or assigns may interfere with or be a hazard to the facilities installed hereunder, or as the State of California, its successors or assigns deems necessary to comply with applicable state or federal regulations.

The State of California, its successors or assigns hereby covenant and agrees to indemnify Grantor against any loss and damage which shall be caused by the exercise of the rights hereby granted, or by any wrongful or negligent act or omission of the State of California, its successors or assigns or of its agents or employees in the course of their employment, provided, however, that this indemnity shall not extend to that portion of such loss or damage that shall have been caused by Grantor's comparative negligence or willful misconduct.

Grantor has the right to use said easement area for purposes of the existing signboard as set forth in the 1998 Ground Lease between Haystack Landing Associates and Frank and Cathy Riggs, doing business as Duncan Enterprises, which will not interfere with the State of California, its successors or assigns, full enjoyment of the rights hereby granted; provided that Grantor shall not erect or construct any other new buildings or structures, or drill or operate any well, or construct any reservoir or other obstruction within said easement area, or diminish or substantially add to the ground cover in said easement area, or construct any fences that will interfere with the maintenance and operation of said line of wires and cables

PARCEL 9(61876-11):

An EASEMENT for slope purposes and incidents thereto, upon, over and across the following described parcel land:

COMMENCING at the southwesterly corner of said PARCEL ONE; thence along the general southwesterly line of said PARCEL ONE, N. 18°24'47" W., 291.40 feet and along a curve to the left with a radius of 4590.82 feet, through an angle of 10°02'40", an arc length of 804.82 feet; thence N. 54°58'23" E., 4.32 feet to the POINT OF BEGINNING; thence continuing last described course, N. 54°58'23" E., 7.15 feet; thence S. 29°17'33" E., 18.09 feet; thence S. 54°58'23" W., 7.15 feet; thence N. 29°17'33" W., 18.09 feet to the POINT OF BEGINNING.

CONTAINING 129 square feet, more or less.

The bearings and distances used in the above descriptions are on the California Coordinate System of 1983 (Epoch 1991.35), Zone 3. Multiply the above distances by 1.0000383 to obtain ground level distances.

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This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

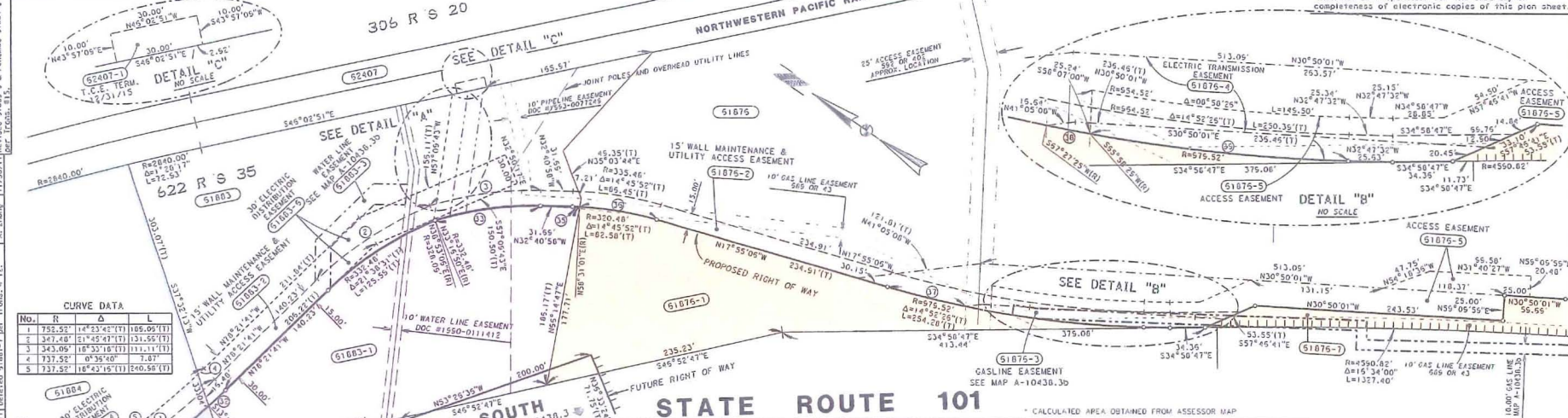
Signature: *Alice Zhong*  
Licensed Land Surveyor

Date: 02/11/2014



# SONOMA COUNTY

COORDINATES, BEARINGS AND DISTANCES SHOWN ARE ON THE CALIFORNIA COORDINATE SYSTEM (S.B. ZONE 3, EPOCH 1991.35, MULTIPLY DISTANCES SHOWN BY 1.00000325 TO OBTAIN GROUND LEVEL DISTANCES.



**CURVE DATA**

No.	R	Δ	L
1	782.52'	14°23'44" (T)	105.09 (T)
2	321.48'	17°45'41" (T)	131.56 (T)
3	343.05'	18°53'18" (T)	131.11 (T)
4	737.52'	0°35'40"	7.07'
5	737.52'	18°43'15" (T)	134.58 (T)

**CURVE DATA**

No.	R	Δ	L
20	332.40'	0°14'50"	1.45'
21	328.05'	1°30'01"	15.00'
22	328.05'	1°40'50"	15.11'
23	328.05'	12°59'05"	74.05'

DIST.	COUNTY	ROUTE	TOTAL MAPPING AREA
04	MRN	101	23.4/27.5
04	SON	101	0.0/3.0

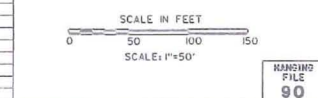
The State of California or its officers or agents shall not be responsible for the accuracy or completeness of electronic copies of this plan sheet.

**LINE TABLE**

No.	BEARING	DISTANCE
30	N35°13'35"W	186.77'
42	S54°43'13"W	10.00'
44	S32°13'35"E	166.33'

**CURVE DATA**

No.	R	Δ	L
31	787.52'	6°24'02"	125.53'
32	787.52'	1°35'52"	72.30'
33	328.05'	16°55'59"	105.55'
35	320.48'	1°11'59"	6.71'
36	320.48'	1°33'53"	15.87'
37	575.52'	4°37'50"	75.05'
38	575.52'	1°20'55"	25.34'
39	575.52'	0°45'01"	145.66'
41	575.52'	1°25'45"	24.46'
43	575.52'	1°28'31"	28.22'



STATE OF CALIFORNIA  
BUSINESS, TRANSPORTATION AND HOUSING AGENCY  
DEPARTMENT OF TRANSPORTATION  
**RIGHT OF WAY APPRAISAL MAP A-10438.3a**  
SCALE 1"=50'  
ACCESS PROHIBITED

GRANTOR	TOTAL AREA ARE IN SQUARE FEET (ac=acres)				REMARKS	RECORDATION	
	PARCEL #	IRVIS ACQ. CODE	STATE	FED. LPA		DATE	DOCUMENT #
61876-1 F PEACH TREE TERRACE			34,219 ac	37,541 ac	Including 612 of ext. gas line exmt. and 516 of ext. access exmt.		
61876-2 F PEACH TREE TERRACE					9,634 sq ft WALL MAINT. AND UTILITY ACCESS ESMT.		
61876-3 F PEACH TREE TERRACE					SEE MAP A-10438.3b		
61876-4 C PEACH TREE TERRACE					12,436 sq ft ELECTRIC TRANSMISSION EASEMENT		
61876-5 L PEACH TREE TERRACE					15,084 sq ft ACCESS ESMT.		
61876-6 E PEACH TREE TERRACE					7,402 sq ft T.C.E. TERM 12/31/2013		
61876-7 F PEACH TREE TERRACE			12,804		Including 5,224 sq ft ext. gas line exmt.		
61876-8 F PEACH TREE TERRACE			48,257		Including 12,815 sq ft ext. gas line exmt.		
61876-9 L					80 sq ft ROADWAY EASEMENT incl. 60 sq ft ext. gas line exmt.		
61876-10 L					434 sq ft OVERHEAD ELECTRIC EASEMENT		
61876-11 F				31,956 ac	129 sq ft SLOPE EASEMENT incl. 101 sq ft ext. gas line exmt.		
61879-1 F JAMES MICHAEL LESHER			4,101 ac	61,301 ac	Including 8,217 sq ft ext. access exmt., 234 sq ft ext. pipe line exmt. and 5,672 PGE elect. line exmt.	12-20-11	#201112575
61879-2 F JAMES MICHAEL LESHER					1,473 sq ft ROADWAY EASEMENT	12-20-11	#201112575
61879-3 F JAMES MICHAEL LESHER					11,544 sq ft T.C.E. TERM 12/31/2015 (excludes road exmt.)	12-20-11	#201112575
61880-1 F SONOMA CO. WATER AGENCY			1,950	1,950 ac	0		
61881-1 F MICHAEL A. & SUSAN CAMBRA			21,826 ac	8,577 ac	0	13,249 ac	
61881-2 E MICHAEL A. & SUSAN CAMBRA							
61881-3 E MICHAEL A. & SUSAN CAMBRA							
61881-4 E MICHAEL A. & SUSAN CAMBRA							
61881-5 E MICHAEL A. & SUSAN CAMBRA							
61881-6 E MICHAEL A. & SUSAN CAMBRA							
61881-7 E MICHAEL A. & SUSAN CAMBRA							
61881-8 E MICHAEL A. & SUSAN CAMBRA							
61882-1 F CHARLES E. & RICHARD A. NERVIAN			2,751 ac	1,188 ac	0	1,563 ac	
61883-2 E CHARLES E. & RICHARD A. NERVIAN							
61883-3 E CHARLES E. & RICHARD A. NERVIAN							
61883-4 E CHARLES E. & RICHARD A. NERVIAN							
61883-5 E CHARLES E. & RICHARD A. NERVIAN							
61883-6 E CHARLES E. & RICHARD A. NERVIAN							
61884-1 F LOUIS J. RATIO			5,465 ac	2,963 ac	0	5,397 ac	
61885-2 F AARON J. LIND							
61886-1 F EUGENE PETERSON AND OTHERS			6,331 ac	12,978 ac	0	6,033 ac	
61886-2 F EUGENE PETERSON AND OTHERS							
61886-3 F EUGENE PETERSON AND OTHERS							
61886-4 F EUGENE PETERSON AND OTHERS							
62340-1 SEC SONOMA CO. WATER AGENCY			INDEF	5,933 ac	INDEF		
62340-2 SEC SONOMA CO. WATER AGENCY							
62341-1 F SONOMA CO. WATER AGENCY							
62341-2 F SONOMA CO. WATER AGENCY							
62407-1 F SONOMA-MARRIN AREA RAIL							

Supplementary information may be obtained from the District Office, Office of R/W Engineering, Surveys and Mapping Services, 111 Grand Avenue, Oakland, California.

E.A.	254082	HARD COPY	APPRaisal	RECORD	MONUMENT	DRAWING DATE	COUNTY	ROUTE	POST MILE	SHEET
R/W P.S.	4.2.	R-50A.15 & 20	R-50.11 & 12			07/2010	SON	101	2.4	3 of 20

# SONOMA COUNTY

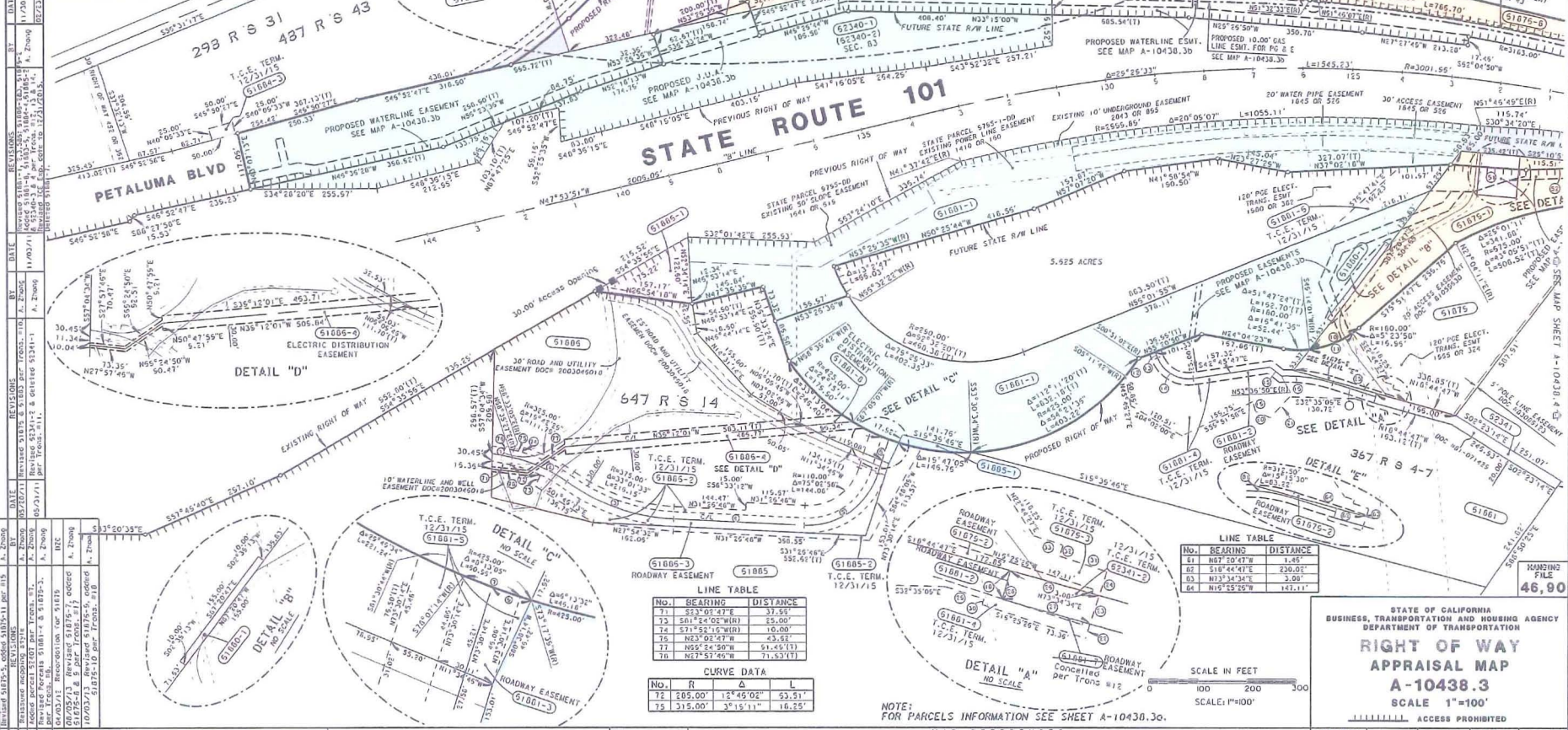
DIST.	COUNTY	ROUTE	TOTAL MAPPING AREA POST MILE
04	SON	101	23.4725
04	SON	101	0.0730

The State of California or its officers or agents shall not be responsible for the accuracy or completeness of electronic copies of this plan sheet.

CURVE DATA			
No.	R	Δ	L
1	300.00	22°55'14"	120.37
2	400.00	33°01'33"	230.95
3	150.00	75°02'50"	158.46
4	455.00	4°02'57"	30.04
5	455.00	7°48'01"	20.77
6	100.00	35°05'40"	110.25
7	180.00	26°41'50"	93.30
8	425.00	6°02'44"	44.84
9	53.50	78°33'50"	50.40
10	300.00	15°57'44"	104.22

COORDINATES, BEARINGS AND DISTANCES SHOWN ARE ON THE CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, EPOCH 1981.35. MULTIPLY DISTANCES SHOWN BY 1.00003825 TO OBTAIN GRADE LEVEL DISTANCES.

LINE TABLE			LINE TABLE		
No.	BEARING	DISTANCE	No.	BEARING	DISTANCE
1	S33°24'47"E	40.75	26	N18°44'47"W	56.71
2	S31°25'40"E	564.15	27	N18°44'47"W	51.35
3	S33°30'14"E	71.70(17)	28	S71°15'13"W	12.05
4	N88°18'13"E	40.15	29	S19°55'55"E	28.83
5	S33°50'05"W	13.15	30	S33°33'34"W	4.00
6	S00°41'47"W	28.59	31	S18°25'50"E	35.54
7	S45°52'55"E	50.00	32	S33°34'24"W	1.56
8	S11°15'13"W	50.00	33	S16°25'50"E	50.55
9	S40°35'50"W	30.58			
10	S10°45'05"E	32.03			
11	S81°48'25"E	57.35			
12	S33°34'34"W	10.11			
13	S33°34'34"W	50.00			
14	S33°34'34"W	15.65			
15	N18°44'47"W	135.02			



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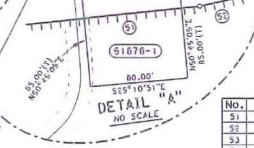
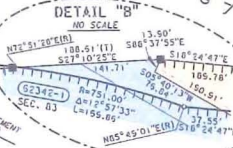
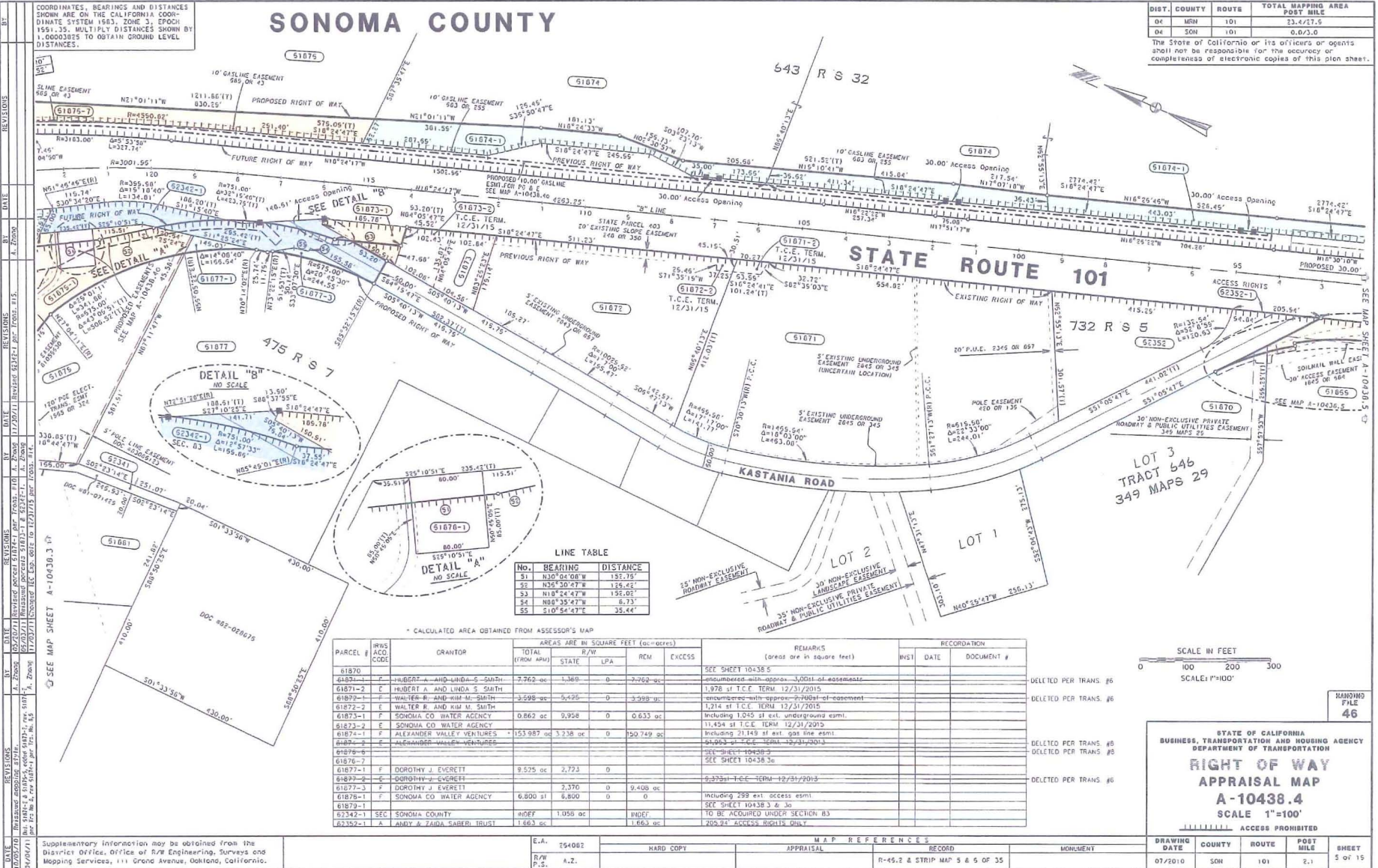
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# SONOMA COUNTY

COORDINATES, BEARINGS AND DISTANCES SHOWN ARE ON THE CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, EPOCH 1951.35. MULTIPLY DISTANCES SHOWN BY 1.000035 TO OBTAIN GROUND LEVEL DISTANCES.

DIST.	COUNTY	ROUTE	TOTAL MAPPING AREA
04	SON	101	23.4/27.5
04	SON	101	0.0/3.0

The State of California or its officers or agents shall not be responsible for the accuracy or completeness of electronic copies of this plan sheet.

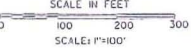


LINE TABLE

NO.	BEARING	DISTANCE
51	N30°00'00"W	135.75'
52	N36°30'47"W	125.42'
53	N10°24'47"W	156.02'
54	N05°33'47"W	6.73'
55	S10°54'47"E	35.44'

\* CALCULATED AREA OBTAINED FROM ASSESSOR'S MAP

PARCEL #	HRVS ACC. CODE	GRANTOR	AREAS ARE IN SQUARE FEET (ac=acres)					REMARKS (areas are in square feet)	RECORDATION
			TOTAL (FROM HRV)	STATE	R/W	LPA	RCM		
61870									
61871-1	F	HUBERT A AND LINDA S SMITH	7,762.00	1,360.00	0	7,762.00	SEE SHEET 10438.5		DELETED PER TRANS. #6
61871-2	F	HUBERT A AND LINDA S SMITH					1,978.41 T.C.E. TERM 12/31/2015		DELETED PER TRANS. #6
61872-1	F	WALTER R. AND KIM M. SMITH	3,598.00	5,420.00	0	3,598.00	encumbrance with approx. 21,000 sq ft of easement		
61872-2	E	WALTER R. AND KIM M. SMITH					1,214.41 T.C.E. TERM 12/31/2015		
61873-1	F	SONOMA CO WATER AGENCY	0.862.00	9,958.00	0	0.633.00	Including 1,045 sq ft ext. underground esmt.		
61873-2	F	SONOMA CO WATER AGENCY					11,454.41 T.C.E. TERM 12/31/2015		
61874-1	F	ALEXANDER WALKER VENTURES	153,987.00	3,238.00	0	150,749.00	Including 21,145 sq ft ext. gas line esmt.		
61874-2	F	ALEXANDER WALKER VENTURES					54,093.41 T.C.E. TERM 12/31/2015		DELETED PER TRANS. #6
61876-6							SEE SHEET 10438.3		DELETED PER TRANS. #6
61876-7							SEE SHEET 10438.3		
61877-1	F	DOROTHY J EVERETT	9,525.00	2,723.00	0		5,373.91 T.C.E. TERM 12/31/2013		DELETED PER TRANS. #6
61877-2	F	DOROTHY J EVERETT							
61877-3	F	DOROTHY J EVERETT							
61878-1	F	SONOMA CO WATER AGENCY	6,800.01	6,800.00	0	0	Including 239 sq ft access esmt.		
61879-1	F	SONOMA CO WATER AGENCY					SEE SHEET 10438.2 & 30		
62342-1	SEC	SONOMA COUNTY	INDDEF	1,050.00		INDDEF	TO BE ACQUIRED UNDER SECTION 83		
62352-1	A	AMY & ZAIDA SABERI TRUST	1,663.00			1,663.00	205.24' ACCESS RIGHTS ONLY		



HANDING FILE 46

STATE OF CALIFORNIA  
BUSINESS, TRANSPORTATION AND HOUSING AGENCY  
DEPARTMENT OF TRANSPORTATION  
**RIGHT OF WAY APPRAISAL MAP**  
A-10438.4  
SCALE 1"=100'

DATE	BY	FILE	REVISIONS	DATE	BY	REVISIONS	DATE	BY	REVISIONS
10/20/2010	A. Zouhri	11/20/2011	REVISIONS	11/20/2011	A. Zouhri	11/20/2011	REVISIONS	11/20/2011	A. Zouhri

Supplementary information may be obtained from the District Office, Office of Public Engineering, Surveys and Mapping Services, 111 Grand Avenue, Oakland, California.

E.A.	254082	MAP REFERENCES		
R/W	A.Z.	HARD COPY	APPRAISAL	RECORD
P.S.				R-45.2 & STRIP MAP 5 & 6 OF 35

DRAWING DATE	COUNTY	ROUTE	POST MILE	SHEET
07/2010	SON	101	2.1	5 of 15



## County of Sonoma Agenda Item Summary Report

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

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

**To:** Board of Supervisors and Board of Commissioners

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

Mark Krug, 565-7509

**Supervisorial District(s):**

All

**Title:** Homeless Initiatives Report

### **Recommended Actions:**

Concurrent action by the Board of Supervisors and the Sonoma County Community Development Commission to:

1. Accept a report on the status of this Winter's cold weather response to assist homeless persons.
2. Direct staff to continue work on the three components of a Homelessness Mitigation Plan.
3. Authorize the Executive Director of the Community Development Commission to execute an amendment to the Fairgrounds Safe Parking Program funding agreement with Catholic Charities of the Diocese of Santa Rosa through June 30, 2014, to allow use of remaining funds for operation of a "scattered site" safe parking program on other properties at various to-be-determined locations throughout the County.

### **Executive Summary:**

This agenda item provides a report on the status of various cold weather related actions to assist local homeless persons this Winter, and seeks direction and authorization for follow-up activities. Approval of this agenda item would accept the staff recommendation to end the "safe parking" program solely at the Fairgrounds and transition during the month of April to a "scattered-site" approach utilizing other properties at various to-be-determined locations throughout the County, managed by a qualified community-based, non-profit homeless services agency. Additionally, approval of this agenda item will direct staff to continue work on all components of a Homelessness Mitigation Plan, including: 1) development of a Winter Weather Response Plan for FY 2014-15 and beyond to establish inter-departmental protocols and roles for responding to protect vulnerable homeless persons in inclement winter weather conditions; 2) update/revision of the 10-Year Homelessness Action Plan, inclusive of a long-term housing plan to provide safe and affordable housing for homeless persons.

### **STATUS OF WINTER 2014 COLD WEATHER RESPONSE TO ASSIST HOMELESS PERSONS**

On January 7 and 28, 2014, your Board approved a total of \$320,703 in General Fund Contingencies

(\$179,750) and Reinvestment and Revitalization Funds (\$140,953) for 7 activities to protect homeless persons from the cold and inclement weather this year.

1. Expanded Bed Capacity at Samuel Jones Hall Homeless Shelter: The City of Santa Rosa owns this property and Catholic Charities has been the operator since it opened in 2005. The winter expansion agreement was for 100 days beginning December 24, 2013, with an estimated cost is \$69,500 to be split evenly between the City and the County. Through the closing date of March 31<sup>st</sup>, the expansion has provided shelter beds for 327 persons, over three-quarters of which self-reported a disability of some kind.
2. Warming Station at the Homeless Services Center: Catholic Charities operates the central Santa Rosa Homeless Services Center, a “drop-in” center that provides food, showers, and a host of services for homeless persons. The Center added a warming station this winter, operating from January 1 through the end of March and supported by a County funding allocation of \$20,000.
3. Expanded Bed Capacity at Guerneville Winter Homeless Shelter: This shelter, located in the Guerneville Veterans’ Memorial Hall and operated by West County Community Services, was able to expand from 25 beds to 37 beds using \$25,000 from the County. In total, 105 persons were served this winter by this seasonal-only shelter.
4. Expanded Rapid Re-Housing Program: Catholic Charities was awarded an additional \$75,000 in County funding for this program, augmenting the \$76,590 award they received through the Community Development Commission (CDC) competitive funding allocation process for Fiscal Year 2013-14. Rapid Re-Housing is a program that moves homeless persons quickly into permanent housing by offering rental assistance and case management. This helps current shelter occupants move into permanent housing, thereby freeing up beds for other unsheltered people. It also is designed to end homelessness altogether for program participants, so it is uniquely effective as both a short- and long-term intervention. Through March 31<sup>st</sup>, the program has served 30 households comprised of 82 individuals during Fiscal Year 2013-14.
5. Vulnerability Index Assessment of Homeless Persons: This initiative is assertive outreach to connect with unsheltered homeless persons where they are staying and using a health-based questionnaire to assess their vulnerability to dying on the streets. Those that are scored the most vulnerable are given priority status for available housing and shelter-bed placement. The Vulnerability Index project is associated with a nationwide effort known as 100,000 Homes that provided much of the organizing and assessment methodology. The Board award of \$25,000 provided the catalyst for this initiative to be launched in Sonoma County, with the express goal of preventing deaths among unsheltered homeless persons. An intense county-wide “enrollment week” is scheduled for the week of April 7<sup>th</sup> and staff will report out the results separately.
6. “Safe Parking” Program: This program opened at the County Fairgrounds site, Lot D, on February 3. Catholic Charities was granted \$62,015 to operate the program, and the program provided the Fairgrounds up to \$28,938 to reimburse for costs incurred on their site. The program was limited to a maximum of 50 vehicles on any given night. This was intended to expand Catholic Charities’ pre-existing safe parking capacity at the Homeless Services Center for 45 vehicles. Through March 23<sup>rd</sup>,



the maximum number of vehicles at the Fairgrounds site on one night was 37, and the downtown Services Center site was not used at all after opening of the Fairgrounds lot. The Homeless Services Center site could have housed all the vehicles that used the Fairgrounds. As anticipated, participants were largely not chronically homeless persons; just under three-quarters of participants were first-time homeless (37%) or homeless one or two times previously (36%). Additional demographics regarding program participants are included in the attached Safe Parking Program Statistics. Anecdotally, many participants, and potential participants, stated the high cost of gas as a barrier to using the Fairgrounds.

7. Motel Vouchers: The \$50,000 approved by the Board for motel vouchers was initially allocated, for geographic dispersal purposes, to non-profit agencies as follows:

Catholic Charities:	\$11,250
Cloverdale Community Outreach Committee:	\$ 5,000
COTS:	\$12,500
West County Community Services:	\$ 5,000
Sonoma Overnight Support:	\$ 5,000
The Living Room:	\$11,250

Conditions of use are that the vouchers be used before the end of April and provided to people with one or more of these characteristics: 1) Parents with minor children; 2) Those most vulnerable and at-risk due to being medically compromised; 3) Those that due to their location or other factors cannot reasonably access existing shelters or safe parking options.

In March, West County Community Services relinquished their unspent allocation and that \$5,000 was reallocated to The Living Room (\$2,500) and COTS (\$2,500). Utilization of the vouchers was rapid, as of March 16<sup>th</sup>, 82% of the funds were already expended. As of March 31<sup>st</sup>, 95 households comprised of 371 individuals were assisted.

#### **SAFE PARKING PROGRAM CONTINUATION**

The Fairgrounds-based safe parking program was budgeted at a total of \$90,953 for approximately three months of operations, an amount that annualizes to \$363,812, or roughly \$1,000 per day. As detailed above, the demand for parking spots was only about 40% of the combined Catholic Charities spaces available, with the most often cited barrier to use being the high cost of gas.

Based on these factors, staff concurs with Catholic Charities' recommendation that the safe parking program cease operations at the Fairgrounds in April and be replaced with a scattered-site model of operations. This model, used in other localities around the nation, utilizes voluntarily offered private and publicly owned properties such as church parking lots. Catholic Charities would implement the new model using their downtown Santa Rosa Homeless Services Center site, and has obtained agreement from two Santa Rosa churches, and interest from others, to use their properties and will continue to reach out to additional churches and other private and public property owners throughout the County if this new program model is approved by your Board. Commission and Catholic Charities staff estimate that this approach for a safe parking program can be operated at a significantly lower cost than the Fairgrounds program, for \$100,000 to \$200,000 annually depending on program specifics, and would

help to mitigate the high cost of gas cited by homeless persons as an obstacle to using the centralized, on-site program.

Staff requests approval to amend the funding agreement with Catholic Charities to allow them to use any of the unspent funds from the \$90,953 Fairgrounds safe parking program budget, anticipated being approximately \$30,000- \$40,000, to reimburse costs of transitioning from the Fairgrounds lot to a scattered-site program to operate through June 30, 2014. The agreement would require Catholic Charities to reach out to the neighborhood residents to provide them with adequate notice and information about the program's operation and who to contact in case of any problems. The agreement would also require that all sites have sanitary facilities (at a minimum restrooms, with showers at the Homeless Services Center and any other sites where possible), heating facilities as needed for cold weather, and monitoring protocols to ensure safety of the program participants and area residents.

If your Board approves this request to use the balance of funding for Catholic Charities to operate a scattered site parking program for the remainder of FY 2013-14, staff would plan to include a supplemental budget request of \$100,000-\$200,000 for Fiscal Year 2014-15 in order to continue, without interruption, the scattered-site program operated by a qualified and local non-profit homeless services providers to be selected through a Request for Qualifications solicitation process that would be conducted by CDC staff during April and May 2014.

### **THREE COMPONENTS OF HOMELESSNESS MITIGATION PLAN**

Winter Weather Response Plan: The scramble to enact measures to assist unsheltered homeless persons during this past December and January points out the need for, and benefit of, adopting a cold weather response plan that contains protocols and action steps for various county and perhaps non-county departments and agencies to implement under prescribed weather conditions. Staff leadership in drafting such a plan would come from Public Health, the CDC and perhaps, the Office of Fire and Emergency Services. It is recommended that your Board direct staff to develop this draft plan and return to the Board seeking approval of a final plan in the autumn of 2014.

10-Year Homelessness Action Plan: In February 2007, the CDC presented on behalf of the Continuum of Care a "10-Year Homelessness Action Plan". This Plan is being updated and revised, benefitting from input from the Departments of Health Services and Human Services and other stakeholders. CDC staff expects to present a revised plan of behalf of the Continuum of Care to the Board of Supervisors in May or June of 2014.

Long-Range Affordable Housing Plan to Alleviate Homelessness: CDC will work with Permit and Resource Management Department (PRMD) planning staff to review feasibility of various approaches and programs to expand affordable housing options for homeless households. This may include, but will not be limited to: expanding the production of below-market rental units, expansion of Rapid Re-Housing (as referenced earlier), exploring changes to zoning to enable alternate housing models (e.g. "tiny houses", single-room occupancy (SRO) rental housing, et cetera), and conversion of existing housing stock to affordable housing for the extremely low income segment of the county's population. PRMD staff has already begun work on the 2014 Housing Element Update and will be exploring a number of potential options such as expanding SRO opportunities, changes to zoning standards to enable alternate housing models, and opportunities for the conversion of existing vacant housing stock as small-scale homeless

shelters. The CDC will also take the lead in exploring financing options for expanding housing stock affordable to homeless households. During FY 2014-15, CDC staff will draft a Long-Range Affordable Housing Plan, which will complement the 10-Year Homelessness Action Plan.

**Prior Board Actions:**

01/28/2014 – Board approved \$140,953 for “safe parking” program and motel vouchers.  
 01/07/2014 – Board approved \$179,750 for five elements of cold weather homelessness response.

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

**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 Fairgrounds “safe parking” program received an appropriation of \$90, 953 from January 2014 Board action. It is anticipated that \$15,000-\$20,000 of those funds remain and are available for repurposing. Approval of this agenda item would repurpose those funds to a scattered site parking program to be operated by Catholic Charities through June 30, 2014. The other winter-related funding initiatives discussed here will fully or materially expend all awarded funds.

**Staffing Impacts**

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

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

None.

<b>Attachments:</b>
Safe Parking Program Statistics
<b>Related Items "On File" with the Clerk of the Board:</b>

# Catholic Charities' Data Highlights for the Safe Parking Program

February 3, 2014 - March 23, 2014

Closest area stayed night before registration		
City of Cloverdale	2	2%
City of Healdsburg	1	1%
City of Petaluma	7	6%
City of Rohnert Park/Cotati	9	8%
City of Santa Rosa	85	77%
County of Marin	1	1%
County of Mendocino	1	1%
Town of Guerneville	3	3%
Town of Windsor	1	1%
<b>TOTAL</b>	<b>110</b>	<b>100%</b>

Program Referral Sources		
Word of Mouth	56	51%
Media	29	26%
Catholic Charities	12	11%
Other Service Provider	5	5%
211	1	1%
Faith Based/Church	1	1%
Hospital/Clinic	1	1%
Internet Search	1	1%
Other Source	4	4%
<b>TOTAL</b>	<b>110</b>	<b>100%</b>

Extent of Participants Homelessness		
First Time Homeless	41	37%
1-2 Times in the Past	40	36%
Long Term: 2 or more years	17	15%
Chronic: 4 or more times in the past 3 years	9	8%
3 or more times in the past	3	3%
<b>TOTAL</b>	<b>110</b>	<b>100%</b>

Other Information		
Total Vehicles Served	110	N/A
Total Vehicles with Pets	27	25%
Total Vehicles who are new to services	30	27%
Total Participants with Earned Incomes	35	32%
Average of Earned Income	\$857.23	N/A
Total Vehicles with Non-Cash Benefits	59	54%

Attendance by Vehicles	
Lowest Night of Attendance (2/3/14)	4 vehicles
Highest Night of Attendance (3/22/14)	37 vehicles
Average Attendance in February	11 vehicles/night
Average Attendance in March	25 vehicles/night
Average throughout program	18 vehicles/night

***For additional questions or thoughts please use the contact information below.***

Jennielynn Holmes  
707-542-5426; jholmes@srcharities.org



*The mission of Catholic Charities is to reach out to those most in need; offer hope through service; and build better communities*



## County of Sonoma Agenda Item Summary Report

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

**Agenda Item Number: 36**  
(This Section for use by Clerk of the Board Only.)

**To:** Sonoma County Board of Supervisors

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** 4/5

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

**Staff Name and Phone Number:**

Jonathan Kadlec 565-6124

**Supervisorial District(s):**

5<sup>th</sup>

**Title:** Palm Drive Health Care District parcel tax secured general fund loan for a not to exceed amount of \$1,800,000

### **Recommended Actions:**

Approval of a resolution authorizing the County general fund to purchase a parcel tax secured note from the Palm Drive Health Care District in an amount not to exceed \$1,800,000 to help cover the District's transition costs resulting from their Chapter 9 bankruptcy filing and proposed closure.

### **Executive Summary:**

On Monday April 7<sup>th</sup> the Palm Drive Health Care District filed for Chapter 9 bankruptcy protection and in a subsequent action at their Board meeting also voted to close the Palm Drive Health Care medical facilities as soon as April 28<sup>th</sup> 2014. The Palm Drive Health Care District has requested that the County provide them with financial assistance in the amount of up to \$1,800,000 to assist with the orderly wind down of their operations. The assistance would be in the form of two notes purchased by the County General Fund secured by the District's parcel tax revenues through a bankruptcy court order. A partial listing of the District's need for the funds is outlined as follows:

- Approximately \$925,000 – Payroll
- Approximately \$400,000 – Vendors, including supplies and services
- Approximately \$340,000 – Health insurance coverage for employees through the end of the WARN period
- Approximately \$280,000 – Doctor payments for services provided during the wind down of the Hospital
- Approximately \$150,000 – Rent for clinic locations; liability insurance

Historically, the District has issued several notes that were purchased by the County Treasury as investments. Beginning in 2004, The District issued a Series A and Series B Note in the amount of \$1,312,500 and \$1,300,000 respectively. Subsequently, in 2005 the District issued \$9,800,000 in Parcel Tax Revenue Bonds, the proceeds of which were used in part to pay off the outstanding 2004 notes. In 2007, the District filed for Chapter 9 bankruptcy protection. During the course of the District's bankruptcy proceeding they continued to make their regularly scheduled 2005 bond payments and did not have any payment related default on the bonds. In 2008, the District issued the 2008 Series A note for \$2,905,000 which was also purchased by the County Treasury. At that time, the note was secured by the District parcel tax and was part of a consensual court approved plan to allow the District to exit Chapter 9 bankruptcy. The final maturity of the note was June 30, 2009, however the note was not repaid until May of 2010 when the District issued their 2010 Parcel Tax bonds as part of their plan to exit bankruptcy.

Today, we are recommending the general fund make the loan directly to the District as opposed to the Treasury being the lender because if the Treasury were the lender it would require the general fund to guarantee the loans for the protection of the Treasury Pool participants. Therefore, having the Treasury purchase the notes adds no value to the transaction process and complicates the accounting process. The District is requesting that the County help them with financing in the form of two notes to be purchased by the general fund. The need to issue two notes is necessary as the district cannot issue a single note secured by both current and future fiscal year revenues and so needs to split the borrowing into two separate notes. The authority for the purchase is contained in Government Code Sections 53601-53603. In order to provide a guarantee of repayment, the County will require that the Bankruptcy Court rule that the notes may be issued and secured by the amount of parcel taxes that are available to the District after they cover their existing bond debt service obligations. All parcel tax revenues are held by the District's bond trustee and the trustee would be bound by the Court's order to secure the County's loans. In addition, the County will require a bond counsel opinion as to the validity of the debt, an opinion as to the validity of the parcel tax for 2014-15, and a board resolution of the Palm Drive Health Care District Board authorizing the issuance of the notes. The County is also requesting that the District cover the County's outside legal costs for the firm of Norton Rose Fulbright LLP, in the amount of \$15,000, which is subject to the court's approval.

The first note would be issued as soon as this week for approximately \$600,000 – the amount will be based upon how much in parcel tax is available to repay the note from the District's April and June 2014 parcel tax collection. The note will mature by June 30, 2014 but may be repaid at any time before then. The second note will be issued approximately July 2<sup>nd</sup> in an amount not exceed \$1.2 million and will be secured by the District's December 2014 parcel taxes and will mature by December 31, 2014 and may also be repaid at any time before then. The interest rate on both notes will be 4%.

**Requested Actions:**

Board approval for the general fund to purchase two court approved parcel tax secured notes in an amount not to exceed \$600,000 and \$1.2 million respectively. The approval is to be contingent upon the approval of a bankruptcy court order permitting the issuance of the notes and securing the repayment of the notes from District parcel taxes for the protection of the County, and the required counsel opinions. Also, approval for the Auditor-Controller Treasurer-Tax Collector to make any and all budgetary adjustments needed to successfully account for the transaction is requested.

**Prior Board Actions:**

August 8 2008: The Board of Supervisors authorized the County Treasury to purchase a note for \$2,905,000 from Palm Drive Health Care District.

**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	\$		\$
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 proposed loans would be recorded as a balance sheet transaction and we do not believe that there will be a fiscal budgetary impact because the ACTTC will establish a loan receivable to offset the disbursement of the funds. The note maturities are sufficiently short such that they will not affect general fund balance.



<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>			
Board Resolution			
<b>Related Items “On File” with the Clerk of the Board:</b>			



County of Sonoma  
State of California

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Date: April 15, 2014

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

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

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4/5 Vote Required

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**RESOLUTION OF THE BOARD OF SUPERVISORS, SONOMA COUNTY, CALIFORNIA  
AUTHORIZING THE TREASURER/TAX COLLECTOR TO PURCHASE THE 2014 NOTES OF THE  
PALM DRIVE HEALTH CARE DISTRICT.**

WHEREAS, the Palm Drive Health Care District (the "District") desires to issue two notes (the "Notes") in an aggregate amount not to exceed \$1,800,000; and

WHEREAS, by resolution, the District Board of Directors will have approved the issuance of the Notes prior to their issuance; and

WHEREAS, the District filed for Chapter 9 bankruptcy on April 7, 2014; and

WHEREAS, the District proposes to have the bankruptcy court order that the Notes be secured by their voter approved parcel tax held in trust by the District's bond trustee Wells Fargo, whom shall be bound by the court's order to repay the Notes, and after the debts service for their 2005 and 2010 bonds has been covered; and

WHEREAS, the California Health and Safety Code Sections 32130 and 32130.2 allow the District to issue the notes for any district purpose; and

WHEREAS, the District will have obtained a legal opinion from their attorneys, that it is within the statutory authority of the District to issue the Notes, and County Counsel has concurred with this opinion; and

NOW THEREFORE BE IT RESOLVED, that the Sonoma County Board of Supervisors finds that the proposal offered by the Palm Drive Health Care District is beneficial to the citizens of Sonoma County; and

BE IT FURTHER RESOLVED, that the Board of Supervisors authorizes the Auditor-Controller/Treasurer-Tax Collector to purchase the Notes in an aggregate amount not to exceed \$1,800,000 issued by the Palm Drive Health Care District on behalf of the Sonoma County general fund.

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: 37**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors of the County of Sonoma  
Board of Directors of the Sonoma County Water Agency  
Board of Directors of the Sonoma County Agricultural Preservation and Open Space District  
Board of Commissioners of the Community Development Commission  
Board of Directors of the Northern Sonoma County Air Pollution Control District

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

**Department or Agency Name(s):** Human Resources

**Staff Name and Phone Number:**

Carol Allen 565-2549  
Chris Thomas 565-3781

**Supervisorial District(s):**

Countywide

**Title:** Incentive Retirement Savings Plan

### **Recommended Actions:**

Accept staff report on a conceptual design for an Incentive Retirement Savings Plan which would include County contributions and matching of employee savings to incentivize employees to save for retirement consistent with the Board's Pension Reform goals.

### **Executive Summary:**

In November, 2011, your Board approved the recommendations in the Sonoma County Pension Report which included strategies for pension reform. The report included three main goals:

1. Contain Costs
2. Maintain Market Competitiveness and Workforce Stability.
3. Increase Accountability and Transparency

The pension related goals for County-wide negotiations which began in 2012 were based primarily on containing costs which included establishing a new retirement benefit tier for new employees and eliminating compensation practices which lead to spiking.

During negotiations, the County proposed to adopt a lower tier pension plan for new employees, eliminate compensation practices that increased final pensionable compensation, convert pensionable into non-pensionable compensation where possible, and permanently reduce total compensation levels by 3%.

Bargaining began in March 2012, and the County completed negotiations with all groups effective with the Board's approval of the Memorandum of Understanding (MOU) with the Engineers and Scientists of

California (ESC) on January 14, 2014.

While negotiations were in progress, on August 31, 2012, the Public Employees Pension Reform Act (PEPRA) was enacted. PEPRA mandated a new tier of benefits for new employees, and redefined pensionable compensation. Significantly, County contributions to deferred compensation, a tax qualified, defined contribution 401 (a) plan, were determined to no longer be pensionable. The elimination of deferred compensation had been proposed in bargaining to reduce pensionable compensation. After deferred compensation was no longer pensionable, it remained an option for the 3% total compensation reduction but was no longer a pension related compensation reduction. In bargaining, most employee organizations negotiated to continue the County's deferred compensation contributions by finding other options to meet the 3% total compensation reduction.

On December 10, 2013, your Board directed staff to return no later than March 30, 2014 with a matching savings program to incentivize individual savings on the part of employees as another important part of the Pension Reform efforts desired by the Board. A matching savings plan supports the Board's second Pension Reform goal: Maintain Market Competitiveness and Workforce Stability. Included in this goal is the strategy to provide guidance for employees that encourages retirement planning and embraces three elements, County Pension, Social Security and Individual Savings.

Staff has reviewed options and in this report is providing background on why a defined contribution plan is needed, and a conceptual program which could be designed to incentivize long-term savings on the part of employees for their own retirement. This plan would be subject to bargaining with the employee organizations, and could be implemented for the employees covered by the Salary Resolution at any time.

To support the Board's goal of providing guidance for employees that encourages retirement planning, training for employees could be incorporated into the implementation of this plan at the appropriate time. Alternatively, training on financial planning for retirement can be offered independent of the implementation of any new saving plan.

#### **Defined Contribution Plans - Deferred Compensation**

Defined contribution plans are tax qualified contributions plans regulated under the Internal Revenue Code. There are employee only contribution plans and employer only contribution plans. Many public sector and most private sector companies provide these types of plans for retirement savings. The County currently has an employee, voluntary contribution plan, IRC 457 (b) and a County contribution, 401 (a) plan. The County contribution plan currently applies to employees represented by SCLEMA, DSLEM, SCLEA, SCPDIA, SCPA, and SCDPDAA.

The employee 457 (b) voluntary contribution plan is available to all employees and currently has approximately 59% participation. Research has shown that a plan which includes an employer match of employee savings into a tax qualified plan increases employee participation.

#### **Incentivizing Employees to Meet Retirement Savings Goals**

A nationwide survey conducted in 2013 by World at Work and the American Benefits Institute reported that 94% of employers with 1,000 or more employees offer a deferred compensation plan with a company match of employee contributions. Greater than 70% of eligible employees participate with at

least half of their plan participants contributing sufficiently to take advantage of the full employer match. By providing a match, companies can incentivize employee participation in the plan.

#### Employees Don't Save Enough for Retirement

According to a 2012 study by the Employee Benefit Research Institute, just 14 percent of Americans are very confident they will have enough money to live comfortably in retirement. Worker confidence about having enough money to pay for medical expenses and long-term care expenses in retirement is well below their confidence levels for paying basic expenses. Many workers in the study report that they have virtually no savings and investments.

The Employee Benefits Security Administration of the U. S. Department of Labor reports that women are more likely to work in part-time jobs that don't qualify for a retirement plan. Working women are also more likely than men to interrupt their careers to take care of family members. As a result, they work fewer years and contribute less toward their retirement, resulting in lower lifetime savings.

The County can incentivize employees to increase their individual retirement savings by providing a defined contribution plan with a match of employee contributions.

#### PEPRA Impacts

For employees hired after January 1, 2013 who are new members in the retirement system, in addition to a new retirement benefits tier, PEPRA limits the salary used to calculate employee's retirement benefit to the social security wage base in effect for the year in which retirement contributions were made on that salary. Because the County participates in Social Security, final compensation used to calculate a new member's pension benefit cannot exceed 100% of compensation subject to Social Security taxation, which the Sonoma County Employees' Retirement Association (SCERA) has set at \$115,000 for 2014 earnings.

Since January 1, 2013, of the 515 new or returning County employees who enrolled in retirement benefits, 412 or 80% are new members subject to PEPRA including lower retirement benefit tiers and pensionable compensation caps. Of the 412 employees, 1-2% are expected to hit the cap in 2014.

The employees in the new retirement benefits tier represent approximately 11% of all active County employees enrolled in the County offered retirement plan. For these new members, and future employees, individual savings will be an important component of retirement income.

#### Pension Cost of Living Adjustments (COLAs)

Pension COLAs for retirees are only provided on an ad-hoc basis and are authorized by the Board of Directors of SCERA when certain conditions are met, including the requirement that they be fully funded from retirement system reserves. The last time a pension COLA was authorized by the SCERA board was 2008. Since the timing and amount of future COLAs is not guaranteed, it is essential that all employees plan to include personal savings to supplement their future retirement income.

#### **Incentive Retirement Savings Plan**

Since the passage of PEPRA, County contributions to deferred compensation are non-pensionable. Staff has concluded that a deferred compensation plan that includes a County match of employee savings is

the best available option to meet the Board’s goal to incentivize employee savings for retirement.

The Incentive Retirement Savings Plan concept is a non-pensionable, tax-qualified, 401 (a) plan that would combine a County contribution with a matching savings plan. This plan would be designed to provide an initial County contribution to employees as a foundation and a County match of employee contributions. County contributions would be capped at a specified percentage. Including an initial County contribution recognizes that not all employees will be able to contribute savings to the plan due to personal financial circumstances. Staff recommends a foundation County contribution so the employee will be enrolled in the plan thereby encouraging participation when feasible. The specific design of the plan and any required legal analysis would be completed based on the timing should the Board decide to move forward with the plan.

**Subject to Bargaining**

The Incentive Retirement Savings plan would be subject to bargaining with employee organizations for successor Memoranda of Understanding (MOUs) which will begin in 2015. The MOU with SEIU will be the first of the eleven bargaining organizations to begin negotiations. The SEIU MOU will expire October 31, 2015, and staff anticipates bargaining will commence in the second quarter of 2015. The plan could be implemented for the employees covered by the Salary Resolution at any time at the Board’s discretion.

**Prior Board Actions:**

November 8, 2011, Accepted Pension Ad Hoc Committee Report, August 14, 2012, Salary Resolution of Intent, Resolution #12-0398; March 19, 2013, Concurrent Resolution amending Salary Resolution, Resolution #13-0105; April 9, 2013, Concurrent Resolution amending the Salary Resolution, Resolution # 13-0131; December 10, 2013, Concurrent Resolution amending the Salary Resolution, Resolution # 13-0495.

**Strategic Plan Alignment**      Goal 3: Invest in the Future

**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):**

Staff has estimated that this program would result in approximately \$3 million in additional cost per fiscal year per each one percent of salary provided as a County contribution for all permanent employees. Approximately 49% of salary costs for all employees are paid from the County General Fund. Actual costs and County General Fund share will depend on the match rate, the participation rate, and the employee groups for which these apply.

Staff reviewed the financial impact of this program consistent with Government Code Section 23026 and has concluded that the County contributions would have no impact on the funding status of the County employees' retirement system since the contributions would not be pensionable.

**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:**





## County of Sonoma Agenda Item Summary Report

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

**Agenda Item Number: 38**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** April 15, 2014

**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:** East Napa Street Parking Restrictions – First Read (#5506).

### **Recommended Actions:**

Adopt a resolution introducing and waiving first reading of an ordinance establishing a No Parking zone on East Napa Street (#5506) at its intersection with Eighth Street East in Sonoma.

### **Executive Summary:**

The Transportation and Public Works Department is recommending establishing a no parking zone on East Napa Street (#5506) at the intersection of Eighth Street East to enhance traffic safety. This intersection is only stop controlled for northbound traffic on Eighth Street East, while cross traffic along East Napa Street does not stop. Historically, vehicles have parked along the shoulders at the northwest and southeast corners of the intersection. Recent improvements include a widened shoulder on the southwest corner of the intersection to improve sight distance at the intersection in addition to the driveway for a new Regional Parks parking lot that was constructed to support the future Sonoma-Schellville Trail. The parking lot is currently closed to the public; however, the additional shoulder width has resulted in an increased number of parked cars obstructing the view of oncoming traffic for a vehicle that is stopped on Eighth Street East and those exiting the new parking lot in the future. The prohibition of parking along the southerly side of East Napa Street in the vicinity of the intersection will allow traffic stopped on Eighth Street East and the parking lot driveway to have a clear view of traffic approaching from the west.

### **Prior Board Actions:**

No Prior Board Actions

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

Restricting parking along the roadway will help ensure visibility for drivers stopped on Eighth Street East.

**Fiscal Summary - FY 13-14**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$ 450		\$
Add Appropriations Req'd.	\$	State/Federal	\$ 450
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
<b>Total Expenditure</b>	<b>\$ 450</b>	<b>Total Sources</b>	<b>\$ 450</b>

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

Funds are available for this installation in the Road Maintenance Budget.

**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:**

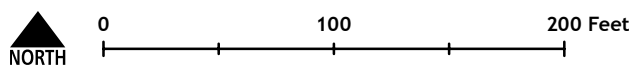
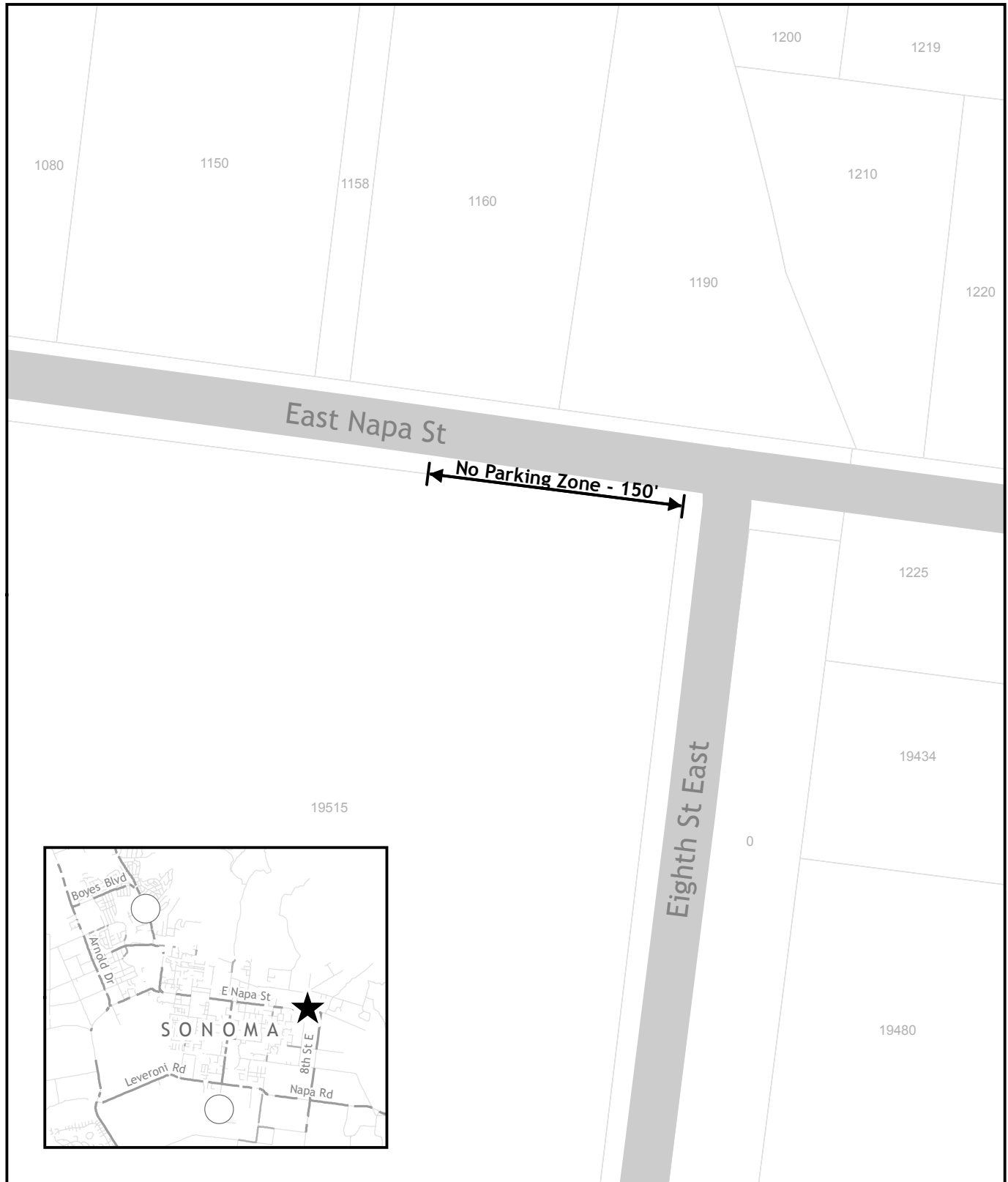
1. Location Map
2. Resolution
3. Ordinance

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

None.

# Location Map

## East Napa Street - No Parking Ordinance





County of Sonoma  
State of California

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Date: April 15, 2014

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

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

---

4/5 Vote Required

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**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,**  
introducing, reading the title of, and waiving further reading of an ordinance of the County of  
Sonoma establishing parking restrictions along a portion of East Napa Street (#5506).

**Whereas,** a proposed ordinance establishing parking restrictions along a portion of East Napa  
Street has been introduced and the title read;

**Now, Therefore, Be It Resolved** that further reading of the ordinance is waived.

**Supervisors:**

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, ESTABLISHING PARKING RESTRICTIONS ON EAST NAPA STREET.**

**THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:**

**SECTION I:**

Subsection 549 is hereby added to Section VII of Sonoma County Ordinance No. 2300 (said Section establishes No Parking zones) to read:

East Napa Street (#5506) beginning at the centerline of Eighth Street East (#5502) and extending in a westerly direction along the southerly side of the road for a distance of 150 feet, postmiles 10.61 to 10.64.

**SECTION II:**

This Ordinance shall be, and the same is hereby declared to be in full force and effect from and after thirty days after its passage, and shall be published once before the expiration of fifteen days after said passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma introduced on the \_\_\_ day of \_\_\_\_\_, 2014, and finally passed and adopted this \_\_\_ day of \_\_\_\_\_, 2014, on regular roll call of the members of said Board by the following vote:

**SUPERVISORS:**

Gorin \_\_\_\_\_ Zane \_\_\_\_\_ McGuire \_\_\_\_\_ Carrillo \_\_\_\_\_ Rabbitt \_\_\_\_\_

Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**SO ORDERED.**

By: \_\_\_\_\_  
Chairman, Board of Supervisors  
County of Sonoma, State of California

**ATTEST:**

By: \_\_\_\_\_  
County Clerk and Ex-officio Clerk of the  
Board of Supervisors of said County



## County of Sonoma Agenda Item Summary Report

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

**Agenda Item Number: 39**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

Efren Carrillo 565-2241

**Supervisorial District(s):**

Fifth

**Title:** Fee Waiver

**Recommended Actions:**

Approve fee waiver in the amount of \$4347 for permit and health fees for the Forestville Youth Park's annual parade and fundraiser. (Fifth District)

**Executive Summary:**

The Forestville Youth Park is the only privately run park in the State. 50 years ago, local volunteers founded the park and it is operated solely by volunteers and with no taxpayer funds. The Youth Park serves as the only public athletic fields for a huge geographic area encompassing the entire West County area. Little League and soccer groups from as far away as Jenner, Cazadero, and Bodega Bay rely on the youth park for their sport activities, and are able to waive fees for underprivileged families as a result.

A park of similar size would cost the County of Sonoma approximately \$110,000 per year to operate. The volunteer Board of Directors runs their entire operation on a budget of just over \$50,000. This event is their most critical means to raise the money required to sustain the park.

**Prior Board Actions:**

None.

**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	\$		\$
Add Appropriations Req'd.	\$ 4347	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$ 4347
	\$		\$
<b>Total Expenditure</b>	<b>\$ 4347</b>	<b>Total Sources</b>	<b>\$ 4347</b>

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

**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:**

Fee Waiver Application.

**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**

**RECEIVED**  
**FEB 24 2014**  
 BOARD OF SUPERVISORS  
 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: Patti Baxman  
First Middle Last

Mailing Address: 2510 Woolsey Rd Windsor CA 95492  
Number, Street, Apt/Suite City State Zip

Phone: ( 707 ) 575 - 3484 Email: anguspb@aol.com  
Area Code, Number

2. Name of Community Based Organization, Non-Profit, or Government Agency for which fee waiver/sponsorship is requested:

Name: Forestville Youth Park

Mailing Address: 2510 Woolsey Rd Windsor CA 95492  
Number, Street, Apt/Suite City State Zip

Phone: ( 704 ) 575 - 3484 Email: anguspb@aol.com  
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
PMDR	Encroachment Parade	\$586.00
PMDR	Project Review Specialist	\$189.00
PMDR	Event Permit	\$1,593.00
SCEH	Environmental Health (food)	\$1,979.00

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:

4347 —

Date of Fee Waiver	Department Assessing Fee	Type of Fee	Amount of Fee
2 / / 2013	PMDR/SCEH	Special Event	\$4,347.00
4 / / 2012	PMDR/SCEH	Special Event	\$3,981.00
2 / / 2011	PMDR/SCEH	Special Event	\$3,632.00
2 / / 2010	PMDR/SCH	Special Event	\$3,920.00

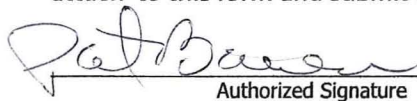
9. Does the organization or agency for which the fee waiver/sponsorship is requested receive funding from any of the following sources? If so, please specify:

- Property Tax
  Sales Tax
  Special Assessment  
 User Fees

Other (please specify): \_\_\_\_\_

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

Board Member/ Event Chairperson  
 \_\_\_\_\_  
 Title

2 / 19 / 2014  
 \_\_\_\_\_  
 Date



# 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: 48**  
(This Section for use by Clerk of the Board Only.)

**To:** Sonoma County Board of Supervisors

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** Majority

**Department or Agency Name(s):** Permit and Resource Management Department

**Staff Name and Phone Number:**

Sandi Potter 565-8351

**Supervisorial District(s):**

Countywide

**Title:** Extension of Economic Stimulus Ordinance to extend land use permits and an exception allowing Vacation Rentals in the LIA Zone, File No. ORD14-0006.

### **Recommended Actions:**

The Board is requested to conduct a public hearing and adopt an ordinance extending the Economic Stimulus Ordinance to allow automatic extension of time on land use permits and make an exception allowing vacation rentals in the Land Intensive Agriculture (LIA) zone (originating ordinance amended Chapter 26 of the Sonoma County Code), and find the project exempt from the California Environmental Quality Act (CEQA).

### **Executive Summary:**

#### **Background:**

Due to the economic downturn, many applicants have been unable to obtain project financing or complete their conditions of approval within the normal permit time frames. In April 2011, to address this issue, the Board of Supervisors adopted the "Economic Stimulus Ordinance," making temporary changes to the Zoning Code to improve permit processing efficiency, clarify permit procedures, and provide additional time for applicants to complete their conditions of approval. These temporary changes are due to sunset three years from the date of their adoption, and therefore will no longer be in effect after May 12, 2014.

The April 2011 stimulus ordinance automatically extended land use entitlements for a two year period and allowed reactivation of permits that expired in 2010 or 2011. An additional extension was allowed on written request, and the extension time period was lengthened to two years, allowing up to four years in time extensions. The additional time extensions allowed by the April 2011 ordinance, in addition to the original two year term and one year extension allowed by code, provided for up to a maximum total of 7 years from the date of approval to complete the conditions of approval and begin construction.

Prior to adoption of the April 2011 stimulus ordinance, approvals of land use entitlements such as use permits, lot line adjustments, and design review approvals were typically granted for a two year period, unless a longer period was stated in the permit. These permits were eligible to be extended one time for up to a year upon written request. During the past four years, the Commission has granted from three to five years to complete the conditions of approval, in addition to the extension of time allowed in the code for an additional year and any automatic extensions that may apply. Many use permits issued during the last four years now have up to 7 years to complete the conditions and begin construction. Once construction has begun on a project, the use permit will be vested.

In addition to the “Economic Stimulus Ordinance” adopted in 2011, the Board also approved changes to the zoning code to allow vacation rentals in residential and two of the agricultural zones in 2010. Vacation rentals were excluded from the Land Intensive Agriculture (LIA) because of General Plan policies limiting expansion of lodging and similar visitor serving uses in the LIA zone. In 2012, as part of the update of the agricultural zoning, the Board also adopted an exception to allow vacation rentals in the LIA for a limited two year period that expired on March 2, 2014. Staff was directed to process a possible General Plan Amendment to allow vacation rentals in the LIA. However, due to funding and staff shortages, this project has not been completed. Therefore, as part of this economic stimulus package, staff recommends extending the exception for vacation rentals in the LIA for another two years.

### **Proposed Temporary Ordinance**

This project would make temporary changes to the Zoning Code to include the following provisions:

1. Automatically grant an additional one-year extension of time for existing valid land use entitlements such as Use Permits and Design Review approvals that have not expired.
2. For a two-year period, allow vacation rentals as a permitted use in the LIA (Land Intensive Agriculture) zone subject to standards and zoning permit.

### **Summary of Issues and Planning Commission Recommendations**

**Issue 1: Automatic Time Extensions for Land Use Permits.** The proposed Economic Stimulus Ordinance was considered by the Planning Commission on March 13, 2014. The Planning Commission recommended that the Board of Supervisors adopt the Ordinance, as amended, as presented in Exhibit A. The Planning Commission deliberated on the duration of the extension and if extensions should be automatic or discretionary. The Planning Commission expressed support of an automatic extension as a way to improve efficiency and determined that allowing one more year would provide a reasonable amount of time for applicants to initiate projects. However, automatic time extensions beyond the five to seven year time frame would not be appropriate because the context of the development may have changed. The Planning Commission recommended that future time extensions should be discretionary and issued on a case-by-case basis to allow the Commission to address any new impacts or issues with conditions that might occur, noting that time extensions are fairly routine if there are no new issues.

As proposed, all approved land use entitlements that have not already expired, and are not related to code violations, would automatically be extended for a period of one year from the date the entitlement

would have expired, but not to exceed the period of time allowed on any associated tentative map. Only one additional “automatic extension” would be granted for each land use entitlement, but the “automatic extension” would be in addition to any other time extensions allowed under the code (“requested extensions”). These provisions would provide up to 8 years from the date of original approval for an applicant to meet their conditions and begin construction.

Physical conditions and site circumstances often change over time and new standards are adopted. With automatic permit extension there would be no review of the permits, no public notice or hearing, and no additional conditions could be added to address any changes in circumstance and cumulative effect of past approvals that linger for many years could occur. It could be argued that the economy is coming out of the recession and these extraordinary measures are not needed.

The Planning Commission recommended an automatic extension for one year from the date of expiration in addition to any other time extensions allowed under the code. No notice or hearing would be required and no new conditions could be added.

**Issue 2: Vacation Rentals in the LIA.** In 2008, the updated General Plan included a new policy to allow “farmstays” in the Land Intensive Agriculture (LIA) Zone as a form of vacation rental or visitor serving use that is directly related to, and promotes, agriculture, while providing some stable income for the farmer. Additional policies were also adopted that prohibit new or expanded lodging or similar visitor serving uses in the LIA zone. The new policies arose out of the Citizens Advisory Committee recommendations and were subsequently reviewed and approved by the Planning Commission and Board as part of the General Plan update. The long-standing County policies that prohibit visitor-serving uses in the intensive farming areas were retained with the exception of the allowance for farmstays, which must be directly related to agriculture and promote agricultural education.

During discussions regarding the vacation rental ordinance, staff anticipated that the allowance for farmstays would address the need for vacation rentals in the LIA. However, as staff further analyzed the existing vacation rentals in the LIA, we determined that many of the properties with existing vacation rentals would not qualify as a commercial farming operation due to the small parcel sizes, and therefore would not qualify for a farmstay. At the conclusion of hearings on the agricultural ordinance amendments, the Board indicated a willingness to consider a General Plan Amendment to allow vacation rentals in the LIA. However, due to funding and staff shortages and the scope of that effort, the Board adopted a temporary exception ordinance for a two year period which would allow vacation rentals to be permitted in the LIA, while directing staff to put in the work plan a possible future General Plan amendment. The exception ordinance expired on March 2, 2014.

The proposed amendments would allow vacation rental within a primary residence and not within a second unit, farm family, agricultural employee, or farmworker unit that have restricted covenants, provided all county operating standards of Section 26-88-120 of the Sonoma County Code are met. The septic system serving a vacation rental permitted with a zoning permit shall be properly functioning and shall meet Class 3 standards or better. The exemption does not apply to property under a Land Conservation Act (Williamson Act) contract. No cultural events, special events, weddings or large gatherings are permitted.

The Planning Commission recommends that these provisions be extended for an additional two-year period while a General Plan Amendment, Zone Change and CEQA document is prepared for a more

comprehensive analysis. The Planning Commission discussed the amount of time needed to complete a possible General Plan Amendment and advised that two years would be appropriate given the scope of the project and need for public outreach and environmental review.

**Prior Board Actions:**

April 12, 2011: Approval of Economic Stimulus Ordinance

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

The extension of the Economic Stimulus Ordinance will contribute to a strong, diverse, and sustainable economy by providing additional support to those impacted by the economic downturn.

**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):**

Extending Vacation Rentals in the LIA will provide a modest amount of Transient Occupancy Tax (TOT) funds.

**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:**

- Exhibit A: Draft Ordinance
- Exhibit B: Planning Commission Resolution 14-006
- Exhibit C: Planning Commission Staff Report dated March 13, 2014

<b>Related Items "On File" with the Clerk of the Board:</b>
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None.
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**ORDINANCE NO. \_\_\_\_\_**

**An Ordinance Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Rescinding And Replacing 26-02-045, Granting Entitlement Time Extensions And Adopting An Exception To The Zoning Code For A Limited Period To Allow Vacation Rentals In The LIA Zoning District Of The County Of Sonoma.**

**The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:**

**SECTION I.** The Board declares and finds the following:

1. An automatic extension of time to complete conditions of approval on previously approved land use entitlements will reduce the complexity and cost of County permit processing, help stimulate economic development and job growth consistent with General Plan goals and policies.
2. Extending the timeframe for the exception allowing vacation rentals in the Land Intensive Agriculture District will enable further evaluate of the policy implications while recognizing the standards previously adopted limit the intensity of use to existing conditions. Overall, the exception is in harmony with the goals and objectives of the General Plan that ensures neighborhood compatibility and does not impair agricultural production.
3. The adoption of the proposed regulations is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) because it can be seen with certainty that adoption of the Ordinance does not result in a physical change in the environment, and, pursuant to Section 15305 as a minor change in land use limitations. Implementation of the regulations does not increase the intensity of uses already allowed on land, as the regulations adopted herein are primarily intended to aid permit streamlining, efficiency, and clarification of existing Codes.

**SECTION II.** Chapter 26 of the Sonoma County Code (the Zoning Ordinance) is amended to rescind Section 26-02-045 in its entirety and replace with the following:

**Section 26-02-045 Economic stimulus measures**

Notwithstanding any other provision of this code, the following provisions shall control and prevail for a period of one year following the effective date of this section, unless otherwise amended by subsequent action of the Board of Supervisors:

- (a) **Time Extensions** - All approved land use entitlements that have not expired by the effective date of this section, and are not related to code violations, are hereby automatically extended for a period of one year from the date of expiration of the entitlement, but not to exceed the period of time allowed on an accompanying tentative map. This extension shall be in addition to any other time extensions allowed under the code.
- (b) **Vacation Rentals in the LIA** - Notwithstanding the fact that vacation rentals are not listed as an allowable use in Article 04, Land Intensive Agricultural Zoning District, of Chapter 26 of the Sonoma County Code, existing and new vacation rentals that are registered with the Sonoma County Auditor and Tax Collectors office to pay Transient Occupancy Tax and have submitted a complete application for a vacation rental permit within two (2) years of the effective date of this ordinance, may be permitted with a zoning permit, which shall expire upon transfer or sale of the property, provided that they comply with all of the following:
- 1) The vacation rental is within a primary residence and not within a second unit, farm family, agricultural employee, or farmworker unit which have restricted covenants; and the property is not under a Land Conservation Act (Williamson Act) contract;
  - 2) The vacation rental complies with all operating standards of Section 26-88-120 of the Sonoma County Code;
  - 3) No cultural events, special events, weddings or large gatherings are permitted;
  - 4) The septic system serving a vacation rental permitted with a zoning permit shall be properly functioning and shall meet Class 3 standards or better, as verified by a registered Civil Engineer or registered Environmental Health Specialist;
  - 5) The owner signs and records a Right to Farm Declaration.

**SECTION III.** Enforcement actions related only to lack of zoning or use permits for vacation rentals that have submitted applications by the expiration deadline shall be stayed until the permits are acted upon by the decision-making authority.

**SECTION IV.** No new vacation rentals shall be permitted in the LIA zoning district beyond those authorized by this ordinance, and no applications for Transient Occupancy Tax registration or zoning or use permits shall be accepted after application deadline has passed.

**SECTION V.** The Board of Supervisors hereby finds and declares that this project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines because it can be seen with certainty that this Ordinance does not increase residential density or the intensity of use as the standards adopted herein are consistent with otherwise allowable residential use and any activities that may exceed the residential character or environmental standards would be subject to further discretionary review; and

**SECTION VI.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

**SECTION VII. Effective Date.** This Ordinance shall become effective on the 31<sup>st</sup> day following its passage. This Ordinance shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California.

**SECTION VIII Custodian of Documents.** The Clerk of the Board of Supervisors shall be the custodian of the documents and other materials which constitute the record of the proceedings upon which the Board's decision is based.

**IN REGULAR SESSION** of the Board of Supervisors of the County of Sonoma, introduced, passed, and adopted this \_\_\_\_ day of \_\_\_\_, 2014, on regular roll call of the members of said Board by the following vote”

**SUPERVISOR VOTE:**

Gorin:	Zane:	McGuire:	Carrillo:	Rabbitt:
Ayes:	Noes:	Absent:	Abstain:	

**SO ORDERED**

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Chair, Board of Supervisors  
County of Sonoma

ATTEST:

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Veronica A. Ferguson  
Clerk of the Board of Supervisors

DRAFT

Resolution Number 14-006

County of Sonoma  
Santa Rosa, California

March 13, 2014  
ORD14-0006 Sandi Potter

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING THE BOARD OF SUPERVISORS FIND THE PROJECT EXEMPT FROM CEQA AND APPROVE THE AUTOMATIC EXTENSION OF TIME ON LAND USE PERMITS AND MAKE AN EXCEPTION ALLOWING VACATION RENTALS IN THE LIA ZONE, WHICH PREVIOUSLY AMENDED CHAPTER 26 OF THE SONOMA COUNTY CODE.

WHEREAS, the State of California and the local economy of Sonoma County are currently experiencing an economic recession, which has led to a reduction in development and business activity in the County, loss of jobs, and reduced available County revenue; and

WHEREAS, the County has an interest in promoting beneficial development and local job growth through the adoption of measures which will reduce barriers to new businesses and economic development following the economic downturn; and

WHEREAS, in April 2011 the Board of Supervisors approved temporary stimulus measures Ordinance No. 5929 extending the time frames for existing approved land use entitlements which expires on April 12<sup>th</sup>, 2014; and

WHEREAS, the economic downturn has delayed many applicants in completing the conditions of approval for various land use entitlements; and

WHEREAS, the adoption of the proposed temporary measures can be found exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) because it can be seen with certainty that adoption of the Ordinance does not result in a physical change in the environment, and, pursuant to Section 15305 as a minor change in land use limitations. Implementation of the temporary stimulus would not increase the intensity of uses already permitted with land use entitlements; and

WHEREAS, in accordance with the provisions of law, a duly noticed public hearing was held on March 13, 2014, by the Planning Commission at which time all interested persons were given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does make the following findings:

1. An automatic extension of time to complete conditions of approval on previously approved land use entitlements will reduce the complexity and cost of County permit processing, help stimulate economic development and job growth consistent with General Plan goals and policies.
2. Extending the timeframe for the exception allowing vacation rentals in the Land Intensive Agriculture District will enable further evaluate of the policy implications while recognizing the standards previously adopted limit the intensity of use to existing

conditions. Overall, the exception is in harmony with the goals and objectives of the General Plan that ensures neighborhood compatibility and does not impair agricultural production.

3. The adoption of the proposed regulations is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) because it can be seen with certainty that adoption of the Ordinance does not result in a physical change in the environment, and, pursuant to Section 15305 as a minor change in land use limitations. Implementation of the regulations does not increase the intensity of uses already allowed on land, as the regulations adopted herein are primarily intended to aid permit streamlining, efficiency, and clarification of existing Codes.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors find the project exempt from CEQA.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors adopt the temporary code revisions automatically extending timeframes for land use entitlements and allowing vacation rentals in the LIA as shown in the attached exhibits.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the documents and other material which constitute the record of the proceedings upon which the Commission's decision herein is based. These documents may be found at the Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, California 95403.

THE FOREGOING RESOLUTION was introduced by Commissioner Lynch, who moved its adoption, seconded by Commissioner Bennett, and adopted on roll call by the following vote:

Commissioner Fogg	aye
Commissioner Bennett	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 Planning Commission **STAFF REPORT**

## Sonoma County Permit and Resource Management Department

2550 Ventura Avenue, Santa Rosa, CA 95403

(707) 565-1900 FAX (707) 565-1103

**FILE:** ORD14-0006  
**DATE:** March 13, 2014  
**TIME:** 1:45 p.m.  
**STAFF:** Sandi Potter, Division Manager

**Board of Supervisors Hearing will be held at a later date and will be noticed at that time.**

### SUMMARY

**Applicant:** County of Sonoma

**Location:** County-wide  
APNs: Various Supervisorial District No.: All

**Subject:** Economic Stimulus Zoning Ordinance

**PROPOSAL:** Adopt an ordinance for temporary economic stimulus automatically extending time frames for land use entitlements and extending an exception to the land use limitations for vacation rentals in the LIA zone.

**Determination:** Exempt from CEQA pursuant to Section 15061(b)(3) (General Exemption);

**General Plan:** Various

**Specific/Area Plan:** Various

**Land Use:**

**Ord. Reference:** Chapter 26 (Zoning Code), Various Sections

**Zoning:** All

**Agricultural Preserve:** N/A

**Application Complete for Processing:** N/A

**RECOMMENDATION:** Recommend the Board of Supervisors find the project exempt from CEQA and adopt a temporary ordinance 1) automatically extending land use entitlements that have not expired for an additional year; 2) making an exception for a two-year period to land use limitations in the Land Intensive Agriculture (LIA) zone to allow vacation rentals subject to zoning permit.

## **ANALYSIS**

### **Background:**

Due to the economic downturn, many applicants have been unable to obtain project financing or complete their conditions of approval within the normal permit time frames. In reviewing this issue, in April 2011, the Board of Supervisors adopted “Economic Stimulus Ordinance” making temporary changes to the Zoning Code to improve permit processing efficiency, clarify permit procedures, and provide additional time for applicants to complete their conditions of approval. These temporary changes are due to sunset three years from the date of their adoption, and will no longer be in effect after May 12, 2014. Also, in July 2011, the state adopted an automatic extension of time for tentative map approvals for two additional years.

The April 2011 stimulus ordinance automatically extended land use entitlements for a two year period and allowed reactivation of permits that expired in 2010 or 2011. An additional extension was allowed on written request, and the extension time period was lengthened to two years, allowing up to four years in time extensions. The additional time extensions allowed by the April 2011 ordinance, in addition to the original two year term and one year extension allowed by code provided for up to 7 years from the date of approval to complete the conditions of approval and begin construction.

Prior to adoption of the April 2011 stimulus ordinance, approvals of land use entitlements such as use permits, lot line adjustments, and design review approvals were typically granted for a two year period, unless a longer period was stated in the permit. Permits can be extended one time for up to a year upon written request. During the past four years, the Commission has granted from three to five years to complete the conditions of approval, in addition to the extension of time allowed in the code for an additional year and any automatic extensions that may apply. Many use permits issued during the last four years now have up to 7 years to complete the conditions and begin construction. Once construction has begun on a project, the use permit will be vested.

In addition to the “Economic Stimulus Ordinance” adopted in 2011, the Board also approved changes to the zoning code to allow vacation rentals in residential and two of the agricultural zones in 2010. Vacation rentals were excluded from the Land Intensive Agriculture (LIA) because of General Plan policies limiting expansion of lodging and similar visitor serving uses in the LIA zone. In 2012, as part of the update of the agricultural zoning, the Board also adopted an exception to allow vacation rentals in the LIA for a limited two year period that expired on March 2, 2014. Staff was directed to process a possible General Plan Amendment to allow vacation rentals in the LIA. However, due to funding and staff shortages, this project has not been completed. Therefore as part of this economic stimulus package, staff recommends extending the exception for vacation rentals in the LIA for another two years.

### **Proposed Temporary Ordinance**

This project would make temporary changes to the Zoning Code to include the following provisions:

1. Automatically grant an additional one-year extension of time for existing valid land use entitlements such as Use Permits and Design Review approvals that have not expired.
2. For a two-year period, allow vacation rentals as a permitted use in the LIA (Land Intensive Agriculture District subject to standards and zoning permit.

The draft text to be amended is attached as Exhibit A.



## **DISCUSSION OF ISSUES**

### **Issue #1:** Automatic Time Extension of Approvals

As proposed, all approved land use entitlements that have not already expired, and are not related to code violations, would automatically be extended for a period of one year from the date the entitlement would have expired, but not to exceed the period of time allowed on any associated tentative map. Only one additional “automatic extension” would be granted for each land use entitlement, but the “automatic extension” would be in addition to any other time extensions allowed under the code (“requested extensions”). These provisions would provide up to 8 years from the date of original approval for an applicant to meet their conditions and begin construction.

Physical conditions and site circumstances often change over time and new standards are adopted. With automatic permit extension there would be no review of the permits, no public notice or hearing, and no additional conditions could be added to address any changes in circumstance and cumulative effect of past approvals that linger for many years could occur. On one hand, it could be argued that the economy is coming out of the recession and these extraordinary measures are not needed.

**Option 1: 2-Year Extension.** Allow an automatic extension for two years from the date of expiration. No notice or hearing required, no new conditions could be added.

**Option 2: 1-Year Extension.** Allow an automatic extension for one year from the date of expiration in addition to any other time extensions allowed under the code. No notice or hearing required, no new conditions could be added.

**Option 3: No Automatic Extension.** Do not automatically extend permits but instead allow for discretionary extensions to be approved for a longer than one year (i.e. two years). Requires an application for a time extension. Must conform to current General Plan and zoning standards, conditions may be added if changes circumstances, new impacts.

**Staff Recommendation: Option 2.** Allow an automatic extension for one year.

### **Issue #2:** Vacation Rentals in the LIA

In 2008, the updated General Plan included a new policy to allow “farmstays” in the LIA Zone as a form of vacation rental or visitor serving use that is directly related to, and promotes agriculture, while providing some stable income for the farmer. Additional policies were also adopted that prohibit new or expanded lodging or similar visitor serving uses in the LIA zone. The new policies arose out of the Citizens Advisory Committee recommendations and were subsequently reviewed and approved by the Planning Commission and Board as part of the General Plan update. The long-standing County policies that prohibit visitor-serving uses in the intensive farming areas were retained with the exception of the allowance for farmstays, which must be directly related to agriculture and promote agricultural education.

During discussions regarding the vacation rental ordinance, staff anticipated that the allowance for farmstays would address the need for vacation rentals in the LIA. However, as staff further analyzed the existing vacation rentals in the LIA, we determined that many of the properties with existing vacation rentals would not qualify as a commercial farming operation due to the small parcel sizes and therefore would not qualify for a farmstay. At the conclusion of hearings on the agricultural ordinance amendments, the Planning Commission and the Board indicated a willingness to consider a General Plan Amendment to allow vacation rentals in the LIA. However, due to funding and staff shortages and the scope of that effort, the Board adopted a temporary exception ordinance for a two year period which would allow vacation rentals to be permitted up to a maximum of 50 units, while directing staff to put in the work plan a possible future amendment. The exception ordinance expired on March 2, 2014

The exception ordinance would permit vacation rentals with either 1) a zoning permit, which shall expire upon transfer or sale of the property; or 2) a use permit that would run with the land, and includes standards for vacation rentals as follows:

- 1) The vacation rental is within a primary residence and not within a second unit, farm family, agricultural employee, or farmworker unit which have restricted covenants; and the property is not under a Land Conservation Act (Williamson Act) contract;
- 2) The vacation rental complies with all operating standards of Section 26-88-120 of the Sonoma County Code;
- 3) No cultural events, special events, weddings or large gatherings are permitted;
- 4) The septic system serving a vacation rental permitted with a zoning permit shall be properly functioning and shall meet Class 3 standards or better, as verified by a registered Civil Engineer, registered Environmental Health Specialist or C-42 contractor;
- 5) Vacation rentals permitted with a use permit shall meet all current standards for septic systems; and,
- 6) The owner signs and records a Right to Farm Declaration.

The exception ordinance also includes a stay of enforcement action against any existing vacation rentals in the LIA that have received a permit.

**Option 1: Extend for two years.** This would give staff two years to complete the analysis for a permanent General Plan/Zoning text amendment.

**Option 2: Extend for one year.** This would give staff one year to complete the analysis for a permanent General Plan/Zoning text amendment.

**Option 3: Do not extend the exception.** This would prohibit vacation rentals in the LIA Zone.

**Recommendation: Option 1.** Staff recommends that these provisions be extended for an additional two-year period while a General Plan Amendment, Zone Change and CEQA document is prepared for a more comprehensive analysis.

#### **STAFF RECOMMENDATION**

Adopt Resolution recommending approval of a temporary ordinance extending the timelines on land use entitlements for a period of one year and extending the exception to allow vacation rentals in the LIA zone.

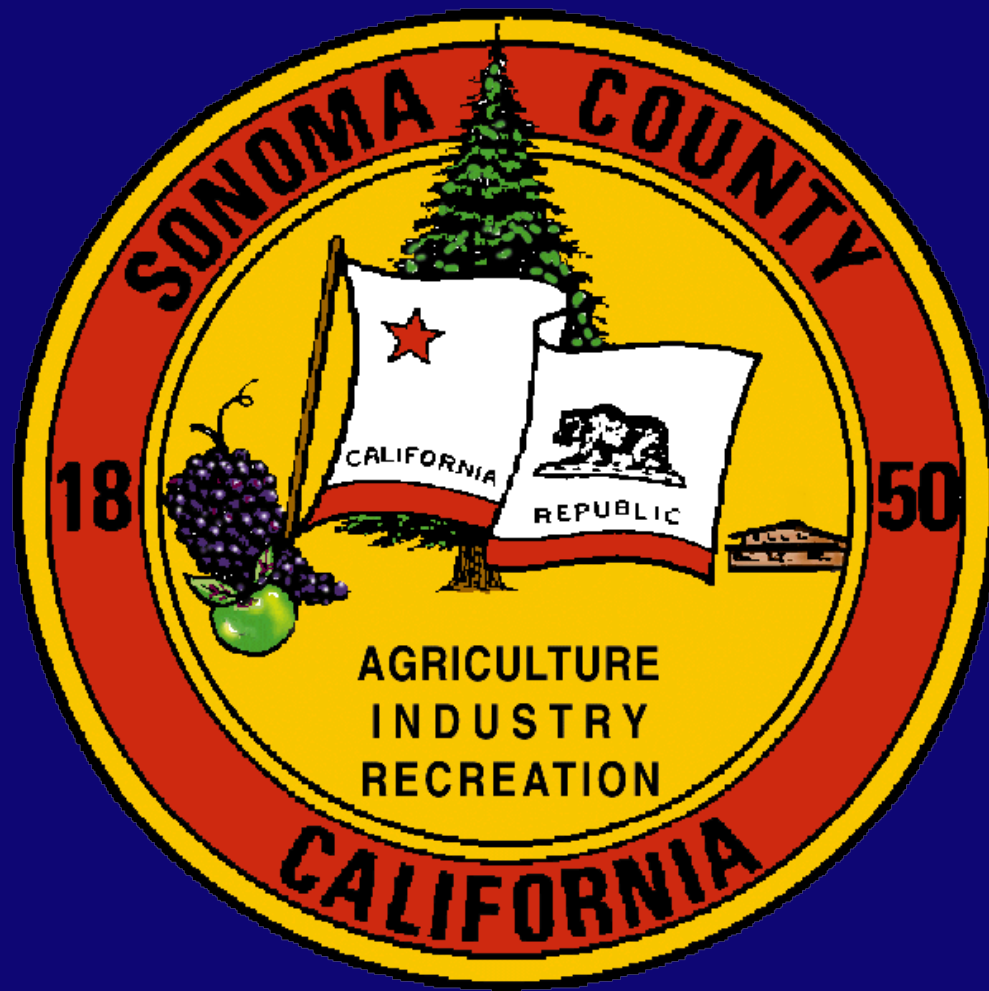
#### **FINDINGS FOR RECOMMENDED ACTION**

1. An automatic extension of time to complete conditions of approval on previously approved land use entitlements will reduce the complexity and cost of County permit processing, help stimulate economic development and job growth consistent with General Plan goals and policies.

2. Extending the timeframe for the exception allowing vacation rentals in the Land Intensive Agriculture District will enable further evaluate of the policy implications while recognizing the standards previously adopted limit the intensity of use to existing conditions. Overall, the exception is in harmony with the goals and objectives of the General Plan that ensures neighborhood compatibility and does not impair agricultural production.
3. The adoption of the proposed regulations is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) because it can be seen with certainty that adoption of the Ordinance does not result in a physical change in the environment, and, pursuant to Section 15305 as a minor change in land use limitations. Implementation of the regulations does not increase the intensity of uses already allowed on land, as the regulations adopted herein are primarily intended to aid permit streamlining, efficiency, and clarification of existing Codes.

**LIST OF ATTACHMENTS**

- EXHIBIT A: Draft Ordinance  
EXHIBIT B: Draft PC Resolution



# Economic Stimulus Zoning Ordinance

Sonoma County  
Board of Supervisors

April 15, 2014

# Response to Economic Recession

- Proposed ordinance would:
  1. Extends time frames for one year on approved entitlements, i.e. use permits and subdivision
  2. Allow two year extension of vacation rentals in the LIA zone

# Time Extensions

- Entitlement must have been approved and not already expired
- Extension is in addition to those already allowed by the code or state law
- Automatic extension, no review of the permit or public notice, no added conditions
- A maximum total of up to 8 years provided for permits issued in 2007-2008

# Vacation Rentals in LIA

- Extend for 2-years exception allowing vacation rentals in the LIA zone
- Consider General Plan Amendment to make allowable land use



# Vacation Rentals in LIA

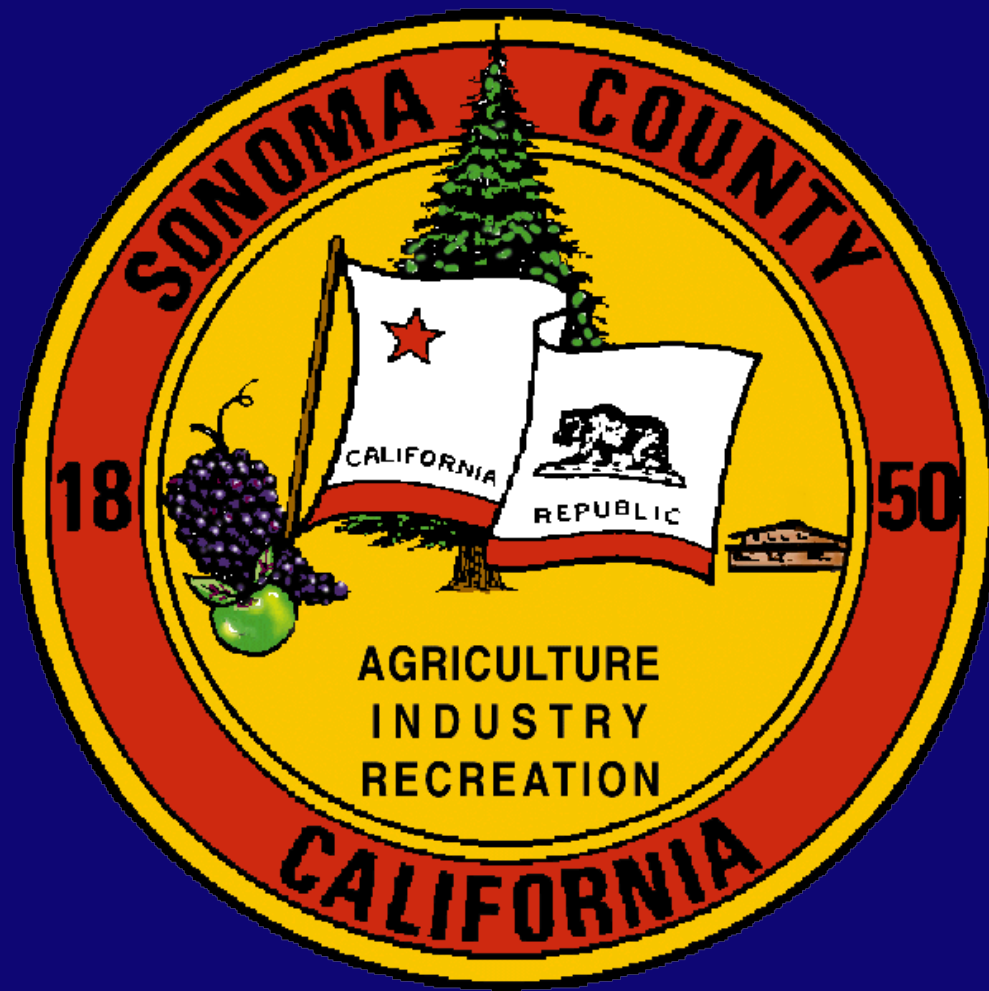
- Performance Standards
  - Rental is within a primary residence
  - Not within second unit, farm family, agricultural employee or farm worker unit
  - Unit must comply with all operating standards
  - No cultural events or special events allowed
  - Septic system must be inspected and properly functioning

# Public Comment

- Letters of support from:
  - North Bay Association of Realtors
  - Birdsong Property Management
- Neighborhood concerns about impacts of vacation rentals related to traffic, noise, and events

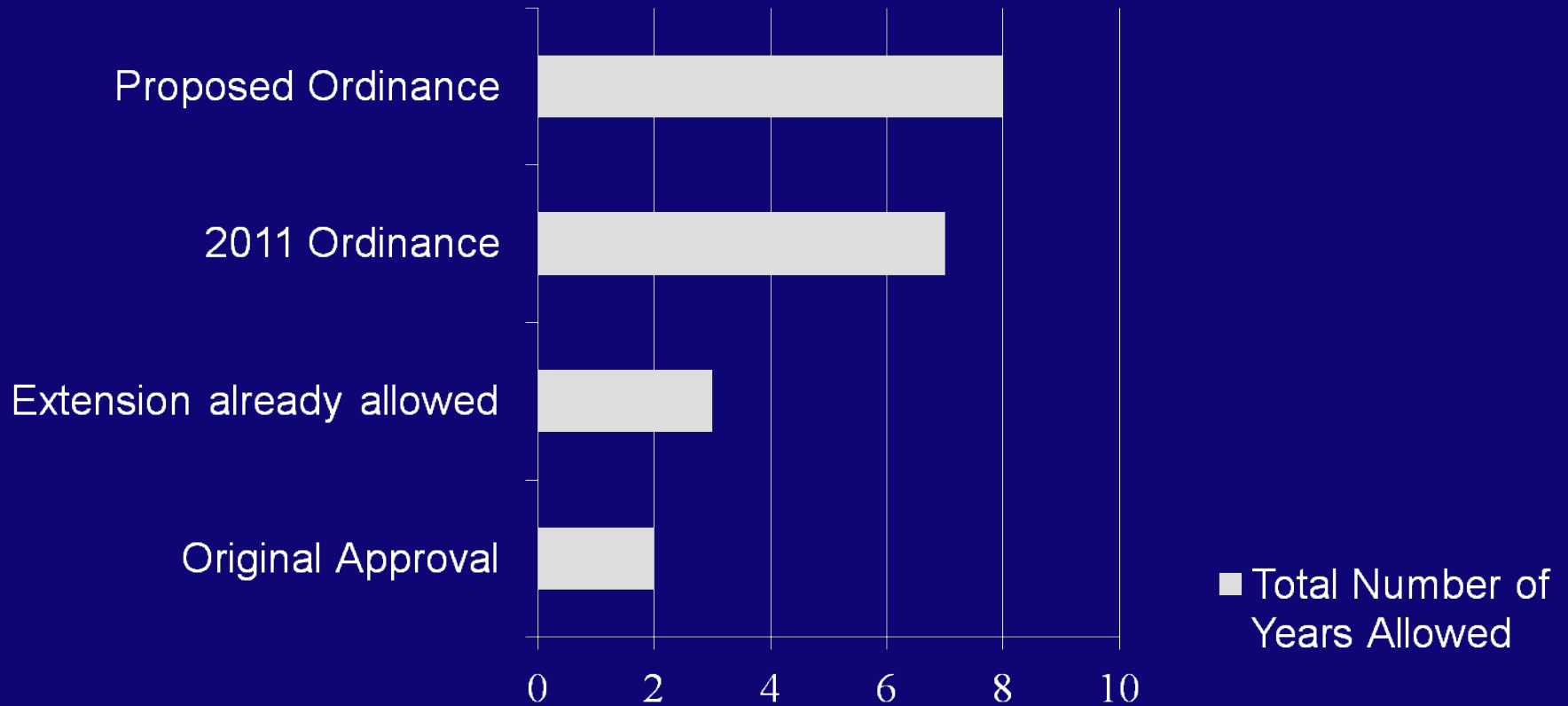
# Planning Commission Recommendation

- Approve an automatic one year extension of land use entitlements
- Changed conditions since original approval warrant review and conditions on future extensions
- Allow vacation rentals in LIA for two more years while staff considered GPA



# Typical Use Permit

## Total Number of Years Allowed





## County of Sonoma Agenda Item Summary Report

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

**Agenda Item Number: 49**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** April 15, 2014

**Vote Requirement:** No Vote Required

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

**Staff Name and Phone Number:**

Jennifer Milligan, 565-3783

**Supervisorial District(s):**

First.

**Title:** Sonoma Development Center Workshop

### **Recommended Actions:**

Receive presentation regarding the history, status and potential future of the Sonoma Development Center.

### **Executive Summary:**

The Sonoma Developmental Center has been serving individuals with developmental disabilities since 1891. The Center currently serves 453 residents, including 200 with intermediate care facility needs (behavioral needs) and 253 with nursing facility, or medical needs. The Center currently encompasses approximately 1,000 acres in the Sonoma Valley with a broad range of facilities on site as well as unique and critical habitat and environmental features. As the largest employer in Sonoma, the center currently employs 1,394 employees including nursing, professional and administrative staff, among others.

The future of the Center has become uncertain as the State of California Health and Human Services Agency looks at declining populations in State management developmental centers and fiscal challenges surrounding these facilities. In January 2014 the State released a Task Force report and plan for developmental centers throughout the state. However, the report and plan is not specific as to the future of the Sonoma Developmental Center.

The County has a strong and broad interest in the future of the Center, including continuing service needs for the residents and a range of land and environmental interests. This includes the Human Services and Health Services departments, interested in assuring continued access to prevention-focused, integrated health services required by the residents and the community. To this purpose, Health and Human Services have assisted in facilitating community education and outreach and efforts to preserve the health resources provided at the Center. The Agricultural Preservation and Open Space District is interested in permanently protecting the Center's property for open space, scenic resources,

and recreational purposes and has been participating in community efforts to support the Center with interest in the potential for a conservation easement over all or a portion of the property in the future. Similarly, the Regional Parks Department is interested in preserving and expanding public access, regional recreational connections, and supporting natural resource stewardship on the property. Regional Parks has been participating in community efforts with the interest of potentially owning and/or managing portions of the property in the future for public access and resource management. The Sonoma County Water Agency also has a similar interest in the resource management and environmental protection of the land, with enhanced wastewater treatment and water supply and capacity interests existing in the property.

Given the broad range of priority interests from the County, staff have been engaged with various efforts including community efforts in the form of a Coalition of partners interested in preserving the resources at the center. The Coalition consists of many community members, resident and family representatives, the County departments noted above, the Sonoma Ecology Center, Sonoma Land Trust, the Economic Development Department, Jack London State Park, and other partners.

Staff have also been actively advocating with the State and pursuing legislative options to maintain the Center and the County's and community's interest in the Center. Staff will provide an update on the status current advocacy efforts during the presentation, including SB 1428 (Evans) which was approved in committee on April 8, 2014 (fact sheet attached).

Given the direct impact any decision or change in the direction of the operations of the Center would have on the County, the Board of Supervisors has included the future of the Sonoma Developmental Center as one of their work priorities for 2014. As such, staff has prepared a workshop for the Board to provide more detailed information on the Center. Information provided will include:

- History for the Center, which was opened in 1891
- Current Status of the Center including services provided; current facilities/land uses; number of residents (currently 453 total); and number of employees (currently 1,394, Sonoma's largest employer)
- Current status of State efforts, including presentation by Amy Wall, California Department of Developmental Services Assistant Director on the State Task Force Report and ongoing efforts
- Summary of Potential Closing Processes and State options for the Center and property
- Impacts of Closure
- County interests and potential reuse options
- Advocacy and legislative update
- And next steps and ongoing staff efforts.

Brief presentations by community advocates and Coalition members will also be included.

**Prior Board Actions:**

None.

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

The Sonoma Developmental Center provides unique and necessary services to many clients with various

developmental disabilities as well as functions as an economic driver as the largest employer in the Sonoma Valley. The future of the Center is key to the health and safety of the resident community as well as the community as a whole.

**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>\$ 0</b>	<b>Total Sources</b>	<b>\$ 0</b>

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

This Workshop is informational only. Staff will present estimates of costs required to continue staff efforts on this topic during the presentation.

**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:**

Attachment A-SDC Coalition Flyer. Attachment B-SB 1428 fact sheet. Attachment C-Land/facility map. State Task Force Report. Attachment D – State Land Use Summary; Attachment E – DC Specialty Services; Attachment F – Task Force Report.

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

None.



# A Sonoma County Coalition Is Committing Its Resources to Preserving Sonoma Developmental Center

Sonoma County and its community partners stand ready to protect the valuable services and natural resources present at the Sonoma Developmental Center. These partners have pledged staff support and future financial support to ensure the Coalition's vision of preserving critical health services, protecting the environmental resources, and opening the land to the public is achieved.

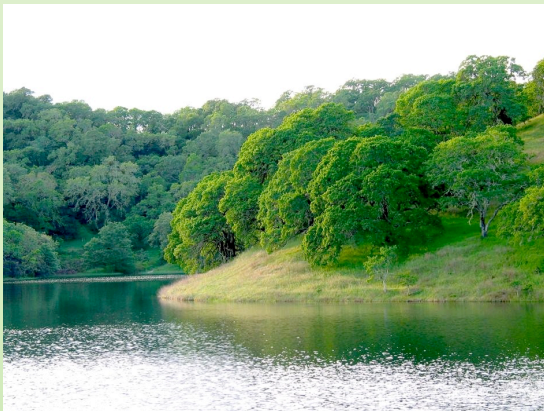
## Agricultural Preservation and Open Space District

The District has long been interested in permanently protecting the Sonoma Developmental Center property for open space, natural and scenic resources, and recreational purposes. In the long-term, the District has the interest, capability and capacity to hold and monitor a perpetual conservation easement over the property, particularly the undeveloped portion, and provide financial support for planning and acquisition.



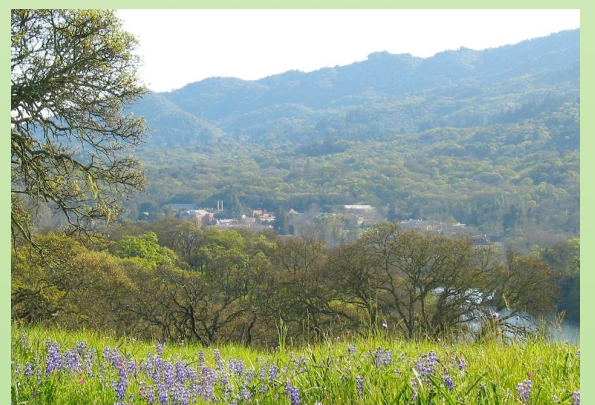
## Sonoma Ecology Center

The Sonoma Ecology Center (SEC) has a longstanding, positive partnership with the Sonoma Developmental Center, and has identified the property has having a significant environmental benefit to the region. SEC has raised funds to repair extensive erosion problems associated with Sonoma Developmental Center's water supply infrastructure affecting salmonid streams, and assisted in making maps for SDC emergency response. SEC is able to contribute to the Sonoma Developmental Center Coalition's comprehensive planning efforts through data mapping and analysis, with particular attention to the many varied species that live and depend on the Sonoma Developmental Center's land.



## Sonoma County Regional Parks

Regional Parks is an enthusiastic supporter of providing safe public access, coordinating regional recreation connections, and providing natural resource stewardship to the undeveloped portions of the Sonoma Developmental Center property, and has the long-term interest, capability and capacity to own and manage the undeveloped portions of the property for public access and resource stewardship.





### Sonoma Land Trust

The Sonoma Land Trust brings expertise in acquisitions and land protection and has been active in the Sonoma Valley since its inception. Over the last 10 years, SLT has brought over \$80M in public and private funds to Sonoma County for land conservation. SLT is able to make tangible contributions to a collaborative effort with the state and others to preserve the Sonoma Developmental Center by funding staff time to develop site assessments and other necessary background information to inform the process, secure grant funding, and support real estate negotiation or acquisition needs.

### Sonoma County Water Agency

The Sonoma County Water Agency sees significant opportunities for environmental protection and water conservation through the preservation of the Sonoma Developmental Center. These opportunities include technical support to enhance wastewater treatment, installation of water efficiency fixtures, and evaluating water supply needs and capacity.



### Sonoma County Health Services Department

The Department of Health Services, the County's local health jurisdiction and health care provider, supports the Sonoma Developmental Center in its role of assuring access to a prevention-focused, integrated health home that strengthens the local collaborative health system. The Department of Health Services has facilitated community education and outreach on pressing health topics, and has secured funding that supports expansion of access, increased quality, and decreased system costs. The Department is committed to providing staff support to help the community preserve health resources, such as the Sonoma Developmental Center.

# SB 1428 (EVANS)

## SONOMA DEVELOPMENTAL CENTER LAND USE

### THE GOAL

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This bill seeks to establish a framework of protections for the community surrounding Sonoma Developmental Center (SDC) by requiring the Department of General Services (DGS) to confer and cooperate with a list of local and state entities before making any decisions concerning the land use of SDC.

### BACKGROUND

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SDC is one of four Developmental Centers (DCs) operated by the California Department of Developmental Services and is the oldest facility in the state established specifically to serve the needs individuals with developmental disabilities. At its peak in 1967, DCs across the state were home to 13,000 people. Since then, California has moved away from institutionalization as a method of care for developmental disabilities, and instead pursued community based services. This transition is due in large part to the Lanterman Developmental Disabilities Service Act of 1969 which ensures individuals with developmental disabilities the right to services and support that enables them to lead an independent and normal life. Today, SDC is home to about 460 residents.

The land at SDC is of significant importance to the surrounding community. Composed of almost 1,000 acres, the SDC property is situated at the heart of the Sonoma Valley Wildlife Corridor, a crucial passage for wildlife that extends over five miles from Sonoma Mountains to the Mayacamas Mountains, and provides a therapeutic quality to the residents and community.

In light of recent certification issues at SDC and other DC closures, the Secretary of Health and Human Services convened a task force on the Future of Developmental Centers in 2013. The Taskforce has since put forth a set of recommendations that call for a transitional downsizing of DCs across the state. To be clear, the taskforce's recommendations do not call for DC closures, but instead advocate for a shift to smaller safety-net crisis and residential services model of care with an emphasis in specialized health care resource center and public/

private partnerships. No official plan has been set for the future of SDC or any of the remaining DCs, but the issue of land use remains a concern to the Sonoma Community.

### THIS BILL

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Requires that before DGS make any decisions on what to do with land of Sonoma Developmental Center, they confer and cooperate with a list of local and state entities including but not limited the residents and families of SDC, Sonoma County local government, and state and local environmental groups. In addition, this bill authorizes a potential plan to include the development of residential care facilities, public recreational facilities, and an expansion of a wildlife habitat corridor and of water supply facilities.

### PREVIOUS LEGISLATION

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- AB 955 (Wiggins, 2004) Vetoed—would have required surplus property of SDC to be transferred to the Department of Parks and Recreation and added to Jack London State Park.
- SB 1392 (Pavley/ Rubio, 2012) Held in Asm. Appropriations—would have authorized the lease of surplus DC property and would have created the Californians with Developmental Disabilities Fund for deposit of the generated revenue.

### SUPPORT

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None received

### OPPOSITION

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None received.

### FOR MORE INFORMATION

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Office of Senator Noreen Evans  
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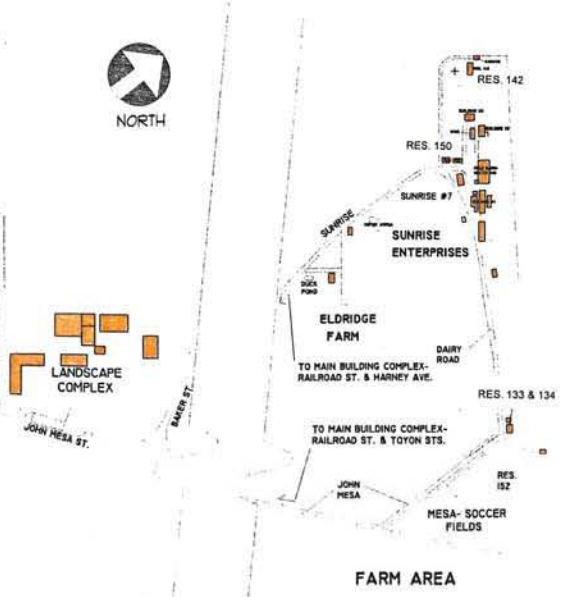
# SONOMA DEVELOPMENTAL CENTER



<span style="color: yellow;">■</span>	LEASED	8,864 SF
<span style="color: green;">■</span>	VACANT	317,666 SF
<span style="color: pink;">■</span>	DTAC	99,949 SF
<span style="color: red;">■</span>	GAC - HOSPITAL	5,414 SF
<span style="color: blue;">■</span>	NF - RESIDENTIAL	127,592 SF
<span style="color: lightblue;">■</span>	ICF - RESIDENTIAL	189,255 SF
<span style="color: orange;">■</span>	PUBLIC / SUPPORT*	585,197 SF
		<b>1,333,937 SF</b>

\*Admin, Kitchen, Plant Ops, Storage

SEPTEMBER 2013



CHALLENGE SONOMA ROPE COURSE LEASE  
HORIZON TOWER LEASE

SOC. CEMETARY CORPORATION YARD  
WATER TREAT. FAC.  
PERRIN LAKE  
EMPLOYEE POND BRGS.  
CAMP V.I.A.

## Developmental Center Land Use Summary

### Sonoma Developmental Center

Sonoma has previously disposed of 740.83 of its original 1669.93 acres by transferring land for state and county parks and conservation easements. The remaining acreage, which consists of 863.21 acres, is considered fully utilized. The property's western boundary begins at the upper ridge line of Sonoma Mountain and the parcel continues eastward down the mountain and across the valley to Highway 12. There is a considerable amount of elevation change between the upper mountain portion of the campus and the valley below. The upper mountain portion, approximately 600 acres, is comprised of two parcels and was transferred to the Department of Parks and Recreation in 2002 but remains a critical part of the campus as the parcels provide watershed for the campus water diversion facilities located at the boundary between the two properties. The lower Orchard Parcel, as it is commonly known, also contains Camp Via. There is only one road in this section that leads to Camp Via, which is a consumer outdoor recreation site of approximately 5 acres. The only other access routes on this property are unimproved fire roads that are impassable during the rainy season. A majority of the property in this section is non-arable and contains no utilities. Boundaries include Jack London State Park and private property.

The Sonoma property water is supplied by self-contained water diversion and treatment plant system. The center has two reservoirs with approximately 800 acre feet that are fed by three diversion sites. The facility also contains a water treatment facility that is capable of producing all of the potable water required by the campus. Back-up water supplies are provided by a connection with the Sonoma County Water Agency and an emergency inter-tie connection with the Valley of the Moon Water District. The center has riparian and pre-1914 appropriated water rights as well as licensed appropriated water diversion and storage rights that we appropriated in the 1930's. However, the center needs to replace the Sonoma Creek water diversion infrastructure (the majority of SDC's appropriated rights) to avoid forfeiture.

Sonoma's core campus is bisected by Arnold Drive. The core campus is approximately 150 acres and is located on the lower portion of Sonoma Mountain and spans eastward into the valley. The eastern boundary of the property is Highway 12 which is a designated scenic corridor. Approximately 40 acres of the Sonoma property that lies adjacent to Highway 12 was previously transferred to the Sonoma Valley Regional Parks to provide a wildlife corridor adjacent to conservation easements. A small area adjacent to Highway 12 was retained by the facility to provide a secondary means of entry and egress to the portion of the campus that is located on the eastern side of Sonoma Creek that bisects the property. This is particularly important given the structural limitations of the vehicular bridge that spans Sonoma Creek.

## Developmental Center Land Use Summary

The Table below details summary data from the Sonoma Building Utilization and Maintenance Report.

Acres:

Land lease(s)	3.72	Core campus	183.21
Undeveloped	680.00	Surplus	0
<b>Total:</b>	<b>866.93</b>		

Table 3: Sonoma

Building Function	Number of Buildings	Year Constructed	Age (yrs)	Gross Square Footage	License Capacity
Leased	3	1954-1980	33-59	8,864	
Vacant	28	1909-1993	20-104	317,666	
DTAC	12	1918-2004	9-95	99,949	
GAC-Hospital	1	1956	57	5,414	13
NF-Residential	4	1948-1967	46-65	127,592	622
ICF-Residential	10	1948-1956	57-65	189,255	753
Public/Support *	83	1897-1987	26-116	585,197	
<b>TOTAL</b>	<b>141</b>			<b>1,333,937</b>	<b>1,388</b>

\*Buildings included are not equipped for occupancy, such as storage containers.

## SPECIALTY SERVICES AT THE DEVELOPMENTAL CENTERS

MEDICAL SERVICES				
SPECIALTY SERVICES	FAIRVIEW	LANTERMAN	PORTERVILLE	SONOMA
Audiology: Consultation, evaluation, diagnosis, order and fit devices (some) post hospital follow-up by an Audiologist	DC	C	DC	DC
Cardiology: Consultation, evaluation, diagnosis, post-hospital follow-up by a Cardiologist		C	C	
Dental: Exam (includes x-rays), diagnosis, treatment by a Dentist including bridges, crowns, excision of oral lesions, extractions, fillings, dentures, prophylaxis, cleaning, deep scaling, restoration of carious teeth, root canals	DC	DC	DC	DC & C (ROOT CANALS)
Dental: Treatment under sedation administered and monitored by an Anesthesiologist (identified level of sedation)	C (GENERAL ANESTHESIA & TWILIGHT SEDATION)		C (TWILIGHT SEDATION)	C (GENERAL ANESTHESIA & TWILIGHT SEDATION)
Dental: Treatment under sedation administered without an Anesthesiologist (identified level of sedation)	DC (CONSCIOUS SEDATION)	DC (CONSCIOUS SEDATION)	DC (CONSCIOUS SEDATION)	DC (CONSCIOUS SEDATION)
Dermatology: Consultation, evaluation, diagnosis, treatments, post-hospital follow-up by a Dermatologist	C	C		C
Ear, Nose, Throat (ENT): Consultation, evaluation, diagnosis, cleaning, post-hospital follow-up by an ENT Specialist			C	DC
Electrocardiogram (EKG)	DC (TEST & READ)	DC (TEST) & C (READ)	DC (TEST) & C (READ)	DC (TEST & READ)
Electroencephalogram (EEG)	DC (TEST & READ)	DC (TEST) & C (READ)	DC (TEST) & C (READ)	
Gastroenterology: Treatments by Gastroenterologist or General Surgeon				C
Gastroenterology: Treatments or exams with sedation administered by an Anesthesiologist (identified level of sedation)				C (GENERAL ANESTHESIA & TWILIGHT SEDATION)
Gastroenterology: Treatments or exams with sedation administered without an Anesthesiologist (identified level of sedation)				DC (CONSCIOUS SEDATION)
Gastroenterology: Consultation, evaluation, diagnosis, post-hospital follow-up by a Gastroenterologist	C	C	C	C
Gynecology: Consultation, pelvic exam, breast exam, papsmear, procedures, post-hospital follow-up by a Gynecologist	C	C	C	DC & C
Gynecology: Treatments or exams under sedation administered and monitored by an Anesthesiologist (identified level of sedation)	C (GENERAL ANESTHESIA & TWILIGHT SEDATION)			C (GENERAL ANESTHESIA & TWILIGHT SEDATION)
Gynecology: Treatments or exams under sedation administered without an Anesthesiologist (identified level of sedation)	DC (CONSCIOUS SEDATION)	DC (CONSCIOUS SEDATION)	DC (CONSCIOUS SEDATION)	DC (CONSCIOUS SEDATION)

## SPECIALTY SERVICES AT THE DEVELOPMENTAL CENTERS

MEDICAL SERVICES (CONTINUED)				
SPECIALTY SERVICES	FAIRVIEW	LANTERMAN	PORTERVILLE	SONOMA
Infectious Disease: Consultation, evaluation, diagnosis, post-hospital follow-up by an Infectious Disease specialist			C	
Internal Medicine: Consultation, evaluation, diagnosis, post-hospital follow-up by an Internist	DC	DC		DC
Lab draw (24/7)	DC	DC	DC	DC
Lab testing and results	DC (ALSO SEND SOME TO OUTSIDE LAB)	DC (ALSO SEND SOME TO OUTSIDE LAB)	DC (ALSO SEND SOME TO OUTSIDE LAB)	DC (ALSO SEND SOME TO OUTSIDE LAB)
Mortality Review by a Committee	DC	DC	DC	DC
Nephrology: Consultation, evaluation, diagnosis, post-hospital follow-up by a Nephrologist			C	
Neurology: Consultation, evaluation, diagnosis, post-hospital follow-up by a Neurologist	DC	C	C	C
Ophthalmology: Consultation, evaluation, diagnosis, post-hospital follow-up, treatment and preventative eye care by an Ophthalmologist	C	C	C	C
Optometry/Ophthalmology: Order, fit, repair glasses	C	C	C	C
Optometry: Eye exam	C		C	C
Outpatient Services (non-residents of the DC)		DC		
Pharmacy	DC	DC	DC	DC
Physiatry: Consultation, evaluation, diagnosis, post-hospital follow-up, treatment and preventative care by a Physiatrist	DC	C		
Physician services (24/7)	DC	DC	DC	DC
Podiatry: Consultation, evaluation, diagnosis, post-hospital follow-up, treatment and preventative care by a Podiatrist	C	DC	C	DC
Podiatry: Treatments or exams with sedation administered by an Anesthesiologist (identified level of sedation)				C (GENERAL ANESTHESIA & TWILIGHT SEDATION)
Podiatry: Treatments or exams with sedation administered without an Anesthesiologist (identified level of sedation)		DC (CONSCIOUS SEDATION)	DC (CONSCIOUS SEDATION)	DC (CONSCIOUS SEDATION)



## SPECIALTY SERVICES AT THE DEVELOPMENTAL CENTERS

MEDICAL SERVICES (CONTINUED)				
SPECIALTY SERVICES	FAIRVIEW	LANTERNMAN	PORTERVILLE	SONOMA
Psychiatry: Consultation, evaluation, diagnosis, post-hospital follow-up by a Psychiatrist	DC	C	DC & C	DC
Psychiatry: Direct care and treatment by a Psychiatrist			DC	DC
Pulmonary: Consultation, evaluation, diagnosis, post-hospital follow-up by a Pulmonologist	C		C	DC
Radiology: X-ray films taken onsite, and read onsite by a Radiologist	DC (TEST) & C (READ)	DC (TEST & READ)	DC (TEST & READ)	DC (TEST ONLY)
Radiology: Dexa bone scan administered and read onsite	C (TEST & READ)		DC (TEST) & C (READ)	
Radiology: Echocardiogram administered and read onsite			DC (TEST) & C (READ)	
Radiology: Mammogram administered and read onsite		C (TEST ONLY)	DC (TEST) & C (READ)	
Radiology: Scans administered under sedation administered by an Anesthesiologist (identified level of sedation)				
Radiology: Scans administered under sedation administered without an Anesthesiologist (identified level of sedation)		DC (CONSCIOUS SEDATION)	DC (CONSCIOUS SEDATION)	
Radiology: Ultrasound administered and read onsite	C (TEST & READ)	C (TEST ONLY)	DC (TEST) & C (READ)	
Surgical clinic: Consultation, evaluation, recommendations for surgical procedures, follow-up of post-op cases, minor procedures (excision of sebaceous cyst, lipomas, skin lesions, incision/drainage) by a Surgeon		C	C	C
Surgical clinic: Treatment and minor procedures with sedation administered by an Anesthesiologist (identify level of sedation)				C (GENERAL ANESTHESIA & TWILIGHT SEDATION)
Surgical clinic: Treatment and minor procedures with sedation administered without an Anesthesiologist (identified level of sedation)		DC (CONSCIOUS SEDATION)		DC (CONSCIOUS SEDATION)
Urology: Consultation, evaluation, diagnosis, post-hospital follow-up by a Urologist		C	C	C
Urology: Cystoscopy with sedation administered by an Anesthesiologist (identified level of sedation)				C (GENERAL ANESTHESIA & TWILIGHT SEDATION)

## SPECIALTY SERVICES AT THE DEVELOPMENTAL CENTERS

NURSING SERVICES				
SPECIALTY SERVICES	FAIRVIEW	LANTERMAN	PORTERVILLE	SONOMA
Central Line: Maintenance	DC	DC	DC	DC
Central Line: Total Parenteral Nutrition (TPN): Maintenance	DC		DC	DC
Intravenous Therapy (IV): Placement and maintenance	DC	DC	DC	DC
Respiratory Therapy: Consultation, evaluation, post-hospital follow-up by a Respiratory Care Practitioner	DC	DC & C	DC	DC
Respiratory: Bilevel Positive Airway Pressure (BIPAP)	DC	DC & C	DC	DC
Respiratory: Breathing treatments	DC	DC & C	DC	DC
Respiratory: Continuous Positive Airway Pressure (CPAP)	DC	C	DC	DC
Respiratory: Tracheostomy care and changes	DC	DC	DC	DC
Respiratory: Ventilator care and intubation (in emergency)			DC	
Wound Care: Consultation, evaluation, diagnosis, post-hospital follow-up by a Wound Care Specialist	DC		DC	DC

DC: Service provided by Developmental Center Employees

C: Service Provided by Contracted Consultant (excludes contract services provided offsite)

September 2013

## SPECIALTY SERVICES AT THE DEVELOPMENTAL CENTERS

MOBILITY AND ADAPTIVE EQUIPMENT				
SPECIALTY SERVICES	FAIRVIEW	LANTERMAN	PORTERVILLE	SONOMA
Adaptive equipment: Tailor/Seamer, specialized in adaptive clothing modification				DC
Adaptive equipment: Customization/fabrication/adaptation for wheelchairs, beds, chairs, helmets, splints, communication devices, recreational items, etc.	DC	DC	DC	DC
Adaptive equipment: Pressure mapping and seat molding	DC (SEAT MOLDING ONLY)	DC	DC	DC
Adaptive equipment: Shoe customization/fabrication/adaptation				DC
Adaptive technology: Switch Lab where individuals are assessed for type and proper placement of adaptive switches to utilize to maximize independent job performance, time on task, and making choices	DC			
Dysphagia evaluation by a Dysphagia Specialist	DC	DC	DC	DC
Hippotherapy: Incorporation of the movement of the horse as a therapeutic agent, ordered by a physician and delivered by a team that includes a licensed, credentialed therapist				DC
Mobility Opportunities Via Education (MOVE) program: Coordinated instruction and use of adaptive equipment to improve skills and independence to sit, stand, walk and transition in everyday activities of daily living			DC	DC
Occupational Therapy: Consultation, evaluation, treatments by an Occupational Therapist	DC & C	DC	DC	DC
Orthopedics: Consultation, evaluation, diagnosis, order, maintain and fit orthotics, casting and cast management, post-hospital follow-up by an Orthopedist	DC	C		DC
Orthopedics: Order, maintain and fit orthotics by a professional other than an Orthopedist (specify)		C (ORTHOTIST)		DC (OT/PT)
Physical Therapy: Consultation, evaluation, treatment by a Physical Therapist	DC & C	DC & C	DC	DC
Speech Therapy: Consultation, evaluation, and treatment by a Speech Therapist	DC	DC	DC	DC

## SPECIALTY SERVICES AT THE DEVELOPMENTAL CENTERS

<b>PROGRAMMING AND INDIVIDUALIZED SUPPORT PLANS</b>				
SPECIALTY SERVICES	FAIRVIEW	LANTERMAN	PORTERVILLE	SONOMA
Acute Crisis Admission Services	DC			
Autism Services: Consultation, evaluation, treatment by a certified Autism Specialist	DC			
Court- Competency Restoration Training			DC	
Drug Regimen Review by committee	DC	DC	DC	DC
Human Rights Committee reviews	DC	DC	DC	DC
Secure Treatment			DC	
Sex Offender Relapse Prevention Program			DC	

## California Developmental Center Services and Supports

(Submitted by Theresa DeBell, Developmental Centers (DC) Task Force member, in August 2013, and compiled from CA Health and Human Services Agency handout on DC Services with input from Fairview, Porterville and Lanterman Developmental Centers families and staff.)

### HEALTH

- All facilities are licensed and certified as General Acute Care hospitals (GAC) with distinct parts for Skilled Nursing Facilities (SNF) and Intermediate Care Facilities/Intellectually Disabled (ICF/ID).
- The GAC units care for individuals in need of acute care. They also provide clinic services including but not limited to dental, laboratory, x-ray, podiatry, primary care physicians, etc. The DCs also operate pharmacies, and can customize adaptive equipment such as wheelchairs, footwear, etc. for the residents on site.
- 24 hour nursing care is provided at each level as needed, including the following:
  - IV Therapy
  - Porta-Cath Therapy
  - Hickman Catheter Therapy
  - G-Tube
  - End of Life Care
  - 24 hour on campus physician care, with daily visits as needed
  - 24 hour pharmacy services
  - Medical lab services
  - X-ray services
  - Dental services, including monitored anesthesia care
  - Respiratory Care Therapist
  - Extended Care
- Adjunctive medical and therapeutic services
  - Wheelchair clinic
  - Registered Clinical Dieticians
  - clinical nasal gastric tubes
  - clinical gastronomy tubes
  - J-tube
  - Hyper Alimentation
  - Speech Therapy
  - Communication Therapy with computers
  - Mobility training
  - Podiatry Clinic
  - Animal Assisted Therapy
  - Transportation for off campus treatment provided by licensed escort
- Specialty Clinics are arranged with outside physician and therapists:
  - Orthopedics
  - Physical Medicine & Rehabilitation
  - Ophthalmology
  - Ear, Nose & Throat
  - Gynecology (GYN)
  - Urology
  - Neurology

- Psychiatry
- Dermatology

### **EDUCATIONAL, EMPLOYMENT, LEISURE and COMMUNITY INTEGRATION SERVICES**

- All DCs provide special education, adult education, and vocational training services to residents.
- Butterfield Charter School at Porterville DC provides high school classes with graduations, and IEP services participation.
- Goodell School at Fairview DC provides a special education curriculum
- Coastline Community College provides on campus classes in music, computer lab and a variety of other classes for residents (FDC).
- Off-campus vendorized day programs (Westside, Elwyn, Cole)
- LDC has a vendorized and accredited vocational program for consumers referred to as Community Industries. This program provides paid employment for consumers who live in the community as well as residents of the DC.
- Swimming Pool on some grounds
- Beauty Shop and Barbershop on some grounds
- Campuses have a large activity area with TVs, art supplies and a music listening area
- Campus petting zoo
- Hippotherapy
- Off Campus Trips to movies, dinning, shopping, nature trips, Angel Baseball games, Duck games, Disneyland, The Aquarium of the Pacific, County Fairs, Sea World, San Diego Zoo, San Diego Wild Animal Park, Concerts in the Park, pumpkin & Christmas tree shopping, participation in The Special Olympics.
- On Campus Parties for everything: Traditional Holidays, Cinco de Mayo, Chinese New Year, 4<sup>th</sup> of July Carnival. Other parties held on a regular basis, some at individual units and some campus wide.
- Staff puts on numerous multi-cultural events. Food from different ethnicities provided. Food trucks set up on campus.
- Monthly dances with live entertainment bands, DJ, carolers, orchestras.
- People's First Group at all DCs

### **RELIGIOUS NEEDS**

- On campus services include the Catholic, Protestant, Jewish & Muslim faiths.
- Transportation can be provided to off campus religious services.

### **VOLUNTEER SERVICES** - support residents in the following ways:

- -the Support Special Arts Festival
- -provide uniforms, registration fees and transportation to Special Olympics
- -Golf Tournament fund raiser
- -Christmas Boutique attended by vendors from the community
- -Donations of items and money to help with residents' field trips and to donate to the Residents Benefit Fund
- -Foster Grandparent Program
- -Senior Companion Program

## OFFICE OF PROTECTIVE SERVICES

All DCs have a local Office of Protective Services, which provides public safety and security for the DC campus and residents, responds to incidents and conducts investigations, and liaisons with external law enforcement entities.

STAFF DCs provide some continuing educational and training courses (CPR, Resident Wellness Program, Nursing Competency). Independent Staff Developmental, on Campus Staff Library. DCs are a source for licensed Psychiatric Technicians through affiliations with training programs at local community colleges.

### STAFF:

- -Psychologists: licensed PhD
- -Social Workers: licensed clinical workers with a Masters Degree
- -Psych Techs: 2 years of college and must pass state licensing exam
- -Nutritionists: must hold at least a Bachelor's Degree
- -Coastline College Classes for Residents: credentialed teachers
- -Day Training: credentialed teachers
- -Rehabilitation therapists
- -Registered Nurses (2 and 4 year): must pass state exams
- -Pharmacist: licensed
- -Pharmacy Tech: must pass state exam
- -Psych Tech Assistants/Nurse's Aides: 6 weeks of 40 hour training per week. Ongoing training and must be certified.

### FAMILIES:

Many families are active participants in the lives of their relatives at DCs. There is strong family support and advocacy through individual family groups at DCs. Residents receive emotional, political, programmatic and monetary support from the residents' family groups.

- **Fairview DC** serves consumers in need of acute crisis admissions. The admissions are considered short-term and intended for stabilization and preparation to return to their home communities as soon as they are able. Fairview and the City of Costa Mesa have a unique agreement in which the City, in exchange for refurbishing 2 soccer fields at Fairview, is allowed to use those fields for its youth soccer program. The agreement clearly gives the residents at Fairview first use of the fields (the City's programs are scheduled around the needs of the residents).
- **Lanterman DC** has an outpatient clinic to serve former residents of the DC who have transitioned to the community. This is part of the closure plan.
- **Porterville DC** has a secure treatment program (STP), primarily serving individuals who have been ordered for restoration of court competency associated with the criminal justice system. The STP is licensed as an ICF/ID, but not certified. This program requires a secured perimeter with a sally port for entrance/exit, video surveillance of the area, and increased OPS operations.
- **Sonoma DC** has a fully operational fire department. The fire department responds not only to calls at the DC but in the surrounding communities in Sonoma County.
- **Canvon Springs** is the only small facility operated by the state. The facility is leased, not owned by, the state.

# State of California HEALTH AND HUMAN SERVICES AGENCY



DIANA S. DOOLEY  
SECRETARY

January 13, 2014

The Honorable Darrell Steinberg  
President Pro Tempore  
California State Senate  
State Capitol Building, Room 205  
Sacramento, CA 95814

The Honorable John A. Pérez  
Speaker of the Assembly  
California State Assembly  
State Capitol Building, Room 219  
Sacramento, CA 95814

Aging

Child Support  
Services

Community Services  
and Development

Developmental  
Services

Emergency Medical  
Services Authority

Health Care Services

Managed Health Care

Managed Risk  
Medical Insurance Board

Office of Patient Advocate

Office of System  
Integration

Public Health

Rehabilitation

Social Services

State Hospitals

Statewide Health  
Planning and  
Development

Dear Senator Steinberg and Assembly Member Pérez:

Pursuant to the commitment I made last spring to address the declining population in the developmental centers, the resulting fiscal pressures, the challenges of maintaining federal certification in aging facilities and the repeated calls to close these facilities immediately, and to fulfill the requirements of Section 14(a) of Assembly Bill (AB) 89 (Chapter 25, Statutes of 2013), I respectfully submit the enclosed Plan for the Future of Developmental Centers in California.

To begin this effort, I invited a broad cross-section of seasoned leaders committed to meeting the needs of people with developmental disabilities to serve on a Task Force to identify challenges, gather facts, share opinions and seek opportunities for improvement. The Task Force included consumers, family members, regional center directors, consumer rights advocates, labor union members, community service providers, and staff from the Department of Developmental Services. At the outset, there was great division and very little expectation that any consensus could be reached but throughout the six months of intense inquiry and effort, there was a unifying commitment that the well-being of each and every developmental center resident was at the center of our work.

By keeping our focus on the residents and through the open, honest and candid sharing of information and opinions, the full Task Force agreed to present this report and its six recommendations on behalf of us all. Some of the parents and some of the unions have qualified their support to be clear that they do not support any implication that the centers should be closed but the commitment to the need for fundamental transformation of the developmental centers system is shared by all.

I have been humbled and inspired by the understanding I have gained through the work of this Task Force. The Administration is committed to the goals set forth in this report and will continue the active stakeholder engagement that contributed so significantly to this work as we move forward with its implementation.

Respectfully,

A handwritten signature in black ink that reads 'Diana S. Dooley'.

Diana S. Dooley  
Secretary



cc: Senator Leland Yee, Chair, Senate Human Services Committee  
Senator Tom Berryhill, Vice Chair, Senate Human Services Committee  
Senator Mark Leno, Chair, Senate Budget & Fiscal Review Committee  
Senator Jim Nielsen, Vice Chair, Senate Budget & Fiscal Review Committee  
Senator Kevin De León, Chair, Senate Appropriations Committee  
Senator Mimi Walters, Vice Chair, Senate Appropriations Committee  
Assembly Member Mark Stone, Chair, Assembly Human Services Committee  
Assembly Member Brian Maienschein, Vice Chair, Assembly Human Services Committee  
Assembly Member Nancy Skinner, Chair, Assembly Budget Committee  
Assembly Member Jeff Gorell, Vice Chair, Assembly Budget Committee  
Assembly Member Mike Gatto, Chair, Assembly Appropriations Committee  
Assembly Member Frank Bigelow, Vice Chair, Assembly Appropriations Committee  
Senator William Monning  
Senator Mark DeSaulnier  
Assembly Member Shirley Weber  
Assembly Member Wesley Chesbro  
Assembly Member Mariko Yamada, Chair, Aging and Long Term Care Committee  
Gail Gronert  
Mareva Brown  
Brendan McCarthy  
Ryan Guillen  
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Myesha Jackson  
Nicole Vasquez  
Peggy Collins  
Robert MacLaughlin  
Joe Parra  
Kirk Feely  
Mary Bellamy  
Julie Souliere  
Daphne Hunt  
Ginni Bella  
Rashi Kesarwani

# **PLAN FOR THE FUTURE OF DEVELOPMENTAL CENTERS IN CALIFORNIA**

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*Report to the Legislature  
Submitted pursuant to Assembly Bill 89, Section 14(a)  
(Chapter 25, Statutes of 2013)*

Submitted by the  
California Health and Human Services Agency  
On behalf of the Task Force on the Future of Developmental Centers  
1600 9<sup>th</sup> Street, Room 460  
Sacramento, California 95814

January 13, 2014

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## EXECUTIVE SUMMARY

Since the 1960s, with the passage of the Lanterman Developmental Disabilities Services Act (Lanterman Act), the role of the State-operated Developmental Centers (DC) has been changing. The resident population has dropped from a high in 1968 of 13,400, with thousands on a waiting list for admission, to 1,335 residents as of January 1, 2014. The population at each of the four facilities, originally designed to serve between 2,500 and 3,500 individuals, is now below 500, with Fairview DC at 318 residents and Lanterman DC at 101. Additionally, the trailer bill to the 2012-13 budget imposed a moratorium on admissions to DCs except for individuals involved in the criminal justice system and consumers in an acute crisis needing short-term stabilization.

Each year Community Placement Plan (CPP) funding (\$67 million in Fiscal Year {FY} 2013-14) is provided to regional centers to expand and improve services to meet the needs of DC residents transitioning to the community. As new CPP-funded resources become available, on average 175 to 200 consumers move out of a DC into community-based services each year. With the CPP funding provided in FY 2011-12 through 2013-14, over 500 new residential beds will be available for DC movers during the next 18 months.

The moratorium, coupled with CPP placements and prior changes in the service delivery system, has reduced the reliance on State-operated DCs and expedited the decline in resident population in these facilities.

Without intervention, the role of the State in delivering direct services is rapidly diminishing. With the input and assistance of the Task Force, the State now has an opportunity to define and manage the transition from historically large congregate living facilities to more integrated and specialized services using the expertise and resources of the DCs to benefit the consumers.

The DCs will need to transition from large congregate 24-hour nursing and Intermediate Care Facility services to a new model. The recommendations of this Task Force are that the future role of the State is to operate a limited number of smaller, safety-net crisis and residential services coupled with specialized health care resource centers and public/private partnerships, as well as the Porterville DC - Secure Treatment Program (STP) and the Canyon Springs Community Facility.

Following are the six consensus recommendations endorsed by the Task Force with the qualifications and exceptions set forth in the attached letter from the Sonoma DC Parent Hospital Association (PHA), the California Association of Psychiatric Technicians (CAPT), and the California Statewide Law Enforcement Association (CSLEA).

- Recommendation 1: More community style homes/facilities should be developed to serve individuals with enduring and complex medical needs using existing models of care.
- Recommendation 2: For individuals with challenging behaviors and support needs, the State should operate at least two acute crisis facilities (like the program at Fairview DC), and small transitional facilities. The State should develop a new “Senate Bill (SB) 962 like” model that would provide a higher level of behavioral services. Funding should be made available so that regional centers can expand mobile crisis response teams, crisis hotlines, day programs, short-term crisis homes, new-model behavioral homes, and supported living services for those transitioning to their own homes.
- Recommendation 3: For individuals who have been involved in the criminal justice system, the State should continue to operate the Porterville DC-STP and the transitional program at Canyon Springs Community Facility. Alternatives to the Porterville DC-STP should also be explored.
- Recommendation 4: The development of a workable health resource center model should be explored, to address the complex health needs of DC residents who transition to community homes.
- Recommendation 5: The State should enter into public/private partnerships to provide integrated community services on existing State lands, where appropriate. Also, consideration should be given to repurposing existing buildings on DC property for developing service models identified in Recommendations 1 through 4.
- Recommendation 6: Another task force should be convened to address how to make the community system stronger.

The Administration is committed to these goals and will continue the active stakeholder engagement that contributed so significantly to this work through an approach modeled on the Agnews DC closure. The design and implementation of a fundamental transformation of the remaining DCs is essential and must proceed as quickly as possible.

# I. INTRODUCTION

The California Health and Human Services Agency (CHHS) submits this plan on behalf of the Task Force on the Future of the Developmental Centers (Task Force) and to fulfill the requirements of Section 14(a) of Assembly Bill (AB) 89 (Chapter 25, Statutes of 2013) which states:

*SEC. 14. (a) The California Health and Human Services Agency shall, on or before November 15, 2013, submit to the appropriate policy and fiscal committees of the Legislature a master plan for the future of developmental centers. In the preparation of this plan, the agency shall consult with a cross-section of consumers, family members, regional centers, consumer advocates, community service providers, organized labor, the State Department of Developmental Services, and representatives of the Legislature.*

This chapter provides pertinent background information and history leading to the creation of the Task Force. Chapter II describes the Task Force approach, the data and information considered by the Task Force, and the Task Force's observations covering: who is currently being served in a DC and their service and support needs; the resources that are or could be available in the community and in the DCs to meet those needs; other service models and their viability for improving services to this population; and funding considerations. Chapter III presents the recommendations of the Task Force for serving DC residents in the future.

## **HISTORICAL PERSPECTIVE**

A need has always existed to provide care and services to individuals with intellectual and developmental disabilities. In 1853, a California system of large, public hospitals for the "mentally disadvantaged" began with the establishment of the Insane Asylum of California at Stockton (which later became Stockton DC) to provide in-patient care and treatment. In 1968 at its highest point, the system of state hospitals for the developmentally disabled served approximately 13,400 individuals in eight facilities, with another 3,000 individuals on waiting lists. For many years the state hospitals, now referred to as DCs, were the only alternative available to families of children with intellectual and developmental disabilities who were unable to be cared for at home.

Changes began in the mid-1960s, both in California and nationally, that would lead to the creation of community alternatives. California initiated a community program in 1965 by establishing two regional centers (now Golden Gate Regional Center and Frank D. Lanterman Regional Center) to test the concept of providing local,

community-based services for persons who otherwise would require services in state hospitals. This experience formed the basis of the Lanterman Mental Retardation Services Act (now the Lanterman Developmental Disabilities Services Act [Lanterman Act], Welfare and Institutions Code Section 4500 et seq.) that extended the regional center system statewide in 1969, and established the foundation of the community program today.

With the development of the regional center system, dependence on institutional services declined over time. By 1979, the DC population was 9,000 with virtually no waiting lists for admission. Since then, the trend away from institutional care to community services has been accelerated through various laws and court cases, as briefly summarized below:

1. *Association for Retarded Citizens v. Department of Developmental Services* (1985), 38 Cal.3d 384 (ARC). In the ARC decision, among other holdings, the Court interpreted the Lanterman Act as creating an “entitlement” to services that enables each person with intellectual and developmental disabilities to live a more independent and productive life in the community.
2. Americans with Disabilities Act, 42 U.S.C. sec. 12100, et seq. (ADA). In 1990, the ADA was enacted to prohibit discrimination on the basis of disability in the provision of government programs and services.
3. *Coffelt v. Department of Developmental Services* (1990) (Coffelt). The Coffelt class action lawsuit alleged unnecessary placements of persons in DCs who could live in the community. The case was settled in 1994 resulting in more than 2,000 DC residents moving into the community over five years, and other system reforms. As a result of this lawsuit, the Department of Developmental Services (Department or DDS) budget was augmented for annual CPP funding, currently \$67 million, which includes dedicated funding for the development of community-based resources that assist individuals transitioning from a DC to the community, and those being deflected from placement into a DC.
4. *Olmstead v. L.C.* (1999), 527 U.S. 581 (Olmstead). In *Olmstead*, the United States Supreme Court held that discrimination under the ADA includes unnecessary institutionalization of people with disabilities who can live in the community. The decision stated that “states are required to place persons with mental disabilities in community settings rather than institutions when the State’s treatment professionals have determined that community placement is appropriate, the transfer from institutional care to a less restrictive setting is not opposed by the affected individual, and the placement can be reasonably accommodated, taking into account the resources available to the State and the needs of others with mental disabilities.”

The federal Centers for Medicare and Medicaid Services subsequently noted in a communiqué to states that Olmstead challenges states to prevent and correct inappropriate institutionalization, and to review intake and admissions processes to assure that persons with disabilities are served in the most integrated setting appropriate.

5. *Capitol People First v. Department of Developmental Services* (2001) (CPF). The CPF class action lawsuit alleged unnecessary segregation of Californians with developmental disabilities in large congregate public and private institutions. The lawsuit was settled in 2009, resulting in a greater focus on development of community resources, DC residents and families being provided information on community living options, and regional center resources to work with the DC residents and families.
6. AB 1472 (Chapter 25, Statutes of 2012). With ongoing budget constraints and many challenges facing the DCs, significant new policy limiting DC admissions and the use of institutional care in the community was enacted in the trailer bill to the 2012-13 Budget. Among other provisions, a moratorium was placed on DC admissions, with only limited exceptions for individuals involved with the criminal justice system or in acute crisis; comprehensive assessments were required for all DC residents to determine if community services are available to meet their needs; a new model of care was authorized that would allow for secured perimeters with delayed egress in a community home; and resources were prioritized to reduce state and local institutionalization.

Today, state and federal laws and court decisions clearly favor community integration over institutional care, defined nationally as congregate facilities with a capacity of 16 residents or more. Throughout the United States the population of persons with developmental disabilities receiving services in large settings of 16 or more has dramatically decreased. In 1977, this population represented 83.7 percent of the total number served. In 2007, 30 years later, it represented 14.3 percent. Thirteen states and the District of Columbia have no large state-operated institutions, while many other states have active plans for closure of some, if not all, of their large facilities. In California, the Lanterman Act entitlement to services ensures that an individual will receive appropriate services with any transition out of a large state-operated facility.

In early 2003, the Department, in collaboration with three Bay Area regional centers, consumers, families, and other stakeholders, initiated a planning process for the closure of Agnews DC. In January 2005, the Department submitted the resulting "Plan for the Closure of Agnews Developmental Center" to the Legislature. Unlike prior DC closures that relied in large part on consolidation of populations, Agnews DC was the first closure to incorporate the concept of community integration as the primary objective by



developing community living options and supports. The foundation of the closure plan was the establishment of a stable source of housing with new residential service options; a community health care system that provides access to needed services; and state staff who continue to support DC residents once they move into the community. The final closure process was not driven by a specific date for closure, but by the availability of housing and support services. The health and safety of each consumer was the highest priority; transition to the community only occurred when all necessary services and supports were in place. In order to protect the civil rights of this vulnerable population in all environments, it is essential to prioritize policies and procedures surrounding the prevention, reporting, and management of abuse and neglect. Most of the approximately 400 Agnews residents moved to the community, only 20 individuals transferred to another DC.

## **DEVELOPMENTAL CENTERS TODAY**

Currently, the Department operates four large DCs and one smaller community facility which, with some exceptions, are licensed and certified as Skilled Nursing Facilities (SNF), Intermediate Care Facilities/Developmentally Disabled (ICF/DD), and General Acute Care hospitals. The facilities provide 24-hour habilitation and treatment services designed to increase the residents' levels of independence, functional skills, and opportunities for making choices that affect a person's life. Before a person can be admitted to a DC, a court must determine that there is no other appropriate placement in the community and the individual is eligible for DC services pursuant to current law, and then issue an order for DC admission. As of January 1, 2014, these facilities were serving 1,335 residents with the number steadily decreasing. Services are provided by licensed medical staff including doctors, nurses, dentists, psychologists, and psychiatric technicians, along with many other professional and administrative staff.

In the community, the Department provides services and supports through contracts with 21 private, nonprofit regional centers to approximately 270,000 individuals with developmental disabilities. The DC population represents less than 1 percent of the total DDS consumer population in California. All DC residents are also served by a regional center.

As the population in the DCs has declined, the average acuity level of the remaining residents has increased considerably. Today the individuals residing in a DC typically have significant behavioral support needs or are very medically involved. Also, a substantial number of individuals have been dually diagnosed with mental health issues and/or have been involved in the criminal justice system. Many of these residents require one-to-one staffing at all times to prevent harm to themselves or others. Such significant changes in the DC population require ongoing adjustments in service delivery and staff support.

Although there are larger concentrations of people with severe disabilities and complex needs in the DCs, people with similar characteristics are being served successfully in the community. While some residents could successfully be served in the community today, additional specialized resources are required to meet the intense needs of the more difficult to serve DC population.

With significant budget reductions over recent years, various hiring freezes and staff furloughs, the DCs have struggled to meet the intense staffing needs and provide the level of service required in the facilities. Tragically, some incidents of abuse have occurred. Incidents of abuse compounded with staffing problems have resulted in licensing deficiencies at Sonoma DC, including partial federal decertification and loss of federal funding. Other DCs are also facing intense scrutiny from state and federal regulators.

The DCs are large institutions which were each designed to serve from 2,500 to 3,500 residents. As the population decreases, the average cost per resident increases due primarily to the high cost of maintenance and repair of the aging infrastructure designed to support a large facility with a higher resident population. The average cost of DC services is estimated to be over \$400,000 per resident in FY 2013-14, an increase of almost \$60,000 per resident from FY 2012-13. In addition, infrastructure needs are often not addressed due to the significant costs to repair or replace antiquated systems and a hesitancy to invest in these aging facilities with declining populations.

The reduction in population over the years and the associated costs of operation have led to the closure of three large DCs and one state-operated community facility since 1996. Currently, Lanterman DC is in the process of closing. New trailer bill language in AB 89, Section 13 (Chapter 25, Statutes of 2013), requires that the closure of Lanterman DC be completed no later than December 31, 2014. Today, each DC serves fewer than 500 residents, making these large institutions increasingly cost inefficient.

The current DC resident population and aging infrastructure, coupled with recent legislative action that significantly limits admissions to these institutions (most notably AB 1472 [Chapter 25, Statutes of 2012]), generates significant debate surrounding the DCs. Many stakeholders from within the disabilities community speak out against DCs, calling for their immediate closure; while many parents and families of DC residents strongly support the services and benefits provided by these facilities and believe that safety and stability of their loved ones' are dependent on the continued operation of the DCs.

## **CREATION OF THE TASK FORCE**

Responding to the legal, fiscal, and legislative environment, and recognizing the need to define a path for the future of the DCs, the Secretary of CHHS, Diana S. Dooley, announced through a press release (Attachment 1) on May 22, 2013, that she was establishing a “Task Force on the Future of Developmental Centers.” She appointed representatives of consumers, family members, regional centers, consumer advocates, community service providers, organized labor, and the Department. The charge of the Task Force was to advise the Administration on the development of a master plan for the future of the DCs that, after careful consideration of specified factors, addresses the service needs of all DC residents and ensures the delivery of cost-effective, integrated, quality services for this special population. This initiative was later incorporated into the trailer bill to the 2013-14 Budget (AB 89, Section 14 [Chapter 25, Statutes of 2013]) and was supported by a grant from the SCAN Foundation.

Secretary Dooley sought diverse and important perspectives by selecting individuals who have proven themselves to be knowledgeable, caring and committed to the integrity of the system, and who would provide valuable thinking and insight to the process. Additionally, she invited the Assembly Speaker and the Senate President Pro Tem to designate a member from each House to represent the Legislature. Secretary Dooley announced the 21 members of the Task Force in a press release dated June 5, 2013 (Attachment 2). The members then embarked on a journey together to pursue questions and sources of information that would create a common understanding of the facts and prompt their constructive thinking on how to best serve DC residents in the future.

The deliberations and work of the Task Force culminated in six recommendations to improve the service delivery system. This plan lays out the data and materials that informed the process, and presents the general agreements reached for the future of the DCs. Although some members of the Task Force do not agree in all respects with the recommendations as stated, care has been taken to present a balanced perspective on the issues throughout this plan. Letters submitted by the Sonoma DC PHA, CAPT and CSLEA in response to the draft report are included as attachments 6, 7, and 8 respectively.

## **II. TASK FORCE PROCESS AND DELIBERATIONS**

### **PLAN DEVELOPMENT PROCESS**

In the June 5, 2013, press release (Attachment 2) Secretary Dooley announced the 21 members of the Task Force on the Future of the Developmental Centers and laid out an ambitious agenda. The basic charge of the Task Force was to “gather facts, share opinions and seek agreement, where possible, on options for the future of developmental centers.” The result was to be “a plan to assure quality, effective and efficient delivery of integrated services to meet the special needs of current residents living in the developmental centers.” The last meeting of the Task Force was December 13, 2013, with the report and recommendations finalized for publication in January 2014.

Secretary Dooley convened and chaired a total of four Task Force meetings, with the first occurring on June 17, 2013. The meetings were open to the public, and public comments were received and recorded. To make best use of the members' time, a Work Group of Task Force members met between Task Force meetings and, based on identified topics, developed information, materials, and agenda items for Task Force consideration. Almost all of the Task Force members made themselves available for the Work Group meetings and additionally performed preparatory work outside of the meetings. Throughout the plan development process, data and historical documents were provided by the Department, and Work Group participants contributed important information from other sources. All materials were provided to the Task Force members electronically and made available on the CHHS website at [www.chhs.ca.gov](http://www.chhs.ca.gov). Additionally, materials were submitted by the public participants. Task Force members were invited to tour DC programs which were coordinated by DDS staff according to individual schedules and preferences.

Packets of materials were prepared and provided before each Task Force meeting. These packets are included as attachments to this plan. They are described generally below, along with observations made by Task Force members.

### **WORK OF THE TASK FORCE**

The work of the Task Force began with presentations and discussions regarding background information, pertinent data, and the important elements of the system of care. The overarching theme for the Task Force was to ensure the health and safety of the individuals being served, regardless of where they live. The Task Force members, although diverse in opinions and perspectives, shared significant common ground

because, by virtue of receiving services, providing services, and/or having a friend or family member who is a consumer, they were all a part of the service system and able to contribute experiences and examples of best practices. The following observations were shared and became regular topics throughout the discussions:

1. A carefully crafted, comprehensive person-centered Individual Program Plan (IPP) is essential to the planning process and service delivery; one which utilizes assessments but is not solely driven by them, and one that incorporates input from a robust Interdisciplinary Team process.
2. It is critical that safe and secure services are delivered in the least restrictive environment possible, while still addressing personal quality of life. Given California's entitlement to services for persons with intellectual and developmental disabilities, it is imperative that comprehensive services and supports are in place before a person moves from a DC.
3. Access to quality health and mental health services is essential regardless of where someone lives. DC families highly value the immediate access they have to a wide range of specialists with expertise in serving individuals with intellectual and developmental disabilities. Necessary health and mental health services include care coordination, appropriate and continuous medication management, and access to centralized medical records.
4. Stable, qualified staff is key to any successful model of care whether it is state operated or privately operated. The Task Force expressed interest in ways to facilitate the utilization of expert staff from the DC in the transition of residents into the community, such as the Community State Staff Program first implemented during the closure of Agnews DC.
5. Any model of care must receive sufficient and stable funding to be successful in accomplishing its goal.
6. Any solution must be fiscally responsible, including the ability to maximize federal funding. To meet the service needs of DC residents, alternatives must align with available resources. Task Force members sought significant information related to resource development options using CPP funding and the parameters for qualifying for federal funding.
7. The Task Force remained sensitive to the fact that, for the residents of the DC, the DC is their home and community, where their relationships are, and where they have lived for a long time. Any changes in their living arrangements must be done very carefully, with thorough planning, and by taking the time that is needed.

The initial data that was considered by the Task Force (Attachment 3) included: current consumer characteristics taken from the Client Development and Evaluation Report (CDER) for DC residents with comparisons to community consumers; DC population trends from 1969-70 to 2011-12; a breakdown of DC residents by level of care and regional center; community population data by regional center; a map showing DC locations and the areas served by each regional center; and, a June 2002 report titled, "Options to Meet the Future Needs of Consumers in Developmental Centers."

The Task Force carefully considered what additional information it needed throughout its deliberations. The first order of business was to fully understand the DC residents and to identify their needs. Information was requested for those individuals considered "difficult to serve." Task Force members generally shared strong interest in addressing the needs of persons with challenging behaviors and those involved in the criminal justice system. They looked at unmet needs, such as crisis intervention services, and service models from other programs and in other states. The Task Force also focused on the differences between community services versus the DC programs and services, to fully understand what could be replicated in the community. Information was requested both on successful programs as well as challenges from prior DC closure experiences so that both could be examined.

Following are the key subject areas discussed by the Task Force which lead to the recommendations presented in Chapter III.

### **SERVICE AND SUPPORT NEEDS OF DEVELOPMENTAL CENTER RESIDENTS**

Attachments 3 and 4 contain considerable data from the CDER on the characteristics and diagnoses of the DC residents, which were reviewed by the Task Force. While the needs of the individuals are not unique to DCs and individuals with similar needs are already being served in the community, noteworthy is the concentration of individuals in the DCs with complex needs requiring higher levels of care. Following is a list of diagnoses and the percent of individuals in the DC system (1,484 total population as of July 1, 2013, including Canyon Springs Community Facility) with each diagnosis (Attachment 4, Packet 1, Item 1), as an indicator of service needs:

<b><u>Diagnosis</u></b>	<b><u>Percent</u></b>
Autism	16
Cerebral Palsy	39
Dual Diagnosis	48
Epilepsy	49
Hearing Deficit	9
Pervasive Developmental Disorder	2
Severe or Profound Intellectual Disability	67
Unable to Walk	50
Vision Difficulty	32

Additionally, 22 percent of the population has prevailing psychiatric/mental health issues, and 51 percent is prescribed at least one behavioral medication.

The primary service needs of the population as categorized by the DC programs are as follows:

<b><u>Primary Service Need</u></b>	<b><u>Percent</u></b>
Significant Health Needs	18
Extensive Personal Care	20
Significant Behavior Issues	16
Protection and Safety	31
Low Structured Setting	2
Specialized Secure Setting	13

Other significant observations are that 7 percent of the DC population has sex offense charges and may be Penal Code 290 registrants; 4 percent has assault-related felony charges; 1 percent has gang and/or drug-related issues; and another 1 percent has other felony charges.

Also of significance is the fact that the population is generally older with 18 percent over 61 years of age, and another 53 percent between the ages of 42 and 61 years. Forty-three (43) percent has lived in a DC for more than 30 years. The needs of an aging population become increasingly complex with time and present greater challenges for providing health care and appropriate services.

After reviewing the data, the information was organized into three primary service categories, although there are common issues and overlap: individuals with enduring and complex medical needs; individuals with challenging behaviors; and individuals involved in the criminal justice system. Within each category, there is a range of service needs, with some individuals being more difficult to serve.

The Task Force focused primarily on the more difficult to serve individuals who would require specialized services to be supported in the community.

For each of the three identified categories, the Task Force used a structured approach to discuss and analyze three areas of interest. First, the Task Force considered the most challenging aspects of providing services and supports to the particular population. Second, the Task Force identified the services and supports that are available in the system to meet those needs. Finally, the Task Force discussed what additional services and supports may be needed.

Following is a high-level synthesis of the Task Force discussion. A particular point or observation may reflect the comment of a single Task Force member.

Individuals with Enduring and Complex Medical Needs. As of October 30, 2013, 445 of the total DC population of 1,385, or approximately 32 percent, were receiving care in a SNF residence, indicating the population of individuals with significant medical needs. When individuals have complex, challenging or multiple medical conditions, certain conditions identified by the Task Force create a generally greater challenge associated with their care, as follows:

- Pica
- Prader-Willi Syndrome
- Seizure Disorders
- Feeding-related
- Respiratory care-related
- Diabetes
- Mobility issues
- Alzheimer's or dementia
- Osteoporosis
- Dual Diagnosis

Various options already exist to serve and support individuals with complex medical needs, ranging from the family home with add-on or wrap-around nursing services; to the residential model authorized under SB 962 and SB 853 (962 homes); to an array of licensed health facilities, including state-operated alternatives. When considering the system needs associated with serving these individuals, the following areas were identified:

- Greater capacity is needed in the community for some services, such as 962 homes, ICF/DD-Nursing and ICF/DD-Continuous Nursing, with consideration for statewide locations.



- SNFs in the community should only be used for addressing short-term, acute needs. They are not an appropriate long-term environment for this population of individuals with enduring medical needs.
- Better coordination and continuity of health and dental care are needed in the community, such as a central “medical home” to facilitate communication, access to health records, and access to providers.
- All consumers would benefit from better medication management, which is essential for quality of life.
- Gaps exist in the community for psychiatric services.
- Greater access is needed in the community to Durable Medical Equipment (DME), adaptive technology, and other DC specialty services which utilize the expertise of DC staff.
- Specialized care is needed in the community for ventilator dependent individuals.
- Licensing challenges exist for providing day services to individuals with medical needs, including the use of medically related restraints and medication administration.

Of the 445 individuals residing in a DC SNF, it is estimated that roughly 315, or 70.9 percent, would need the services of 962 homes. This approximation is based on the percentage of individuals who moved from Agnews DC out of the SNF into a 962 home, and those who have moved or who are planning to move out of the SNF into a 962 home from Lanterman DC. The other 130 individuals may need the level of health care provided in an ICF/DD-Nursing or an ICF/DD-Continuous Nursing.

Individuals with Challenging Behaviors. It is estimated that approximately 227 DC residents have significantly complex and challenging behaviors. The Task Force considered the following behaviors or conditions as presenting the greatest difficulty in identifying service options when more than one are present:

- Elopement risk
- Aggressive social behavior
- Self-injurious behavior
- Pica
- Maladaptive sexual behavior
- Dual diagnosis
- Drug or alcohol abuse
- Vandalism or property destruction, including fire setting

Depending on the severity of the behaviors and the needs of the individual, particularly whether mental illness is involved, a wide array of service options exist, but with varying levels of desirability and availability, as follows:

- Individuals may reside in the family home with identified supports, such as respite services, or reside in their own home using Supported Living Services.
- A limited number of licensed residential facilities serve this population, some with delayed egress and some with psychiatric services.
- Individuals with behavior challenges need various support services, including specialized day programs.
- State-operated facilities serve this population, including crisis services at Fairview DC and transitional services at Canyon Springs Community Facility.
- Individuals may need acute psychiatric facilities.
- There are a limited number of crisis homes and a limited use of crisis teams available to serve this population in the community.
- The individuals with challenging behaviors are also served by emergency rooms and local hospitals, usually as a gateway to other mental health services in the community.
- On occasion, these individuals come in contact with local law enforcement and spend time in jail.

The Task Force considered several areas as common needs for all consumers. These areas were mentioned above for individuals with enduring medical needs and include: coordination and continuity of health and dental care; access to health records; as well as medication management. In addition, the following service needs were identified for individuals with challenging behaviors:

- This population needs greater access to appropriate, qualified and available professionals. Greater psychiatric services are needed generally throughout the system.
- More wrap-around supports for families would help to maintain individuals in the home.
- An increased capacity of crisis homes, crisis response services and step-down or re-entry programs are needed.
- An array of services are needed with the ability of individuals to move between levels as needs change, particularly for crisis services. There was a strong preference expressed for an individual to remain in his or her home with necessary services accessible and available to the provider to address the level of care changes.
- Better coordination is needed with law enforcement, to address vulnerability and risk of victimization issues, and prevent unnecessary involvement with the criminal justice system.
- Resources are needed that provide statewide access and not just access for a particular regional center's catchment area.

A general observation of some of the Task Force members is that the community system of behavioral and psychiatric services is the one area in most need of further development. Managing acute crises and effective coordination of mental health services were viewed as overarching system issues.

Individuals Involved in the Criminal Justice System. Roughly 200 individuals in the current DC population have had some involvement with the criminal justice system. Although the population is relatively small, the needs of the population are great. The Task Force considered the following factors as significant issues associated with their care:

- Whether the individual is charged with a felony, particularly a sex offense;
- Whether the individual is competent to stand trial; and
- For individuals who are incompetent to stand trial, whether they have a dual diagnosis of mental illness.

Options that exist today for this population include residing in their own or their family's home with monitoring and supports. Often these individuals reside in a locked facility that may include prison, a juvenile justice facility, Porterville DC-STP, or a psychiatric facility, but very few locked psychiatric facilities exist and their use is limited by recent trailer bill language. As an extension of these locked options, an individual may live in a half-way house, or receive parole or probation services. If an individual is determined by a court to be incompetent to stand trial, he or she will receive competency restoration training.

In addition to the common issues identified previously for all consumers (health and dental care coordination and continuity, medication management and access to health records), the following needs are associated with individuals involved in the criminal justice system:

- There are not enough locked community facilities to accommodate this population. It was noted, however, that these facilities face significant obstacles and NIMBY-ism (Not in My Back Yard) during development.
- More psychiatric and rehabilitation services are needed in the community.
- More treatment services are needed in the community for drug and alcohol abuse.
- It is difficult to find an appropriate placement for sex offenders released back to the community.
- There are safety issues associated with this population, such as addressing the risks of victimization and protecting non-offenders in the system.
- Increased coordination with the criminal justice system is needed to ensure appropriate community placements, protections, and monitoring.

The Task Force generally agreed that the services available at Porterville DC-STP are preferable for this population over prison or jail. The STP focuses on restoring competency as a primary function, but also provides rehabilitation programs, vocational education and other services in a secure environment. Secure treatment was viewed as primarily a responsibility of the State. It was recognized that some facilities serving the forensic population are funded using 100 percent General Fund.

Consideration was also given to the statutory cap on the STP population of 170 residents and whether the cap should be lifted; the possibility of expanding the services for other populations of individuals with challenging behaviors; and the need to address individuals with intellectual and developmental disabilities who are in jail (Attachment 5, Packet 5, Item 1).

Other Information Considered. To understand the service needs of the DC residents, the Task Force looked at other related information for additional insights and perspectives. The Task Force analyzed information concerning individuals who had previously transitioned to the community from a DC, and the subsequent moves by those individuals to other residential services (Attachment 4, Packet 1, Items 5 and 6, and Attachment 4, Packet 4, Item 3). The information identified the moves, but did not provide qualitative information about the reasons for the moves. Also considered was the client characteristics of DC residents and persons who had moved to the community from a DC (Attachment 4, Packet 4, Items 6 and 7).

The Task Force considered the assessment data being developed by the regional centers (Attachment 5, Packet 5, Item 2) as a product of the AB 1472 (Chapter 25, Statutes of 2012) requirements. This information is preliminary and was collected through a survey of regional centers based on comprehensive assessments completed in FY 2012-13. The data provided information about the potential service needs of the DC residents.

The work of the Task Force included data from the Statewide Specialized Resource Service (SSRS, Attachment 4, Packet 3, Item 1). The SSRS was developed in response to AB 1472 (Chapter 25, Statutes of 2012) to track the availability of specialty residential beds and services, specialty clinical services, and requests for DC services and supports when community services have not been identified, so that resources can be coordinated and accessed on a statewide basis. Only services developed using CPP funds are included in the SSRS tracking. The Task Force recommends expanding the SSRS to include non-CPP funded resources. The Task Force also considered the DDS report on "Crisis Intervention for Persons with Developmental Disabilities" dated May 2013 (Attachment 4, Packet 4, Item 8) while assessing the availability of services in the community.

## DEVELOPMENTAL CENTER SERVICES AND RESOURCES

To ensure the service needs of DC residents will continue to be met, considerable efforts were made by the Task Force to fully understand the services available in a DC and the associated benefits. Listings of the specialty services at the DCs as well as general information about the various services and supports were part of the Task Force materials (Attachment 5, Packet 2, Items 1 and 2). Through discussions, the following benefits were associated with DC services:

- DCs have the flexibility to adjust services to meet the changing needs of the residents, creating a stable environment for each individual.
- DCs serve as a placement of last resort and a safety net for the system.
- Residents have access to an array of professional staff to address their health, treatment and habilitation needs, including specialty services.
- The DC employees are qualified, familiar with the special needs of the individuals they serve, and are compensated for the level of service they provide. If staff leaves their DC employment or has time off, the DC has flexibility to adjust staffing for proper coverage.
- The DCs' funding structure contributes to their stability and sustainability as a service provider.
- Given the property associated with DCs, residents are able to enjoy the freedom of the grounds and benefit from the calming environment while still safe and protected, which is particularly important for individuals with no safety awareness.

Another area of exploration was looking at the DCs for what they may offer in the way of potential resources. Two specific resources were regularly discussed by the Task Force. First, there was interest in preserving the expertise of the DC staff within the service delivery system. The Task Force expressed support for the Community State Staff Program that was part of the Agnews DC closure, and subsequently part of the Lanterman DC closure, whereby the DC contracted with providers and regional centers for DC staff to fill jobs in the community. DDS was reimbursed for those services, and the community benefited from the expertise of the staff and the continuity of services. There was general agreement among Task Force members that the system would benefit from preserving this resource. Also of interest was using the DC staff to bridge services with the community using a "health resource center" model.

The second resource of particular interest to the Task Force was the DC property. Materials were provided to the Task Force that described the current land use with maps of the facilities (Attachment 5, Packet 3, Items 1 and 2). Also, the surplus property process was shared, including the requirement that the net proceeds from the disposition of the surplus property be used for the retirement of State bonds pursuant to

Government Code Section 11011(g). Many of the members felt that this valuable resource should not be given up as surplus, but instead should be used for the benefit of the service system. The challenge is to define clearly what the future use should be.

In considering the future use of DC land, the Task Force became familiar with the Harbor Village Project at Fairview DC (Attachment 5, Packet 3, Item 3). The State of California entered into a public-private partnership using a 55-year lease of 60 acres at Fairview DC for the purpose of developing the land for employee and consumer housing. By leveraging state land resources, community integrated housing was successfully developed. This approach to using DC land generated significant interest from the Task Force members as they discussed new models of service delivery.

Additional DC resources identified by the Task Force as gaps in community services are the provision of DME, assistive technology, and specialty services such as the Sonoma DC shoe program, with emphasis on keeping equipment updated and repaired. These supports are available in the DCs and will be a continuing need for the DC residents, wherever they may reside in the future.

## **COMMUNITY SERVICE MODELS AND OTHER RESOURCES**

The Task Force was interested in new service models for addressing the needs of DC residents who may be served in the community in the future. In particular, the members reviewed and discussed the Programs of All-Inclusive Care for the Elderly (PACE, Attachment 5, Packet 4, Item 1). PACE is a federal program that provides community-based health care and services to people age 55 or older who otherwise would need a nursing home level of care. A team of health professionals provide “one-stop” comprehensive health care within a complex of services and functions like a Health Maintenance Organization (HMO). Under the existing PACE model, the care is exclusive, and individuals electing this care give up their other medical coverage. Although serving individuals with intellectual and developmental disabilities would be very different from serving the elderly, the concept of an organized array of needed health services in one “health resource center” was very appealing. Significant interest was demonstrated by the Task Force members in designing a workable model that would address the unmet needs of the DC residents and potentially others at risk in the community.

Examples were provided from other states of Community Resource Centers (Attachment 4, Packet 4, Item 2). These Community Resource Centers are typically developed as medical or dental outpatient clinics serving large-facility residents and/or the community, but may include comprehensive services more like PACE. The service delivery model is flexible and may incorporate other services such as case management

and evaluation, behavioral, and respite, with opportunities for research, training, and building expertise with community professionals. The Task Force discussed the safety-net concept from other states, to support individuals as they transition to the community.

The Task Force received material on the Multipurpose Senior Services Program (MSSP, Attachment 4, Packet 3, Item 4) for frail elderly adults who are certified for placement in a nursing facility but who wish to remain in the community. Through the MSSP, they receive social and health care management services, including adult day care, social services, personal care assistance, protective supervision, case management, meal services, and transportation, among others. Additionally, information was provided for the Community-Based Adult Services (CBAS) model that replaced the Adult Day Health Center (same attachment).

The services and supports developed and provided during the closure processes for Agnews DC and Lanterman DC were another area of consideration. Summaries were made available from both closures (Attachment 4, Packet 2, Items 7 and 8) and excerpts were provided from Lanterman DC newsletters and the DDS website (Attachment 4, Packet 3, Item 3). In addition to the residential service models, the Task Force was interested in the care coordination provided by the regional centers, especially for health and dental care. Also considered were the transition of health services to managed care, and the services provided by the DC outpatient clinics to ensure continuity of and accessibility to care.

The Task Force was interested in the least restrictive living options, such as providing necessary services and supports, either in the family home or in the individual's own home, using Supported Living Services, In-Home Supportive Services and other similar supports. The members considered ways of developing additional supports for making these viable options for the future of some DC residents. While they also considered the use of Assisted Living as an alternative, it was felt that Assisted Living is not designed today to address the needs of individuals with intellectual and developmental disabilities.

## **FUNDING CONSIDERATIONS**

Information was provided to the Task Force related to the DDS budget and funding (Attachment 5, Packet 1). Members were sensitive to the past funding limitations affecting government programs generally over recent years, as well as the community rate freezes and other budget reductions affecting the disabilities service system. They remained vigilant during their discussions of funding considerations and the need to prioritize services carefully for development. Sources of federal funding that were discussed included the Home and Community Based Services Waiver, the

1915(i) State Plan Amendment, and Money Follows the Person. The Task Force received information on federal requirements for funding (Attachment 5, Packet 1, Item 7, and Packet 4, Item 5), including how facilities maintain “home and community character” in order to qualify for federal funding.

Also considered was the CPP funding that is included in the DDS budget (Attachment 5, Packet 4, Items 2, 3 and 4) for developing community housing, day programs, and other services. The CPP was originally established as part of the Coffelt settlement to facilitate the movement of DC residents who could be served in the community. The funding is provided to regional centers for assessments, resource development, start-up and placement costs, for the purposes of developing community resources to meet the needs of their consumers residing in DCs based on individualized planning efforts, and supporting the transition process. The CPP is also used to deflect consumers from DC admission. In 2012, with passage of the moratorium on DC admissions, the regional centers’ use of CPP funding was expanded to enhance the capacity of the community service delivery system and address the unique needs of individuals with challenging service needs. Additionally, 10 percent of the fiscal year 2013-14 CPP (excluding funding for assessments) is being used to fund regional projects, where two or more regional centers partner and develop resources for statewide use. The Task Force discussed barriers involved in the CPP process and in the development of community resources as it considered the need for additional homes and services.

With all of the information and data generated by DDS and the Task Force, the public comments and materials, and the in-depth discussions, the Task Force crafted recommendations for addressing the future service needs of the DC residents. The recommendations are presented in Chapter III.



### III.

## **TASK FORCE RECOMMENDATIONS FOR FUTURE SERVICES FOR DEVELOPMENTAL CENTER RESIDENTS**

When the Task Force on the Future of Developmental Centers began, there was broad recognition of the importance of defining the future for the DC residents. Their future was changing by virtue of the long historical trend toward community integration, now critically influenced by the moratorium on DC admissions (AB 1472 [Chapter 25, Statutes of 2012]). With the DC population declining, the per-resident costs of the DCs are dramatically increasing, and the DCs are no longer sustainable in their current design. Concurrently, the acuity level of the remaining population is increasing, thereby requiring an overall higher level of specialized care. The Task Force was charged to identify viable long-term service options for the health and safety of the DC residents and to ensure that appropriate quality services are available, accessible, and cost efficient for the benefit of the individuals as well as the system generally.

Extensive data was provided to the Task Force regarding the individuals served in the DCs and those with similar needs living in the community; the services provided to these individuals; the resources available in a DC and in the community; and budget and fiscal information (See Attachments 4 and 5). The Task Force grouped DC residents into three primary categories: those with enduring and complex medical needs; individuals involved in the criminal justice system; and residents with significant behavioral support needs. For each group, the Task Force considered existing community services as well as gaps in specialized services in the community. Additionally, the Task Force considered the overarching issue of access to specialty health care services and issues regarding the land and resources at a DC.

The Task Force agreed that there are some fundamental principles that are integral to any transition of a DC resident. These principles include: 1) individual service needs must be based on a comprehensive person-centered planning process; 2) services must be provided in the least restrictive environment appropriate for the individual; 3) the health and safety of the individual is paramount; and 4) Each transition must be accomplished carefully, and with thorough planning and coordination.

The Task Force developed six recommendations. The first three directly relate to services for the three primary groups of DC residents, especially those needing specialty services in each group. The fourth recommendation relates to access to specialty health care services in the community; the fifth recommendation is associated with the use of DC land and resources; and the last recommendation addresses the community system.

## **TASK FORCE RECOMMENDATIONS**

### Recommendation 1: Individuals with Enduring and Complex Medical Needs

Approximately 445 of the total DC population, or 32.1 percent, are individuals with complex medical needs receiving SNF care, many of whom have multiple medical conditions requiring specialty services.

Various community-based models of care exist to serve and support individuals with complex medical needs, ranging from the family home with add-on or wrap-around nursing services; to the residential model authorized under SB 962 and SB 853 (962 homes); to an array of licensed health facilities, including an ICF/DD-Nursing and an ICF/DD-Continuous Nursing. Based on the closure experiences with Agnews DC and Lanterman DC, 70.9 percent of the SNF residents are expected to require the 962 home level of care, or 315 individuals.

To serve DC residents with enduring and complex medical needs, the Task Force recommended regional centers assess and adjust their community capacity. One of five existing licensing categories should be considered for individuals with complex medical needs moving to the community: a 962 home, a small ICF/DD-Nursing, an ICF/DD-Continuous Nursing, a Residential Care Facility for the Elderly (RCFE), or a Community Care Facility with appropriate medical wrap around services. Each regional center should first explore existing resources (vacant beds), both within its catchment area and any available for statewide use, where appropriate and suitable for the consumer based on his or her comprehensive assessment. The regional center should utilize those existing resources to the extent appropriate and propose new community development through the CPP process to address the unmet residential and support needs of the population.

The Task Force further recommended the development of more homes/facilities using the existing models of care. However, they generally agreed that SNFs in the community should only be used for addressing short-term acute needs, and are not an appropriate long-term environment for consumers with enduring medical needs.

With regard to the role of the State, the Task Force recommended:

- The State use CPP funds for regional center development of more 962 homes and other needed residential and support services and day programs to serve DC residents in the community. The development of the additional 962 homes could be supported by annually targeting approximately \$8.5 million in CPP funds over the next three years, or \$25 million over the three-year period.

- DDS, working with the regional centers, determine the number of existing vacancies in homes/facilities and make this information available.

### Recommendation 2: Individuals with Challenging Behaviors and Support Needs

Approximately 227 DC residents, or 16.4 percent, have significantly complex and challenging behaviors. The Task Force considered behaviors or conditions involving elopement, aggression, self-injury, Pica, maladaptive sexual activity, mental illness, substance abuse, and/or significant property destruction to present the greatest service delivery challenges requiring a wide array of options. Existing community services are insufficient to meet the needs of this population.

Greater access to specialty services is needed, especially mental health and medication management services, increased psychiatric care, and enhanced wrap-around supports to maintain individuals in their current community residence. With the increased capacity of short-term crisis homes, acute crisis facilities will be needed. In addition, the group recommended a new “SB 962 like” model with specialty wrap around services to provide a higher level of behavioral supports, crisis response services, and step-down or re-entry programs.

The Task Force also agreed that there must be a “placement of last resort” for individuals with significantly challenging behaviors. Consumers in crisis must always have a place to go when in need.

With regard to the role of the State, the Task Force recommended the State:

- Operate acute crisis facilities (like the program at Fairview DC) at least in the Northern and Southern parts of the State. These two 15-bed (or smaller) facilities may require development funds and would have an estimated annual combined operating cost of \$8.8 million.
- Operate some transitional facilities (like the program at Canyon Springs Community Facility, only smaller). For example, a 15-bed (or smaller) facility would have an estimated annual operating cost of \$4.4 million.
- Develop new “SB 962 like” model homes with specialty wrap around services to provide a higher level of behavioral supports. These 3-bed facilities could be developed using CPP funding at an estimated cost of \$500,000 each, plus ongoing operating costs. Based on the current DC population, approximately 36 such homes would be needed if it were determined that this level of care was appropriate for those remaining in the DCs with challenging behaviors.

- Identify community capacity in existing models of care.
- Support regional center efforts to enhance supports to maintain individuals in their own homes.
- Provide or earmark CPP funding for regional centers to:
  - Expand mobile crisis response teams;
  - Expand crisis hotlines;
  - Expand day programs;
  - Create short-term crisis homes; and
  - Develop new “SB 962 like” behavioral homes (see above).
- Provide DC staff to assist with the transition of individuals with challenging behaviors.

### Recommendation 3: Individuals Involved in the Criminal Justice System

Roughly 14.4 percent of the DC population has had some involvement with the criminal justice system. Although the number of residents is relatively small, the needs of the population are great. The Task Force considered dual diagnosis of mental illness; individuals charged with a felony, particularly a sex offense; and individuals incompetent to stand trial as significant issues associated with their care.

With regard to the role of the State, the Task Force recommended the State:

- Continue to operate Porterville DC-STP since it is preferable for this population over prison, jail, a locked psychiatric facility, or placement out of state. The Porterville DC-STP focuses on restoring competency as a primary function, but also provides rehabilitation programs, vocational education and other services in a secure environment. Secure treatment was viewed as primarily a responsibility of the State. It was recognized that some facilities serving the forensic population are funded using 100 percent General Fund. Continuing to operate the Porterville DC-STP has an annual cost of \$76 million General Fund.
- Continue to operate Canyon Springs Community Facility as a re-entry program for criminal justice system-involved consumers leaving Porterville DC-STP. Continuing to operate Canyon Springs Community Facility has an annual cost of \$16.1 million, which is eligible for federal financial participation.
- Consider changing the law to allow a continuum of services for competency restoration training rather than all forensic clients being committed to the Porterville DC-STP.

- Explore the development of alternatives to the Porterville DC-STP. Community options would allow individuals to remain closer to their family and regional center. These forensic facilities would likely be ineligible for federal financial participation.

#### Recommendation 4: Health Resource Center

The Task Force supported the need for coordinated health care services, including mental health, psychiatry, medication management, and centralized medical records. The group recognized the importance of the DC specialty services, such as the Sonoma DC shoe and wheelchair molding and the availability of medical professionals with vast experiences and expertise serving individuals with complex developmental and medical needs.

In particular, the Task Force reviewed and discussed PACE (Program of All-inclusive Care for the Elderly), a federal program that provides community-based health care and services to people age 55 or older who otherwise would need a nursing home level of care. PACE is designed for a team of health professionals to provide “one-stop” comprehensive health care within a complex of services and functions like a HMO. Under the existing PACE model, the care is exclusive, and individuals electing this care give up their other medical coverage. Although serving individuals with intellectual and developmental disabilities would be very different from serving the elderly, the concept of an organized array of needed health services in one “health resource center” was appealing.

The health care services and supports developed and provided during the closure processes for Agnews DC and Lanterman DC were another area of consideration. The Task Force was interested in the care coordination provided by the regional centers, especially for health and dental care. Also considered were the transition of health services to managed care, and the services provided by the DC outpatient clinics to ensure continuity of and accessibility to care.

The Task Force recommended exploring a workable model for a health resource center that would address the health needs of the DC residents after they transition to community homes. Where possible, the State should incorporate appropriate existing DC resources. The health resource center should address any gaps in service that may exist including, but not limited to, care coordination, dental, mental health, durable medical equipment, assistive technology, and DC specialty (such as shoes) services. Care coordination was considered a critical component for the successful transition and continued support of any resident, regardless of their other support needs. It was

recognized, however, that as community services develop, the need for the health resource center services may change.

Since most DC residents are receiving Medi-Cal and the use of a service model focused on developmental disabilities will likely require prior federal CMS approval (a waiver or a State Plan Amendment), further work needs to be done to determine the most advantageous approach to providing the specialized, coordinated care.

#### Recommendation 5: Use of DC Land and Resources

The Task Force generally agreed unused (current and prospective) state DC land should be leveraged to benefit consumers rather than being declared surplus. Members understood surplus land disposition is controlled by the State Constitution and sales revenue cannot be diverted to the developmental disabilities system. However, the property should be considered for future State-operated facilities and to develop community services, including the Health Resource Center and mixed use communities similar to Harbor Village in Costa Mesa.

With regard to the role of the State, the Task Force recommended:

- State land should be retained and the State should enter into public/private partnerships to provide community integrated services, where appropriate. (Note: The four large DCs comprise a total of 2,181 acres of land, of which the core campuses use 878 acres, or about 40 percent of the acreage. Canyon Springs Community Facility has a lease agreement through September 2015, including additional acreage that could be developed. The lease agreement has an option to purchase or exercise a 15 year extension.)
- Existing State buildings on DC property should be used, as appropriate, for developing service models identified in the previous recommendations. Repurposing existing buildings requires meeting current building and seismic safety codes.

#### Recommendation 6: Future of the Community System

Although outside the scope of this Task Force's charge, the Task Force expressed a desire for DDS to form another task force to address ways to make the community system stronger. Among the many issues to be considered are: 1) the sufficiency of community rates and the impact new State and federal laws and regulations may have; 2) whether current regulations can be streamlined, particularly affecting the licensing of facilities; and, 3) whether certain benefits received by DC residents as part of a DC closure process should be broadened to others in the community. These areas have a

significant and long term impact on services for individuals with intellectual and developmental disabilities.

The make-up of the next task force should be similar to the Task Force on the Future of Developmental Centers, including representatives from the DCs. However, the priority given to the work should be after significant progress has been made on Recommendations 1 through 5.

## **NEXT STEPS**

The recommendations made by the Task Force include some recommendations that can be acted on quickly, while others need further work and development. Implementation of the recommendations with the greatest clarity should begin right away. Concurrently, to move in the direction recommended by the Task Force on the more involved recommendations and to continue the active stakeholder engagement that contributed so significantly to this work, the State will use an approach modeled on the Agnews DC closure stakeholder process to design and implement the fundamental transformation of the remaining DCs.

## State of California

# HEALTH AND HUMAN SERVICES AGENCY

FOR IMMEDIATE RELEASE  
May 22, 2013

Contact: (916) 654-3304

### **California Health and Human Services Secretary Diana S. Dooley to Establish Task Force for State Developmental Centers**

Sacramento – California Health and Human Services Agency Secretary Diana S. Dooley today announced she will establish a Task Force on the Future of the Developmental Centers. The Task Force will include a cross-section of consumers, family members, regional centers, consumer advocates, community service providers, organized labor, and the Department of Developmental Services.

The Task Force will be charged to develop a Master Plan that addresses the service needs of all developmental center residents, the fiscal and budget implications of the declining population, the aging infrastructure, staffing, and resource constraints, the availability of community resources to meet the specialized needs of residents now living in the developmental centers, a timeline for future closures and the statutory and regulatory changes that may be needed to ensure the delivery of cost-effective, integrated, quality services for this special population.

The challenges facing the residents of the state developmental centers are not new and not easily solved. Until the landmark Lanterman Developmental Disabilities Services Act was adopted in 1969 to establish community-based alternatives, the only care option available to families of children with developmental and intellectual disabilities was state-operated hospitals. Since then, federal and state legal mandates have contributed to the deinstitutionalization of more than 10,000 former developmental center residents and made significant investments in community-based resources. Today, California operates four large, old developmental centers and one small community facility serving a total of 1,510 residents with a budget of \$545 million.

Last year, this Administration sponsored legislation, which placed a moratorium on new admissions to the developmental centers, required all residents to be assessed to determine if community services are available to meet their needs, and prioritized resources to reduce state and local institutionalization. As the combination of this admission moratorium, legal mandates, and investments in community-based services are decreasing the developmental center population by approximately 200 residents per year, continued operation of four large institutions is increasingly inefficient and cost prohibitive.

Secretary Dooley said in announcing the establishment of the Task Force, “The health and safety of citizens served by the developmental disabilities service system is a high priority for California therefore we must provide services to people with developmental and intellectual disabilities in the most integrated setting available to meet their needs and to avoid unnecessary institutionalization.”

The Secretary will make appointments to the task force by June 1, 2013 and will convene the first meeting by June 15. The Task Force will complete its work by November 15 and produce a written Master Plan that addresses:

1. The effective and efficient delivery of integrated services to meet the specialty needs of developmental center residents; and
2. The fiscal implications of developmental center operations, including the cost of resident care and services, maintenance of aging infrastructure, and utilization of existing resources.



# State of California HEALTH AND HUMAN SERVICES AGENCY

FOR IMMEDIATE RELEASE  
June 5, 2013

Contact: (916) 654-3304

## **California Health and Human Services Secretary Diana S. Dooley Appoints Members to the Future of the Developmental Centers Task Force**

Sacramento – California Health and Human Services (CHHS) Secretary Diana S. Dooley today announced the members appointed to the Future of the State Developmental Centers Task Force which includes consumers, consumer advocates, regional centers, community service providers, organized labor, families of developmental center residents, members of the Legislature and the Department of Developmental Services staff. California operates four large developmental centers and one small community facility serving a total of 1,510 residents statewide with an annual budget of \$545 million.

"It is essential to listen honestly and fairly to all the different points of view about how best to provide quality care for the people we serve at the developmental centers," said CHHS Secretary Diana S. Dooley. "The Task Force will gather facts, share opinions and seek agreement on options for the future of developmental centers."

The Task Force will develop a plan to assure quality, effective and efficient delivery of integrated services to meet the special needs of current residents living in the developmental centers. It will consider the fiscal implications of developmental center operations, including the maintenance of the aging infrastructure, staffing, and resource constraints; the availability of alternative and community resources; a timeline for future closures; and any statutory and regulatory changes that may be needed to ensure the best care possible for this special population.

The Secretary will convene the first meeting of the Task Force on Monday, June 17 from 9:00 a.m. to 4:30 p.m. in Sacramento at the California Department of Rehabilitation, 721 Capitol Mall, Room 242. The Task Force will complete its work by mid-November and the meetings will be open to the public.

### **Task Force Members**

**Mark Barr, MS**, has been a special education teacher for the Department of Developmental Services for over 23 years and is an elected labor representative for Service Employees International Union (SEIU) Local 1000. He and his wife are parents of a child with special needs whom they recently lost.

**Catherine Blakemore, JD**, is the Executive Director of Disability Rights California (DRC). DRC provides a broad range of advocacy services state-wide to Californians with disabilities. She has worked in the disability advocacy field for more than 30 years.

**Ronald Cohen, PhD**, is the Chief Executive Officer of United Cerebral Palsy of Los Angeles, Ventura, and Santa Barbara Counties since 1987. Cohen is an expert on developing housing for special needs populations and has testified before the California State Legislature and the United States Congress on alternatives to institutional living.

**Theresa "Terry" DeBell, RN**, is the President of CASHPCR (formerly called California Association of State Hospital Parent Councils for the Retarded), representing families from Fairview and Porterville

Developmental Centers. She is the Chair of the Governor's Advisory Board at Lanterman Developmental Center where her brother Patrick lived for many years.

**Terri Delgadillo, MSW**, is the Director of the California Department of Developmental Services, the lead agency through which the State of California provides services and support to children and adults with developmental disabilities.

**David De La Riva, JD**, is the Senior Legal Counsel, California Statewide Law Enforcement Association (CSLEA). David joined CSLEA in 2005 as Legal Counsel where he oversees the day to day operations of the CSLEA satellite office in Huntington Beach and represents the Department of Developmental Services' peace officers.

**Carlos Flores** is the Executive Director (ED) of the San Diego Regional Center. He has 38 years of experience in the field of developmental disabilities. Carlos was the Branch Manager for the Prevention and Children's Services Branch of the Department of Developmental Services. He also has been the ED of the Redwood Coast Regional Center and ED of the Developmental Disabilities Area Board 10 in Los Angeles County.

**Dana Hooper, MBA**, is the Executive Director of Life Services Alternatives, Inc. (LSA). Dana is a technology industry veteran with extensive sales and marketing experience. He was previously a vice president of U.S. operations for a German software developer and on the leadership team at Speech Machines, Lernout and Hauspie and Centigram.

**Connie Lapin** is a co-chair of the Government Relations Committee for the Autism Society of Los Angeles. She is a speech pathologist, lecturer and consumer advocate for children and adults with Autism Spectrum Disorders and other developmental disabilities. Her son, Shawn, has autism.

**Kevin MacDonald, MBA**, has been the CEO of The Arc of Los Angeles and Orange Counties for the past 20 years. The Arc provides work and day services. Kevin established The Arc's Center for Human Rights. He did his Masters Internship at Fairview Developmental Center in Orange County.

**Christine Maul, PhD, CCC-SLP**, is a speech language pathologist and assistant professor in the Department of Communicative Disorders and Deaf Studies at California State University, Fresno. She is a parent of a resident at Porterville Developmental Center.

**Kathleen Miller, LCSW**, is President of the Parents Hospital Association for Sonoma Developmental Center (SDC), an organization that represents the families and friends of the SDC residents. Kathleen previously worked as a clinical social worker at SDC. Her son Dan is a resident at SDC.

**Marty Omoto** is an Advocate and Founder of the California Disability Community Action Network (CDCAN). He publishes a newsletter about the state budget and legislation with a following of over 65,000 people across the state. Marty had an older sister with developmental disabilities.

**Ray Rocha** is the President of the board of People First of California. He was previously vice president of People First of California and president of People First of Bakersfield. Ray works for Kern Regional Center where he helps other individuals with disabilities to access services.

**Robert Riddick, LCSW**, is Executive Director of the Fresno-based Central Valley Regional Center covering Tulare, Kings, Fresno, Madera, Mariposa and Merced counties, including the Porterville Developmental Center in Tulare County.

**Will Sanford** is the Executive Director of Futures Explored, Inc., a community-based organization that provides support to over 500 individuals with developmental and other disabilities each year.

**Savaing Sok** is a member of People First of California- Region 4 for Sonoma, Solano and Napa Counties. He is a 21-year-old resident of Sonoma Developmental Center and a member of the center's Human Rights Committee.

**Kecia Weller** is a member of the California State Council on Developmental Disabilities. Weller was formerly a teacher's assistant at the University of California, Los Angeles Extension Pathway Program, and has been a county supervisor appointee on the Los Angeles County Commission on Disabilities since 2002.

**Brad Whitehead** is a California-licensed Psychiatric Technician at Lanterman Developmental Center in Pomona where he has provided a broad range of medical and therapeutic services to center residents. Brad also serves as Lanterman Chapter president for the California Association of Psychiatric Technicians.

**Note:** The Assembly Speaker and the Senate President Pro Tem will each designate one member to represent the Legislature.

**PACKET OF MATERIALS FOR JUNE 17, 2013**

**Document**

1. Consumer Characteristics at the end of March 2013
2. Developmental Center Population Chart
3. Developmental Center In-Center Population  
by Level-of-Care and Regional Center
4. Regional Center Population Residence Types as of June 1, 2013
5. Options to Meet the Future Needs of Consumers  
in Developmental Centers (June 2002) \*
6. Level of Care and Regional Center Acronym Key
7. Map of Developmental Centers, State-operated Community Facility,  
and Regional Centers
8. Services Provided At Each Developmental Center

The above listed attachments can be found at the following address:

<http://www.chhs.ca.gov/Pages/DCsTaskForce.aspx>

\* This is a 98-page report that is available on the CHHS website at [www.chhs.ca.gov/pages/DCsTaskForce](http://www.chhs.ca.gov/pages/DCsTaskForce). It is not included here because of its size.

**PACKETS OF MATERIALS FOR AUGUST 19, 2013**

**PACKET 1: CLIENTS**

**Document**

1. Summary of Resident Characteristics by Developmental Center (DC)
2. Client Development and Evaluation Report (CDER) Data on DC Resident Characteristics  
(Distributed at first Task Force Meeting)
3. CDER Data on Consumer Characteristics Statewide  
(Distributed at first Task Force Meeting)
4. CDER Data Comparing Major Characteristics of Consumers in the DCs and the Community  
(Distributed at first Task Force Meeting)
5. Summary of the Number & Types of Moves Made By Individuals After Leaving a DC
6. Sample of Supporting Data Used To Create the Summary of Moves
7. Chart Summarizing DC Consumers by Legal Status
8. Data Requests—Client Characteristics
9. Chart Summarizing Use of Behavior Modifying Drugs with the Difficult to Serve Population

The above listed attachments can be found at the following address:

<http://www.chhs.ca.gov/DCTFDocs/Clients%20Packet%20for%20Workgroup.pdf>

## ATTACHMENT 4

(Continued)

### PACKETS OF MATERIALS FOR AUGUST 19, 2013

#### PACKET 2: INFORMATION COLLECTED ON OTHER STATES

##### Document

1. 2011 Ranking of States by Number of Residents at Large State Facilities
2. List of Completed and In-Progress Closures of State-Operated 16+ Institutions
3. List of 14 States that Have Closed All of their State-Operated Institutions
4. Summaries of Closure Efforts in 5 of the 14 State that Have Closed All Large State Institutions
  - Michigan
  - New Hampshire
  - Maine
  - Vermont
  - Indiana
5. List of 10 States with the Smallest Number of Residents Left in State-Run Institutions
6. List of Links to 18 Different Closure Plans for Various Institutions and States
7. Summary of Agnews Closure Process
8. Summary of Lanterman Closure Process
8. Policy Research Brief: Status of Institutional Closure Efforts in 2005

The above listed attachments can be found at the following address:

<http://www.chhs.ca.gov/DCTFDocs/Other%20States%20Packet%20for%20Workgroup.pdf>

**PACKETS OF MATERIALS FOR AUGUST 19, 2013**

**PACKET 3: RESOURCES**

**Document**

1. Summary of Statewide Specialized Resource Service (SSRS) Usage and Content
2. Chart Summarizing Out-of-Home Living Arrangements
3. Excerpts Describing Service Options from Various Lanterman Newsletters and the Department of Developmental Services (DDS) Website
4. Summaries of Community-Based Adult Services (CBAS) and Multipurpose Senior Services Program (MSSP) Programs
5. Data Request—Number of People Who Moved into Non-Lanterman Developmental Center Resources

The above listed attachments can be found at the following address:

<http://www.chhs.ca.gov/DCTFDocs/Resources%20Packet%20for%20Workgroup.pdf>

**PACKETS OF MATERIALS FOR AUGUST 19, 2013**

**PACKET 4: FOLLOW-UP DATA REQUESTS**

**Document**

1. Articles Regarding Deinstitutionalization from Christine Maul
2. Examples of Community Resource Center Model from Kathleen Miller
3. Expanded Summary of Moves Made by Individual after Leaving a DC
4. Summary of Monthly Admissions, Transfers and Placements by DC
5. Residence Data on Individuals Who Moved from Stockton and Camarillo
6. Client Characteristics Information—DC Residents
7. Client Characteristics Information—DC Movers
8. DDS Crisis Intervention Report—May 2013
9. Psychiatric Supports for Agnews DC Movers
10. Developmental Center Services and Supports (meeting handout)

The above listed attachments can be found at the following address:

<http://www.chhs.ca.gov/DCTFDocs/August%2019,%202013%20Task%20Force%20Data%20and%20Information.pdf>



**PACKETS OF MATERIALS FOR OCTOBER 22, 2013**

**PACKET 1: BUDGET AND FUNDING**

**Document**

1. Description of Budgeting Process for Developmental Centers and Community Services
2. Developmental Center Funding FY 2013-14
3. Summary of FY 2013-14 Operational Budget for Developmental Centers
4. Regional Center Funding FY 2013-14
5. Movers from Developmental Centers FY 2011-12 Regional Center Costs
6. Rate Setting Methodologies
7. Federal Funding Information

The above listed attachments can be found at the following address:

<http://www.chhs.ca.gov/DCTFDocs/DC%20Task%20Force%20-%20Budget%20and%20Funding.pdf>

**PACKETS OF MATERIALS FOR OCTOBER 22, 2013**

**PACKET 2: DEVELOPMENTAL CENTER STAFF AND RESOURCES**

**Document**

1. Specialty Services at the Developmental Centers
2. California Developmental Centers Services and Supports (Submitted by Terry DeBell)
3. Developmental Centers and Community Facility FY 2013-14 Positions
4. Contracts for Paid Employment at the Developmental Centers and Community Facility

The above listed attachments can be found at the following address:

<http://www.chhs.ca.gov/DCTFDocs/DC%20Task%20Force%20-%20Staff%20and%20Resources.pdf>

**PACKETS OF MATERIALS FOR OCTOBER 22, 2013**

**PACKET 3: DEVELOPMENTAL CENTER LAND AND  
INFRASTRUCTURE**

**Document**

1. Developmental Centers Land Use Summary
2. Maps of Developmental Centers
3. Harbor Village Project – Fairview Developmental Center

The above listed attachments can be found at the following address:

<http://www.chhs.ca.gov/DCTFDocs/DC%20Task%20Force%20-%20Land%20and%20Infrastructure.pdf>

**PACKETS OF MATERIALS FOR OCTOBER 22, 2013**

**PACKET 4: COMMUNITY PLACEMENT PLAN AND  
COMMUNITY RESOURCES**

**Document**

1. Programs of All-Inclusive Care for the Elderly (PACE) Summary
2. Community Placement Plan (CPP) Funding FY 2012-13 and 2013-14
3. Expanded Use of CPP Funding
4. Approved CPP Projects for Development FY 2012-13 and 2013-14
5. Facilities Ineligible for FFP and Out of State Placements
6. Estimate of Potential Need for ARFPSHN Homes
7. Regional Center Community Out-of-Home Living Arrangements
8. Residential Vacancies
9. Statewide Specialized Resource Service Data (Previously Provided)

The above listed attachments can be found at the following address:

<http://www.chhs.ca.gov/DCTFDocs/DC%20Task%20Force%20-%20Community%20Placement%20Plan%20and%20Community%20Resources.pdf>

**PACKETS OF MATERIALS FOR OCTOBER 22, 2013**

**PACKET 5: OTHER INFORMATION**

**Document**

1. Individuals in Jail Waiting for Admission to PDC Secure Treatment Program
2. Comprehensive Assessments Information

The above listed attachments can be found at the following address:

<http://www.chhs.ca.gov/DCTFDocs/DC%20Task%20Force%20-%20Other.pdf>

Parent Hospital Association (PHA)  
Sonoma Developmental Center  
Post Office Box 11264  
Santa Rosa, California 95406

Date: December 15, 2013

TO: Diana Dooley, Secretary, Department of Health and Human Services

FROM: Kathleen Miller, LCSW, President PHA, Sonoma Developmental Center

RE: Clarification of the views of Kathleen Miller, task force member, supported by PHA members, family and friends of Sonoma Developmental Center residents, and members of the Sonoma Coalition to preserve services for SDC residents

**Idea 1: Establish a comprehensive medical resource center for the community**

We heartily support this idea and the concept that a clinic be located on Sonoma Developmental Center land to serve center residents who move to alternative placements. We are also pleased that it can include supports for consumers living in other alternative community residential options, who have complex medical and behavioral needs as well as those individuals who are moving from developmental centers. We continue to support the idea that community services must: 1) include a range of options; 2) have access to stable funding; and 3) have available the necessary supports for individuals to live successfully outside developmental centers.

We also support the concept that a medical clinic be developed and maintained on Sonoma Developmental Center land that provides needed services to maintain the medically fragile individuals and behavior residents who are forced to move to alternative placements prior to them being moved. Those who are early movers must not be excluded from access to medical services simply because they were the first to move. Sonoma Developmental Center physicians should be given the option to work in medical clinics that serve these populations.

**Idea 2: Use State Developmental Center land to develop community services, including a medical resource center and mixed use communities similar to Harbor Village**

While we support the existing “Mixed-Use” Communities, such as Harbor Village, we do not support the expansion of such communities for current developmental center residents. We oppose the development of a large “Mixed-Use” Community on the Sonoma Developmental Center campus. Our reasons are as follow:

1- The residents with behavioral issues who currently reside in Sonoma Developmental Center require residences that do not have common walls and many require residences with structural supports. Residents with behavioral issues also benefit from having ample space to take walks and de-escalate when it is necessary. They require an accepting environment that is safe and allows them to be in charge of their behavior when they need to do so. They benefit from the calm, beautiful grounds and a few residents spend the large part of their day outside paying occasional visits to the farm, or store , or simply wandering the natural setting that is SDC. Also, some residents with these issues may require a residence that is locked for a time. However, if this is the case then provisions should be made to be able to transition to unlocked residences as they are able to handle them safely. It would be best if these moves can be accommodated while maintaining most of the elements of their environment. Some residents have changing needs in this regard and provisions will need to be developed that enable those individuals to be able to transition in place within their community from locked to unlocked residences as needed. Such requirements place serious economic constraints on the type of housing that would meet their needs and calls into question whether they can benefit from the advantages of living in a “Mixed-Use” Community.

2- We do not support the idea that community living is only possible in the company of non-disabled individuals. There are many examples of intentional communities, such as retirement communities, university campuses, housing arrangements for people with autism or other disabilities and developmental centers.” Community” is more than “Mixed-Use “housing which under current regulations means three nondisabled residences per disabled residence. “Community” includes shared open space where people go to play, work, shop, eat, and celebrate life events together. Intentional communities for those with varied disabilities are often the first choice of consumers. Two such intentional community housing options currently exist in the Sonoma/Napa Counties in addition to SDC and both have wait lists.

3- Local communities may want to decide how much and what types of development occurs in their neighborhood. Restrictions may currently exist on DC land. Economic realities must be included in the decision of whether a “Mixed-Use” community may be the best use for DC land. There may well be other locations that would better fit such a “Mixed-Use” living project other

than developmental center campuses. Much of those considerations lie beyond the scope of this task force.

4- We also feel it is important to point out that whatever else is on the DC land it will need to contain a crises program, a transition facility, a state facility for those whose needs are best met in state housing, and a medical clinic. We fully support the use of DC land for these uses first and foremost and these uses may not blend necessarily with a high density "Mixed-Use" Community.

5- We support a public/private partnership to create half-way ICF homes for behavioral residents who may reside for a time in the state zero reject facility. These homes can create a bridge to help residents transition into community housing or may need to provide a more long term residence for those who present a higher risk to both themselves or to the community. These homes can coexist with a state zero reject facility on Sonoma Developmental Center land.

### **Idea 3: Serving Individuals with Enduring and Complex Medical Needs**

We support the examination and use of mortality studies and mortality data and their recommendations before the forced relocation of medically fragile developmental center residents.

While we understand that there are models of care in the community that provide services to consumers with significant medical needs, we do not agree that they negate the need for state operated facilities. Until death data confirming that these services, and the transitions to them, do not cause the decline and unintended deaths of medically fragile DC clients, they should not be forced into other living options. Currently we do not have access to this data.

Following the closure of Agnews Developmental Center, there were studies to look at the success of the closure and subsequent moves. While there were studies commissioned by DDS at considerable expense, they neglected to provide data on the one issue of concern to our families of medically fragile DC residents- the rate of deaths during the closure years in comparison to death rates prior to the closure process. When we attempted to obtain these data, we were given data that appeared to be inconsistent and incomplete. Attempts to get information on the rate of deaths during the current closure of Lanterman Developmental Center have yielded more inaccurate data or have been ignored.

Before we eliminate the safety net of the Developmental Centers for those with enduring and complex medical needs, we request that there be data collected on death rates. In the event



that there is an increase in the rate of deaths during closures; we feel that needs to be addressed prior to any plan to move the remaining medically fragile individuals out. It is only reasonable that the DDS and anyone concerned about the safety and well being of these individuals would do this.

We also feel strongly that the clinic concept needs to be in place and ready to provide necessary medical support services before any medically fragile individuals transition to alternative homes. It is vital that they have access to enhanced medical services to maintain them in alternative settings.

#### **Idea 4: Serving Individuals with Criminal Justice System Involvement**

We support the state continuing to operate a secure treatment facility for those involved with the criminal justice system. We also support the continuation of Canyon Springs as a “step down” program for those leaving Porterville Developmental Center.

#### **Idea 5-Individuals with Challenging Behaviors**

We support state services for individuals with challenging behaviors including crises, stabilization and assessment, and residential services. Our reasons are as follows:

1 - Members of the Task Force understand and have stated that no model exists outside of the state facilities that can safely provide for some consumers with challenging behaviors. Closer examination of alternative housing reveals that what is best about an alternative housing model are the provision of enhanced staffing and access to behavior services. These models already exist in specialized housing arrangements with enhanced funding. These provisions have worked for some individuals, but have not worked for others who need even more services and supports. Adding increased restrictions on individual freedoms such as behavioral restraints and locking the homes, is not the answer. Without the intense oversight provided by layers of staffing and the many licensing requirements at the developmental centers there are too many opportunities for these restrictions to be misused. Locking the perimeter and/ or the building and mixing residents with different behavioral challenges, is very likely to lead to a dangerous situation. There is risk that such alternatives will not be safe much less therapeutic. The use of restrictive interventions should be used only with a high level of oversight.

2 - Developmental centers already have a process in place to ensure that consumers who are stable and ready to re-enter the community by selecting an appropriate living option, are able to do so. In fact, recent trailer bill language mandates that every single resident have a complete assessment to determine if they are able to make a move to the community. Any resident who expresses a desire to leave has immediate access to assistance from a Client Rights Advocate to assist them in realizing that wish. Without a mass forced relocation of the last remaining developmental centers of the challenging behavior residents, the DCs will continue to become smaller and leaner. What is needed now is not closure but restructuring to develop a state system to more cost-effectively serve this limited population

3 - Forcing those with intense behavioral challenges out of the developmental centers places them at unnecessary risk. We know from experience that this is a group of people that often suffer from all types of abuse, over or under medication, untoward police involvement, frequent evictions, a limited range of activities and other personal risks. For some people, the developmental centers have provided the only stable home they have ever known. We celebrate the stories of those who have gone to alternative homes and have been successful. Unfortunately, all too often, we families and friends are the only ones available when the community placement falls apart and the individual and the public are at risk. Too many families of behavior consumers have seen loved ones bounced from place to place due to the lack of necessary supports. Today, it is necessary to continue to have state residences to rely on so this will not happen.

#### **What services should be included at Sonoma Developmental Center**

- 1- Crises services are lacking in for many regional center clients. They can end up in emergency rooms, acute psychiatric centers created for the general population, and even jails. We believe a crises center that can be accessed quickly for those who need it could be a service that should be located on Sonoma Developmental Center grounds and staffed by experienced and qualified state staff.
- 2- A zero reject state facility, recommended by the task force, should be included in the services provided on the Sonoma Developmental Center site. There are current SDC residents who need to remain there for their safety and well being and this service needs to also be made available to behavior consumers who have been ejected from alternative residences.

- 3- Sonoma Developmental Center land is an ideal location for a medical clinic recommended by the task force to provide much needed medical services to medically fragile and behavioral former SDC residents who have been required to move to alternative placements. Medical services need to also include dental, durable equipment maintenance, and mental health services for these vulnerable former SDC residents.
  
- 4- Sonoma Developmental Center land is an ideal location for public/private partnership ICF homes. Some of these homes can serve as half way homes for behavior residents who are transitioning from the state facility to alternative homes outside Sonoma grounds. Additionally there could be ICF medical homes developed that serve the most medically fragile who would be at risk in other alternative placements. These ICF medical homes would be located near to the clinic to further insure that medical services are available as needed.



# California Association of Psychiatric Technicians

December 18, 2013

Diana Dooley, Secretary  
 California Health and Human Services Agency  
 1600 Ninth Street, #460  
 Sacramento, CA 95814

RE: TASK FORCE ON THE FUTURE OF DEVELOPMENTAL CENTERS DRAFT REPORT

When I and concerned family members, professional staff, and friends and neighbors turned out in droves for a February 2010 hearing on the at-the-time proposed closure of Lanterman Developmental Center, conservator Terrence King asked attendees, "Is this a formality? Is this a hearing or are you hearing us?" Despite the words of King and more than 400 others, that hearing was just a formality – merely something to check off on a chart to say "stakeholders were involved in the process." Now, despite the words said and the tears shed at that hearing and elsewhere, Lanterman Developmental Center is set to close at the end of 2014.

Is the Task Force on the Future of Developmental Centers just another formality like the 2010 hearing, as well as other closure "processes" in recent years? With all due respect, when I was selected to serve on the Task Force for the Future of Developmental Centers, that is what I asked myself -- it seemed to be just another formality as I'd seen too many times in the past, this time on a statewide scale. Given the vastly unequal representation of those who value developmental-center services on the task force, the developmental-center voice already was at a disadvantage at the start and -- despite your personal, insightful and earnest efforts -- our discussions and draft report unfortunately reflect this imbalance toward "community" care.

But the clients and families I have served for more than 35 years at Lanterman and elsewhere in Los Angeles County are not formalities, and I was determined to be heard on behalf of those living and working in our California developmental centers. So as a vocal participant in the task force, I am taking one more opportunity to speak out. As pledged advocates for Californians with developmental disabilities and mental illnesses, that is was Psychiatric Technicians like me are charged – and honored -- to do.

As the task force's draft report says, "The recommendations of this Task Force are that the future role of the state is to operate mostly smaller, safety-net crisis and residential services coupled with specialized health care resource centers and public/private partnerships, as well as the Porterville DC Secure Treatment Facility and the Canyon Springs Community Facility."

This draft report is not a closure mandate and the included broad summary recommendation actually offers some hope for the continuance and reimagining of federally accredited, cost-effective, state-administered, professionally staffed and truly nonprofit services sought by many

Californians and their families. But many more details on what Californians with developmental disabilities need, want and choose – wherever they live – are sorely needed. Because of this reason, I respectfully cannot support the draft report and its recommendations as currently written.

#### MUCH MORE DATA IS NEEDED PRIOR TO TAKING ANY ACTION OF ANY KIND

Even with our discussions and the frankly superficial data provided to task-force members by the California Department of Developmental Services, we continue to know very little about those who have moved from developmental centers, even here in California. Where are they living? What “equal or better” services are they receiving immediately upon their moves, as required? What are their illness, injury, hospitalization and mortality rates – all of which are tracked in a developmental-center setting per federal regulations? These are life-and-death questions that remain unanswered – and remain unanswered even in the face of ongoing moves from California developmental centers as we speak.

While the draft report notes as a fact that “thirteen states and the District of Columbia have no large state-operated institutions,” there is no data provided in our meetings on these other states’ individual movers to shed any light – for better or for worse -- on this freestanding statement. However, as Samuel Bagenstos, former principal deputy assistant attorney general in the U.S. Department of Justice and an expert on deinstitutionalization, recently said, “It should not be surprising that the coalition of deinstitutionalization advocates and fiscal conservatives largely achieved their goal of closing and downsizing institutions and that deinstitutionalization advocates were less successful in achieving their goal of developing community services.”

**If we cannot answer the most basic questions on services for people with developmental services in our state and our nation before taking any action of any kind, the work of this task force is moot.**

#### CALIFORNIANS ARE NOW DENIED THE FEDERAL CHOICE TO LIVE IN DEVELOPMENTAL-CENTER SETTINGS

The right of people with developmental disabilities to choose care in a developmental-center setting was barely touched upon in our task-force work. The draft report mentions the U.S. Supreme Court’s *Olmstead* requirements: “[S]tates are required to place persons with mental disabilities in community settings rather than institutions when the State’s treatment professionals have determined that community placement is appropriate, the transfer from institutional care to a less restrictive setting is not opposed by the affected individual, and the placement can be reasonably accommodated, taking into account the resources of the State and the needs of others with mental disabilities.”

But in addition, a majority of justices noted in *Olmstead* that “[w]e emphasize that nothing in the ADA or its implementing regulations condones termination of institutional settings for persons unable to handle or benefit from community settings...Nor is there any federal requirement that community-based treatment be imposed on patients who do not desire it.” And a plurality wrote, “No placement outside the institution may ever be appropriate . . . ‘Some individuals, whether

mentally retarded or mentally ill, are not prepared at particular times—perhaps in the short run, perhaps in the long run—for the risks and exposure of the less protective environment of community settings’ for these persons, ‘institutional settings are needed and must remain available.’” And, “as already observed by the majority, the ADA is not reasonably read to impel States to phase out institutions, placing patients in need of close care at risk... ‘Each disabled person is entitled to treatment in the most integrated setting possible for that person — recognizing on a case-by-case basis, that setting may be an institution.’”

Also, federal Medicaid law and regulation require that beneficiaries be given the choice between ICFs/IID (which include federally accredited developmental centers) and HCBS waiver care. Therefore, states are required by federal law to offer individuals who are eligible for Medicaid home and community-based waiver services the choice between community-based care under the waiver program or institutional services, such as developmental centers.

As I and many others discussed at our meetings, and as emphasized in these federal decisions and regulations, a person’s Individual Program Plan must rule all decisions in order to empower that person to live the life he or she wishes. I myself uphold that mandate every day in my work, respecting the wishes of individuals to receive services in whatever settings they desire.

However, the current California moratorium on developmental-center admissions goes against these federal findings and requirements. According to the moratorium, now only Californians in acute crisis can be admitted to developmental centers for a matter of weeks or in cases of criminal-justice involvement. When the possibility of lifting the moratorium was brought up in our discussions to again allow other admissions as individuals wished, it would flatly not be considered, effectively and entirely removing current federally regulated and professionally staffed developmental centers and services off the table, despite federal law.

**If we as a task force are seeking to reimagine developmental centers and their services – along with other choices and services for people with developmental disabilities – now and into the future, then this major state denial of a federally recognized choice must be addressed.**

#### DEVELOPMENTAL CENTERS AND STAFF ARE VALUABLE RESOURCES FOR TASK-FORCE PRIORITIES

Task-force members discussed the urgent need for three overarching priority services in the larger community for Californians with developmental disabilities: services for individuals with enduring and complex medical needs, services for individuals with challenging behaviors and services for individuals involved in the criminal-justice system. As I and others testified, these services and many more are all currently available at state developmental centers, but as I previously noted, these services are now denied to Californians under the state’s admissions moratorium.

The broad recommendation issued in the draft task-force report does offer some hope of continuing and/or expanding state developmental-center-style services even into different venues

and settings, which holds promise for Californians in need of these lacking services. Key among these ideas are:

- MEDICAL – Central medical homes, PACE-modeled one-stop centers, psychiatric services, specialty services, care for ventilator-dependent individuals and “962” nursing-services homes.
- BEHAVIORAL – Specialized homes and facilities offering “zero- eviction” wraparound services to Californians with challenging and potentially dangerous behaviors, as well as services to Californians with dual diagnoses and multiple diagnoses of co-occurring developmental, psychiatric and medical disabilities (individuals Psychiatric Technicians also are specifically licensed to assist, regardless of setting).
- FORENSIC – Continued utilization, expansion or replication of Porterville and Canyon Springs’ state-operated rehabilitative services for people with developmental disabilities involved in the criminal-justice system, as well as group locked facilities.

Also of positive nature is the draft report’s inclusion of seasoned developmental-center professionals as a key resource: “The general agreement that the system would benefit by preserving this [staffing] resource.”

However, of note is the report’s assumption that all who are currently in developmental centers wish to move, as shown in the example regarding 962 homes: “Of the 445 individuals residing in a DC SNF [Skilled Nursing Facility], it is estimated that roughly 315, or 70.9 percent, would need the services of 962 homes.” While that statement notes their potential need, it does not note their wishes as outlined in their IPPs which, again, should take priority in any decisionmaking. Any developmental-center resident already has the right to move to another location as he or she wishes, although, as previously stated, that right does not now include the ability for others to move to developmental centers.

In addition, while there is task-force agreement that developmental-center staff are an important resource for Californians with developmental disabilities, nowhere is their use guaranteed in any of the possible proposed settings. For instance, in the locked private settings currently being implemented and included in our discussions and the draft report, rather than having these facilities state-implemented and state-staffed with licensed and certified professionals trained in these behaviors, these facilities are instead hiring direct-care staff with a mere 16 hours of training, setting these facilities – and residents – up for failure.

**While we consider the future of developmental centers, we must also fully consider and utilize the resources they have available – whether in their current form or other proposed forms and venues -- for all who need or desire them.**

WE ARE HERE TO SERVE

As I mentioned at the outset, Psychiatric Technicians are pledged, licensed nursing advocates for Californians with developmental disabilities and mental illnesses wherever they reside or receive services, including developmental centers, state hospitals, prisons and jails, skilled nursing facilities, county mental-health departments, acute hospitals, day programs, rehabilitation facilities, crisis teams, schools and school districts and many other settings. It takes a certain

person to do our difficult, challenging but ultimately rewarding work, whose true hallmark is to always find hope in what oftentimes so many others have found hopeless -- so we, as a profession as a whole, are professional optimists.

Even with the concerns I've expressed here, I maintain the heartfelt hope that our task force has not been an exercise in futility or -- as voiced at our Lanterman hearing -- a mere formality, but that it actually marks the start of what must be a much more involved statewide and national conversation on the need for quality, professional services for all Americans with developmental disabilities. For 19 people to have done what we all have in just a few months is noteworthy, and an honest, in-depth, data- and choice-driven process must continue. I have enjoyed working with you and others as part of the task force, and I do hope I can continue to serve as a resource to help in whatever way possible, as my coworkers serve thousands of Californians 24/7.

Sincerely,

A handwritten signature in cursive script that reads "Brad Whitehead".

Brad Whitehead, PT  
California Psychiatric Technician License #20379



THE VOICE OF LAW ENFORCEMENT, PUBLIC SAFETY &amp; CONSUMER PROTECTION

# CALIFORNIA STATEWIDE LAW ENFORCEMENT ASSOCIATION

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December 26, 2013

### Via US Mail

Diana Dooley, Director  
California Health and Human Services Agency  
1600 Ninth Street  
Sacramento, CA 95814

CSLEA has had an opportunity to review the Task Force Draft of the "Plan for the Future of Developmental Centers in California" which the California Health and Human Services Agency intends to submit to the California State Legislature. As the representative of the Peace Officers, Investigators and Firefighters who dedicate their lives to the well being of staff and clients at each of the Department of Developmental Centers' facilities, CSLEA is not in a position to endorse the overall conclusions drawn from this Draft which would likely result in the elimination of several Bargaining Unit 7 positions. CSLEA also lends its support to the position taken by the California Psychiatric Technicians in its letter to you, dated December 18, 2013.

The Developmental Centers, even if in a reduced form, remain the best hope for the continuing development of the clients who are served by them. The staff in place has the training to maintain the high standard which has satisfied the DC clientele for years. This sentiment was echoed by the parents of children who reside in the DCs, such as Fairview and Sonoma, during the public comment portions of the Task Force meetings. While it was satisfying to see and hear from those former clients who shared their stories of being able to live on their own, it must be remembered that they have been able to "graduate" to their current status due in part to the services provided at the DCs.

The Draft provides no assurances as to the number of Bargaining Unit 7 members which will remain on staff, where they will work, and how their roles may be altered in the future if the Draft's recommendations are carried out. Many questions exist which need to be answered, including what is the process for moving individuals out of the secure treatment areas and into the communities at large? Also, who will look for the clients when they eventually elope into the communities where they are housed? CSLEA feels the next step to be taken in this process is to analyze who would be responsible for ensuring the safety of the clients and of the staff who serve them. This should require the creation of a panel to examine these concerns. However, in contrast to the Task Force body, the panel should consist of a more balanced group, including a larger presence of individuals or organizations whose main intentions are not to seek the eradication of the current DC system.

THE VOICE OF LAW ENFORCEMENT, PUBLIC SAFETY & CONSUMER PROTECTION

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CSLEA looks forward to continuing to work with HHS and DDS in developing strategies to address these issues in the coming months and years. Regrettably, in its current state, we are unable to give approval to the recommendations included in the Draft.

Sincerely,

  
David De La Riva  
CSLEA  
Senior Legal Counsel