

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

TUESDAY

APRIL 22, 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 31)

PRESENTATIONS/GOLD RESOLUTIONS

(Items 1 through 8)

PRESENTATIONS AT BOARD MEETING

1. Adopt a Gold Resolution commemorating ECO₂School Challenge and the work student leaders do to encourage peers to use more environmentally friendly forms of transportation. (Third District)
2. Adopt a Gold Resolution recognizing the Annual Sonoma County Veteran Resource and Job Fair on April 24, 2014. (Fourth District)
3. Adopt a Gold Resolution honoring Food For Thought on the occasion of their 25th Anniversary. (Fifth District)
4. Adopt a Gold Resolution celebrating the Bird Rescue Center's Festival of Feathers. (Third District)
5. Adopt a Gold Resolution congratulating the University of California Cooperative Extension Office on the 100th Anniversary of the Smith-Lever Act. (Fourth District)

PRESENTATIONS AT DIFFERENT DATE

6. Adopt a Gold Resolution recognizing the County's first annual Take Your Child To Work Day. (Human Resources)
7. Adopt a Gold Resolution declaring April 2014 as California Safe Digging Month. (Second District)
8. Adopt a Gold Resolution honoring and celebrating the life of August Neil Hermoso. (Fourth District).

CONSENT CALENDAR (Continued)

AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

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

9. Approve plans and specifications for construction of the Montini Open Space Preserve road crossing improvements, accessible parking space, and gate installation (Project); Authorize the General Manager to solicit bids for the Project and award a contract to the lowest responsible bidder, provided the bid does not exceed the engineer's cost estimate for the Project; and Delegate authority to the General Manager to take specified actions to administer the contract. (First District)
10. Authorize the General Manager of the Sonoma County Agricultural Preservation and Open Space District to (A) execute a contract with Hanford A.R.C. in the amount of \$45,579 for the construction of fencing for the North Slope Sonoma Mountain Ridge Trail project, and (B) take specified actions to administer the contract, including execution of an access agreement with Mrs. Martha Skiles. (First District)
11. Adopt a Resolution authorizing the President to execute a Quitclaim Deed releasing the Sonoma County Agricultural Preservation and Open Space District's interest in Parcel B which was erroneously included in original legal description in the conservation easement purchased from Arbor Acres Farms, Inc. (Document No. 1995-105289), so that the amended legal description matches the lands the District intended to protect. (First District)

SONOMA COUNTY WATER AGENCY

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

AND

SONOMA VALLEY COUNTY SANITATION DISTRICT

(Directors: Gorin, Rabbitt, Rouse)

12. Adopt a Concurrent Resolution determining that adoption of the 2013 Bay Area Integrated Regional Water Management Plan (2013 Plan) will not have a significant adverse effect on the environment; adopting the 2013 Plan; and authorizing the Water Agency General Manager to file a Notice of Exemption. (4/5 vote required) (First and Second Districts)

SONOMA VALLEY COUNTY SANITATION DISTRICT

(Directors: Gorin, Rabbitt, Rouse)

13. Authorize the Chair to execute an agreement with ERM-West, Inc. to provide soil and groundwater testing and analysis for Phase II environmental assessment of the Sonoma Valley trunk main replacement from Sixth Street East to the Happy Lane Project (\$33,585; agreement terminates on July 31, 2015). (First District)

AUDITOR-CONTROLLER TREASURER-TAX COLLECTOR

14. Authorize the Auditor-Controller Treasurer-Tax Collector to sign a contract with Tax Sale Services of California, LLC for general and advisory services related to the sale of tax-defaulted property in an amount not to exceed \$150,000, from May 1, 2014 to May 1, 2015.

CONSENT CALENDAR (Continued)

AUDITOR-CONTROLLER TREASURER-TAX COLLECTOR /
COUNTY ADMINISTRATOR
AND
SONOMA COUNTY WATER AGENCY
NORTH SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT
(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

15. Concurrent approval of the Sonoma County Board of Supervisors, the Board of Directors of the Sonoma County Water Agency and North Sonoma County Air Pollution Control District, to allow the subordination of pass-through tax payments for the Successor Agency to the Redevelopment Agency of the City of Healdsburg relating to the Sotoyome Community Development Project, and authorize the Chair to execute a letter of consent.

GENERAL SERVICES

16. Authorize the Chair to execute an amendment to an existing consultant contract with Stantec Architecture, Inc. for additional design services for Siri Tower and Vault for a lump sum of \$14,400. (Fifth District)

GENERAL SERVICES / TRANSPORTATION AND PUBLIC WORKS

17. Authorize the General Services to execute a License Agreement with James McConnell d/b/a Andorno's Pizza for use of a portion of County property commonly known as the Guerneville Plaza, lease payments to start at \$300/month; for a term of 5 years, with 5 years of possible extensions. (Fifth District)

HEALTH SERVICES

18. Authorize the Director of Health Services to execute an agreement with ENTRIX, Inc. dba Cardno ENTRIX to perform an aquatic assessment related to water supply fluoridation, with a term end date of June 30, 2015, in an amount not to exceed \$60,766.

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)

19. Authorize the Human Resources Director to execute agreements with Cazden Insurance Solutions (in an amount not to exceed \$150,000) and Bickmore (in an amount not to exceed \$75,000) for insurance and risk management related consulting services for a three year term from May 1, 2014 through April 30, 2017.

CONSENT CALENDAR (Continued)

PERMIT AND RESOURCE MANAGEMENT

20. Adopt a Resolution authorizing to execute a replacement Land Conservation Act (Williamson Act) Contract for 13.03 +/- acres requested by Richard Idell for the Larson Family Trust; 2441 Nelligan Road, Kenwood; APN 051-180-012. (File No. AGP13-0023). (First District)

REGIONAL PARKS

21. 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) Biological Resources (\$100,000): Californian Environmental Services, LLC, Environmental Science Associates, LSA Associates, Inc., Sonoma Ecology Center, Triple HS, Inc., dba H.T. Harvey & Associates, WRA, Inc.;
 - (B) Environmental & Regulatory Processing (\$100,000): Prunuske Chatham, Inc.
 - (C) Geotechnical Engineering (\$100,000): Brunsing Associates, Inc., Kleinfelder, Inc., LACO Associates, Inc., Miller Pacific Engineering Group, PJC & Associates, Inc.;
 - (D) Land Surveying (\$150,000): BKF Engineers, Carlile Macy, Inc., Cinquini & Passarino, Inc., Susan D. Ruschmeyer, dba Pacific Land Surveys, Ray Carlson & Associates, Inc.;
 - (E) Traffic Engineering (\$100,000): Kittelson & Associates, Inc., TJKM, Whitlock & Weinberger Transportation, Inc.

SHERIFF’S OFFICE

22. Authorize the Chair to execute an agreement with 3M Cogent, Inc. to upgrade identification services and mobile identification capability for the fingerprint system for the period of April 28, 2014 to April 27, 2016 for an amount not to exceed \$283,336.

TRANSPORTATION AND PUBLIC WORKS

23. Authorize the Chair to sign Construction Cooperative Agreement with the State of California, Department of Transportation, to construct road improvements from Agua Caliente Road to Boyes Boulevard for the State Route 12 Corridor Improvement Project Phase 2, Stage 2 (C08002). (First District)
24. Rescind Resolution 14-0066 and adopt a replacement Resolution prohibiting vehicles with trailers or semi-trailers with kingpin to rear axle lengths exceeding thirty-eight feet (38’) on Laughlin Road (89001) between River Road (MP 32.60) and North Laughlin Road (MP 31.50) and authorize the Director of Transportation and Public Works to install associated signage. (Fourth District)
25. Authorize the Transit Systems Manager to execute a Memorandum of Understanding between Sonoma County Transit and the Metropolitan Transportation Commission to participate in the Clipper fare payment system.

CONSENT CALENDAR (Continued)

26. Adopt a Resolution authorizing the Director of Transportation and Public Works and the Transit Systems Manager to execute for and on behalf of the County any actions necessary for the purpose of obtaining state financial assistance in the amount of \$31,815 provided by the California Office of Emergency Services for Sonoma County Transit's Video Security Systems project, and authorizing the Chair to execute the Authorized Agent Form required under the program.

APPOINTMENTS/REAPPOINTMENTS

(Items 27 through 31)

27. Reappoint Mark Bramfitt to the Sonoma Valley Citizens Advisory Commission (Springs East) effective April 22, 2014 and expiring April 22, 2018. (First District).
28. Reappoint Rochelle Campagna to the Sonoma Valley Citizens Advisory Commission (North Valley) effective April 22, 2014 and expiring April 22, 2018. (First District).
29. Reappoint Bruce Green to the Sonoma Valley Citizens Advisory Commission (El Verano West) effective April 22, 2014 and expiring April 22, 2018. (First District).
30. Reappoint Kristen Lindquist to the Sonoma Valley Citizens Advisory Commission (North Valley) effective April 22, 2014 and expiring April 22, 2018. (First District).
31. Workforce Investment Board Appointments –
- (A) Appoint Tami Huffman and Leslie Wolski to the Youth Council for a one year term ending April 22, 2015.
 - (B) Reappoint Kristyn Byrne, Karen Fies, Debbie Antonsen, Robin Bartholow, Matt Martin, and Jose Obregon to the Workforce Investment Board for a two year term ending April 22, 2016.
 - (C) Reappoint Marilee Eckert, Georgia Ioakimedes, Matt Martin, Kellie Noe, George Steffensen, and Catherine Wilson to the Youth Council for a two year term ending April 22, 2016.

IV. REGULAR CALENDAR

(Items 32 through 38)

FIRE AND EMERGENCY SERVICES

32. Adopt a Resolution extending a proclamation of local emergency for 30 days due to drought conditions in the County of Sonoma and requesting immediate State and Federal assistance.

TRANSPORTATION AND PUBLIC WORKS

33. Presentation of the new Sonoma County Transit bus low-floor transit coaches powered by clean natural gas. (Transportation and Public Works)

AUDITOR-CONTROLLER TREASURER-TAX COLLECTOR

34. **10:00 A.M.** – Conduct a public hearing and adopt a Resolution to approve a tax exempt bond financing to be issued by the California Statewide Communities Development Authority to benefit Sonoma Academy in a principal amount not to exceed \$10,000,000. (Third District)

SONOMA COUNTY WATER AGENCY

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

35. Adopt a Resolution establishing Wholesale Water Rates and Charges for the Sonoma County Water Agency's Water Transmission System for Fiscal Year 2014/2015. (4/5 vote required)
36. Authorize the Chair to execute an agreement with Laguna de Santa Rosa Foundation to provide a habitat study and enhancement in the Laguna de Santa Rosa (\$300,000; agreement terminates on June 30, 2017). (Second, Third, Fourth, and Fifth Districts)

TRANSPORTATION AND PUBLIC WORKS

37. Adopt a Resolution introducing, reading title of and waiving further reading of an ordinance establishing a No Parking Zone on Fifth Street (#80077) and Mill Street (#80079). (First Reading) (Fifth District)

BOARD OF SUPERVISORS

38. Approve fee waiver in the amount of \$1,136 to Regional Parks to cover permit, day use and parking fees at Westside Park for the Bodega Bay 4th of July Celebration Fireworks. (Fifth District)

V. CLOSED SESSION CALENDAR

(Items 39 through 45)

39. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel – Initiation of Litigation (Govt. Code Section 54956.9(d)(4)).
40. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel – Initiation of Litigation (Govt. Code Section 54956.9(d)(4)).
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: Public Employee Performance Evaluation – Title: Child Support Services Department Director (Govt. Code Section 54957(b)(1)).
44. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel – Exposure to Litigation – Regional Water Quality Control Board Letter dated March 18, 2014 concerning potential discharge violations concerning compost operations at the Central Disposal Site. (Govt. Code Section 54956.9(d)(2)).
45. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation – Name of Case: Renewed Efforts of Neighbors Against Landfill Expansion (RENALE), et al. v. County of Sonoma, et al.; SCV 253728 (Govt. Code Section 54956.9 (d)(1)).

VI. REGULAR AFTERNOON CALENDAR

(Items 46 through 59)

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

46. Report on Closed Session.
47. **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.)
48. 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

COUNTY ADMINISTRATOR

49. **2:10 P.M.** – Adopt a Resolution setting the Criminal Justice Administrative Fee (Jail Booking Fee) at \$168 per applicable, effective July 1, 2014, in accordance with Government Code.

FIRE AND EMERGENCY SERVICES

50. **2:10 P.M.** – Adopt a Resolution adopting Schedule A – Permits and Fees for the Fire & Emergency Services Department for Certified Unified Program Agency Hazardous Materials, and adopt a Resolution adopting Schedule A – Permits and Fees for the Fire & Emergency Services Department – Fire Prevention effective July 1, 2014.

HEALTH SERVICES

51. **2:10 P.M.** – Adopt a Resolution establishing new and amended fees to recover the reasonable cost of providing health services for the Department of Health Services effective July 1, 2014.

PROBATION

52. **2:10 P.M.** – Adopt a Resolution establishing new fees and adopting fee increases and decreases for the Probation Department effective July 1, 2014.

REGULAR AFTERNOON CALENDAR (Continued)

REGIONAL PARKS
AND
SONOMA COUNTY WATER AGENCY
(Directors: Gorin, Rabbitt, Zane, McGuire, Carrillo)

53. **2:10 P.M.** – Adopt a Concurrent Resolution of the Board of Supervisors and the Directors of the Sonoma County Water Agency authorizing Spring Lake Park fee adjustments for Special Use Permits for Group Picnics, Non-Commercial/Non-Profit Events, and Film and Photography Permits, Group Picnic Reservation Changes, Individual Campsite Reservations, Individual Campsite Reservation Changes, And New Fees For Replacement Annual Day Use, and Golden Years, and pricing flexibility measures. Fee changes will be effective May 1, 2014; and Adopt a Concurrent Resolution of the Board of Supervisors and the Directors of the Sonoma County Water Agency authorizing adjustments in hourly staff billing rates applicable to recover the reasonable costs of providing services such as repairs, set-up and staffing for events, special use permits, and for maintenance and grounds services effective July 1, 2014.

REGIONAL PARKS

54. **2:10 P.M.** – Adopt a Resolution authorizing new fees for locating owners of berthed vessels, berthing at Mason’s Marina, retail fuel sales at Mason’s Marina, storage at Mason’s Marina, and battery core charges. Fee changes will become effective on May 1, 2014; and Adopt a Resolution authorizing adjustments in hourly staff billing rates applicable to recover the reasonable costs of providing equipment, repair of damage, set-up and staffing for events, staff hourly costs for maintenance, grounds services, Marina operations, building workers, General Services mechanics, and painters effective July 1, 2014.
55. **2:10 P.M.** – Adopt a Resolution authorizing Regional Parks fee adjustments for Special Use Permits for Group Picnics, Non-Commercial/Non-Profit Events, and Non-League Athletic Field Use Permits, Film and Photography Permits, Group Picnic Reservation Changes, Fall Festival Admission, Individual Camping, Individual Campsite Reservations, Individual Campsite Reservation Changes, New Fees For Replacement Annual Day Use, Golden Years, and Access Passes and a New Fee for a Special Use Permit for Grazing. Fee changes will become effective on May 1, 2014. Fee changes will become effective on May 1, 2014; and Adopt a Resolution authorizing adjustments in hourly staff billing rates applicable to recover the reasonable costs of providing services such as repairs, set-up and staffing for events, special use permits, and for maintenance and grounds services effective July 1, 2014.

SHERIFF – CORONER

56. **2:10 P.M.** – Adopt an Ordinance establishing the fees to be collected by the Sheriff’s Office effective July 1, 2014.

TRANSPORTATION AND PUBLIC WORKS

57. **2:10 P.M.** – Adopt a Resolution establishing reasonable rates and charges for the use of land and facilities at the Charles M. Schulz – Sonoma County Airport effective July 1, 2014.

REGULAR AFTERNOON CALENDAR (Continued)

PERMIT AND RESOURCE MANAGEMENT

58. **2:10 P.M. – UPE07-0008 – (FIRST DISTRICT)**

- a) APPLICANT: Guy Davis
- b) APPELLANT: New Old Ways Wholistically Emerging (NOWWE)
- c) LOCATION: 245 Spring Mountain Summit Trail (formerly Wappo Road) and adjacent properties
- d) ASSESSOR’S PARCEL NO.: 028-250-007, 028-260-041, 028-260-047, 028-260-023 and 028-260-025
- e) ENVIRONMENTAL DOCUMENT: Environmental Impact
- f) REQUEST: Re-open the public hearing to reconsider the Board’s approval of the Cornell Winery Use Permit for a 10,000 case winery in a 6,700 square foot winery complex with 10,200 square feet of caves located on a 40-acre parcel at 245 Spring Mountain Summit Trail (formerly Wappo Road) and adjacent properties owned by Henry Cornell (APNs 028-250-007, 028-260-041, 028-260-047, 028-260-023 and 028-260-025) as directed in Judge Gary Nadler’s Order Granting Motion for Order for Interlocutory Remand and Stay. After the close of the hearing, the Board of Supervisors may choose to:
 - (1) Adopt a Resolution upholding its prior approval of the Use Permit;
 - (2) Give direction to staff to return with a resolution that includes revisions to the original Use Permit findings; or
 - (3) Give direction to staff to return with a resolution that reverses the prior approval of the Use Permit.

59. **ADJOURNMENTS**

PLEASE NOTE:

THE FOLLOWING HEARING WILL BE CONTINUED TO MAY 6, 2014 AT 2:10 P.M.

PERMIT AND RESOURCE MANAGEMENT

2:10 P.M. – 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.

NOTE: The next regular meeting will be held on May 6, 2014.

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

- 1. May 6th (PM) – ZCE13-0014; Zone Change, 505 Dusty Lane, Sebastopol
- 2. May 6th (PM) – UPE13-0065; Request for Use Permit – Republic Service of Sonoma County, 500 Meacham Road, Cotati
- 3. May 13th (AM) – NSCAPCD FY 2014-15 budget Hearing
- 4. May 13th (PM) – GPA13-0013; General Plan Amendment
- 5. May 13th (PM) – ZCE13-0019; Zone Change, 701 Leveroni Road, Sonoma
- 6. May 20th (AM) – Prop 218 for the Sanitation Sewer Rates
- 7. May 20th (PM) – ORD14-0004; re-adopting the Official Zoning Database for the Coastal Zone



County of Sonoma
Agenda Item
Summary Report

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

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

To: Board of Supervisors

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Shirlee Zane
(707) 565-2241

Supervisorial District(s):

Third District

Title: Gold Resolution

Recommended Actions:

Gold Resolution commemorating ECO₂School Challenge and the work student leaders do to encourage peers to use more environmentally friendly forms of transportation.

Executive Summary:

Prior Board Actions:

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

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	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

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



County of Sonoma

State of California

Date: April 22, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Commemorating ECO₂School Challenge And The Work Student Leaders Do To
Encourage Peers To Use More Environmentally Friendly Forms Of Transportation.**

Whereas, ECO₂school, a program of the Climate Protection Campaign, develops student leadership and encourages positive action in response to the climate crisis by focusing on empowerment and training tomorrow's leaders today; and

Whereas, student leader Johanna Paine from Montgomery High School states, "We aren't old enough to vote, but we are old enough to care about our world's future. Global warming will be my generation's greatest challenge"; and

Whereas, there have been a record setting twenty-seven spare the air days since November 1 throughout the winter season which may be an indication of climate change; and

Whereas, we are experiencing a record setting low rainfall season in 2013-2014, leading to a statewide declaration of a drought emergency; and

Whereas, the depletion of formerly cheap and abundant oil and gas reserves is contributing to record gasoline, diesel, and natural gas prices at the same time there is an increasing dependency on fossil fuel; and

Whereas, on June 1, 2005, California established greenhouse gas reduction targets for the state to reduce emissions in the year 2020 to 1990 levels and by the year 2050 to reduce emissions to 80 percent below 1990 levels, and

Whereas, Sonoma County has set the goal of reducing greenhouse gas emissions by 25% below 1990 levels by 2015, local youth are committed to playing an active role in reaching the state and county goals; and

Whereas, prior to the ECO₂school challenge in Sonoma County High Schools 64% of students were driven or drove themselves and only 17% of teen students carpooled; and

Whereas, Maria Carrillo student leader Sam Perry states "By opening students' eyes to the looming problem of climate change and how it is relevant to their

Resolution #

Date:

Page 2

own lives, ECO₂School proved that the students do have power and can make a change”; and

Whereas, students at schools participating in the ECO₂school challenge reported that their concerted effort to have more active modes of transportation to get to and from school during the ECO₂school program resulted in a 33.3% increase in number of students skating, a 30.8% increase in those who bike, a 15.8% increase in those who walk and a 5.1% increase in those who carpool; and

Whereas, Windsor High School student leader Jasmine Jolly states “Being an ECO₂school leader helped improve my ability to talk to a large group of people and have them listen”; and

Whereas, an informed student will continue to choose healthier forms of transportation and continue to improve our environment throughout his or her life.

Now, Therefore, Be It Resolved by the adoption of this Resolution, the County of Sonoma hereby commends the ECO₂school challenge and the student leaders who inspire their peers to take action for immediate green house gas emissions reductions, promote fundamental cultural change to make environmentally friendly forms of transportation a countywide norm and develop life-long skills of environmental stewardship.

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: 2
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Mike McGuire, 565-3758

Supervisorial District(s):

Fourth District

Title: Gold Resolution

Recommended Actions:

Adopt A Gold Resolution Recognizing the Annual Sonoma County Veteran Resource and Job Fair on April 24, 2014.

Executive Summary:

None

Prior Board Actions:

None

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 13-14

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

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



County of Sonoma

State of California

Date: April 22, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution of the Board of Supervisors of the County of Sonoma Recognizing the Annual Sonoma County Veteran Resource and Job Fair on April 24, 2014.

Whereas, The VOW to Hire the Hero Act of 2011 contains many incentives for employers to hire veterans and the California Employment Development Department's Santa Rosa Veterans' Representatives, Sonoma County Employer Advisory Council, Santa Rosa Marine Corps League Detachment 686, The Military Order of the Purple Heart Post 40, American Legion Post 111, AMVETS Post 40, and several of Sonoma County's Veterans' Organizations are pleased to announce the first Veterans' Resource and Job Fair to be held on Thursday, April 24, 2014; and

Whereas, Employment Development Department has been seeing many young returning veterans from Iraq and Afghanistan looking for employment opportunities in a less than favorable job market, and recognize that it is imperative to share available resources to the Veterans of our community at this job and resource fair; and

Whereas, There are over 1,900,000 Veterans throughout the great state of California and it is reported that only approximately 800,000 have filed for their benefits in one form or another and 35,000 are Sonoma County Veterans; and

Now, therefore, be it resolved, the Sonoma County Board of Supervisors further recognizes that May is National Military Appreciation Month, which was started as a simple idea; to gather America around its military family to honor, remember, recognize and appreciate those who have served and those now serving and to know the history behind it all. As well, recognizes Flag Day represents the 237th anniversary of the United States Army. And that the entire month we shall honor, remember and appreciate our Sonoma County Veterans and Military Service Members.

Be it further resolved, that the Sonoma County Board of Supervisors appreciates the effort of Sonoma County Vet Connect and all Sonoma County Veterans Organizations for supporting veterans returning to Sonoma County with the first Veteran Job and Resource Fair on April 24, 2014.

Resolution #

Date:

Page 2

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma
Agenda Item
Summary Report

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

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

To: Board of Supervisors

Board Agenda Date: April 22, 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 Food For Thought on the occasion of their 25th Anniversary. (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	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

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):

None.

Attachments:

Gold Resolution.

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

None.



County of Sonoma

State of California

Date: April 22, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Recognizing Food For Thought On Its 25th Anniversary

Whereas, Food For Thought has provided comprehensive nutritional services and free of charge home delivered food for Sonoma County residents living with HIV/AIDS for 25 years; and

Whereas, Food For Thought was founded by people who saw a need and addressed it, and grew to operate an award winning program with over 700 dedicated volunteers, an organic garden which provides vital health and healing to Food For Thought clients as well as serving as a community AIDS memorial site; and

Whereas, Food For Thought has advocated for the needs of people living with HIV and has been represented on the Sonoma County Commission on AIDS since its inception; and

Whereas, Food For Thought's organizational values include unconditional love, universal respect, acceptance of diversity, and as such, the organization has never turned anyone away and has always found a way to meet the need of those living with HIV/AIDS; and

Whereas, Food For Thought's Project Africa helps feed the orphaned children of parents lost to HIV/AIDS in Namibia through Hope Initiatives; and

Whereas, year after year, Food For Thought has been vibrant and creative, adapting to the changing face and circumstances of HIV/AIDS and continuing to meet the diverse needs and challenges of clients as they age and experience additional medical issues.

Now, Therefore, Be It Resolved that the Board of Supervisors commends the Food For Thought Board, staff, and volunteers for 25 years of life saving service to the HIV/AIDS community and Sonoma County on the occasion of your 25th anniversary celebration.

Resolution #

Date:

Page 2

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma
Agenda Item
Summary Report

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

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

To: Board of Supervisors

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Shirlee Zane
(707) 565-2241

Supervisorial District(s):

Third District

Title: Gold Resolution

Recommended Actions:

Gold Resolution celebrating the Bird Rescue Center's Festival of Feathers.

Executive Summary:

Prior Board Actions:

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

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	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

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



County of Sonoma

State of California

Date: April 22, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Expressing Appreciation To The Bird Rescue Center For Its 34 Years Of Service To Native Wild Birds.

Whereas, the County of Sonoma recognizes the value and importance of the native wild birds that brighten our community; and

Whereas, in 1980 the County of Sonoma contracted with The Bird Rescue Center to establish a rehabilitation facility for sick, injured, and orphaned native wild birds; and

Whereas, The Bird Rescue Center is a 501(c)(3) non-profit organization dependent on over 100 volunteers and on contributions including the use of a county-owned building; and

Whereas, for the past 34 years The Bird Rescue Center has rescued, rehabilitated, and released tens of thousands of native wild birds back into the environment; and

Whereas, with the closure of other rehabilitation centers, The Bird Rescue Center is now admitting native wild birds from other counties; and

Whereas, The Bird Rescue Center triages and transfers hundreds of native wild birds and migratory species to specialized care facilities; and

Whereas, in accordance with its permits from the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service, The Bird Rescue Center provides a home for native wild birds that cannot be returned to the wild due to physical or psychological injuries; and

Whereas, The Bird Rescue Center has for many years educated the public regarding the ecological importance and natural history of our native wild birds with scheduled group visits, bi-monthly open houses, and at an annual free public event, the "Festival of Feathers," held this year on Saturday, April 26, 2014; and

Whereas, The Bird Rescue Center's "Ambassador" birds travel with their handlers to

Resolution #

Date:

Page 2

allow the public to see the native wild birds that are so important in sustaining Sonoma County's healthy environment.

Now, Therefore, Be It Resolved that the Board of Supervisors, on behalf of the citizens of Sonoma County, expresses its sincere and heartfelt appreciation to The Bird Rescue Center and its many volunteers for their service to the community.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma
Agenda Item
Summary Report

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

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

To: Board of Supervisors

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Mike McGuire, 565-3758

Supervisorial District(s):

Fourth District

Title: Gold Resolution

Recommended Actions:

Adopt A Gold Resolution Congratulating the University of California Cooperative Extension Office on the 100th Anniversary of the Smith-Lever Act.

Executive Summary:

None

Prior Board Actions:

None

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 13-14

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

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



County of Sonoma

State of California

Date: April 22, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Congratulates the University of California Cooperative Extension Office on the 100th
Anniversary of the Smith-Lever Act.**

Whereas, 2014 is the 100th anniversary of passage of the Smith-Lever Act, and the centennial year of University of California Cooperative Extension marking 100 years of science and service in our state, and 95 years in Sonoma County; and

Whereas, in a partnership with the County of Sonoma, University of California Cooperative Extension grew over the years to cover economic, agricultural, environmental and social health issues; and organized 4-H clubs in communities all over the county; and

Whereas, University of California Cooperative Extension has offered vital services to the county's farms, forests, youth, and communities, providing connections to science and research on local and global scales; empowering volunteers, creating new leaders, and preparing tomorrow's workforce; supporting producers, managers, and agencies by providing advice on critical natural resource and agricultural issues; and supporting economic, youth, and community development throughout the county; and

Whereas, over the years University of California Cooperative Extension has made its services available to all and has touched the lives of thousands of Sonoma County residents, improving their quality of life by extending research-based knowledge in an unbiased scientific manner; and

Whereas, the University of California Cooperative Extension looks forward to the next century of helping foster a thriving state, and Sonoma County that supports sustainable, safe, nutritious lifestyles and livelihoods; economic success in a global economy; a productive, well-stewarded environment; and solutions to complex problems today and into the future; and

Now, therefore, be it resolved, that the Board of Supervisors of Sonoma County wishes to congratulate the University of California Cooperative Extension office on the 100th anniversary of the Smith-Lever Act and wishes to express its gratitude for providing leadership and innovation through research, education, community resource development, and other services that UC Cooperative Extension and their volunteers have contributed to our county.

Resolution #

Date:

Page 2

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma Agenda Item Summary Report

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

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

To: Board of Supervisors of Sonoma County

Board Agenda Date: April 22, 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: Take Your Child To Work Day Event.

Recommended Actions:

Adopt a resolution recognizing the County's first annual Take Your Child To Work Day.

Executive Summary:

Nationally, Take Our Daughters to Work Day launched on Thursday, April 22, 1993, with the support of the Ms. Foundation and its founder, Gloria Steinem. In 2003, the program was officially expanded to include boys, providing opportunities for all children to explore careers at an early age. Today, the national program is officially known as Take Our Daughters and Sons to Work Day, and is celebrated annually on the 4th Thursday in April.

As part of the County's Cradle-to-Career initiative, the Human Resources Department is launching the County of Sonoma's first annual Take Your Child to Work Day on Thursday, April 24, 2014, to coincide with national Take Our Daughters and Sons to Work Day. At the County of Sonoma, Take Your Child to Work Day, will serve as an enriching educational experience for the children in our employees' lives. This program will help educate children about the connection and impact our employees have in our local community, and will demonstrate to the youth the potential value of their education, helping them pursue successful careers.

Human Resources convened a committee including staff from most County departments to plan and organize the event. Participants will enjoy a presentation, tours, activities; a 'snack-time'; and then will return to their offices for the remainder of the work day. At the time of the drafting of this report, we have confirmed 377 children and 255 employees participating.

Some of the activities that are planned include:

- Receiving special "County" badge on a lanyard to commemorate the day for each child, a free Sonoma County Fair admission ticket, and a free Day Parking Pass to visit the Environmental

Discovery Center at Spring Lake Regional Park.

- Experiencing a touch pool and viewing a taxidermy exhibit.
- Visiting the “Love Me Van”, the Animal Shelter’s Adoption Mobile Unit, with cuddly and cute animals to view and pet.
- Speaking with Park Rangers, Fire Emergency personnel, and other professionals, as well as viewing fire trucks and patrol vehicles.
- Touring offices: 8 – 18 years olds can visit the County’s Information System’s mainframe, General Services’ Energy & Sustainability House of Pressure, Sheriff’s Office Open House, and other programs; and a special Jail Tour will be available for 14-18 year olds.

Prior Board Actions:

None.

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

The Take Your Child to Work Day event meets the goal of having a ‘Safe, Healthy, and Caring Community’, and is aligned with the Cradle-to-Career initiative. Children will be exposed to programs and services available at the County of Sonoma, as well as be able to explore the careers available at the County and learn how the adults in their lives impact the community.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 3,000	County General Fund	\$ 3,000
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 3,000	Total Sources	\$ 3,000

Narrative Explanation of Fiscal Impacts (If Required):

Human Resources has appropriations sufficient in its budget to cover the costs.

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 impact.			
Attachments:			
One resolution to recognize Take Your Child to Work Day.			
Related Items "On File" with the Clerk of the Board:			
None.			



County of Sonoma

State of California

Date: April 22, 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 First Annual Take Your Child To Work Day Event For County Employees.

Whereas, the national Take Our Daughters and Sons to Work Day is celebrated annually on the 4th Thursday in April, as a day to provide opportunities for children to explore careers at an early age; and

Whereas, County employees' children will be able to participate in a local Take Your Child to Work Day event at the County Administration Building on Thursday, April 24, 2014; and

Whereas, this event will provide an enriching educational experience for the children, showing them the potential value of their education, the career possibilities at the County of Sonoma, how County employees' work benefits the entire Sonoma County community; and

Whereas, County departments and programs have been invited to highlight their services and participate in this program through booths, activities, tours, and employee participation; and

Now, Therefore, Be It Resolved that the Take Your Child to Work Day event will inspire the children of County employees to pursue their full educational potential so they can, in turn, be strong contributors to the Sonoma County community.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma
Agenda Item
Summary Report

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

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

To: Board of Supervisors

Board Agenda Date: April 22, 2014

Vote Requirement: No Vote Required

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor David Rabbitt – 707/565-2241

Supervisorial District(s):

Second District

Title: Gold Resolution

Recommended Actions:

Gold Resolution Declaring April 2014 as California Safe Digging Month

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	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

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



County of Sonoma

State of California

Date: April 22, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Declaring April 2014 as California Safe Digging Month

WHEREAS, Excavators, homeowners, and professional contractors can save time and money while making California's communities a safer place to live and work by dialing 811 in advance of all digging projects; and

WHEREAS, The 811 "Call Before You Dig" program is a vital public education and awareness program dealing with the safety of subsurface excavation, and education is the key to promoting safe digging practices; and

WHEREAS, The five steps to a safe excavation are: survey and mark, call before you dig, wait the required time, respect the marks, and dig with care - utility lines are often buried only a few inches underground, making them easy to strike and cause damage and harm even during shallow excavation projects; and

WHEREAS, More than 170,000 underground utility lines are struck each year in the United States and approximately 33 percent of all digging damages in the United States result from not calling 811 before digging - undesired consequences, such as service interruption, outages, damage to public and private infrastructure and property, damage to the environment, personal injury, and death, are risked by failing to call 811 before digging or safely marking utility lines; and

WHEREAS, Calling 811 to be connected to a "One Call Center" before digging, respecting the color-coded lines that demarcate underground utilities, and digging with care around the marked lines will help keep Californians safe and prevent damages and destruction; and

WHEREAS, As California's economy recovers from the recent recession and the state's economic recovery stimulates new construction, new construction requires supporting infrastructure, and California's underground utility infrastructure is jeopardized by unintentional damage caused by those who fail to call before digging: underground Service Alert of Northern California and Nevada, in cooperation with California's public and private utilities, provide an effective damage prevention service that protects California's citizens, communities, public services, environment, and underground facilities at no cost to the caller; and

WHEREAS, The free notification service provided by Underground Service Alert of Northern California and Nevada has dramatically reduced the number of accidents causing property damage, personal injury,

Resolution #

Date:

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and interruption of vital services. California public agencies should enforce California Government Code 4216 regarding safe excavation practices, permitting and civil penalties.

NOW THEREFORE BE IT RESOLVED, by the Sonoma County Board of Supervisors proclaims April 2014 as California Safe Digging Month and encourage all excavators, homeowners, and professional contractors to call 811 in advance of all digging projects.

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: 08
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Mike McGuire, 565-3758

Supervisorial District(s):

Fourth District

Title: Gold Resolution

Recommended Actions:

Adopt A Gold Resolution to Celebrate and Honor the Life of August "Gus" Hermoso.

Executive Summary:

None

Prior Board Actions:

None

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 13-14

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

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



County of Sonoma

State of California

Date: April 22, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Celebrating the Life of August "Gusy" Neil Hermoso

WHEREAS, on April 26, 2004, there will be a celebration of the life for August "Gus" Neil Hermoso (June 1937 to March 2014), a beloved father, husband and friend, known throughout Sonoma County for his warm and generous spirit, his many talents and expertise, and his countless volunteer hours spent dedicated to the community; and

WHEREAS, Gus Hermoso was born and raised in San Francisco and was the only child of Filipino parents. His mother was a bookkeeper for a shipping line and his father a school district landscaper; and

WHEREAS, beginning in 1959, Gus Hermoso demonstrated his patriotism and love of county by honorably serving as a United States Marine for six years, including tours of duty in both Vietnam and Japan, and through his life, he retained great pride in his Marine Corps service; and

WHEREAS, after leaving the Marines, Hermoso lived in Sacramento where he owned a shoe store before going to work as a landscaper for the State of California and then the California State College system; and

WHEREAS, while he worked as a gardener for the State, one of Gus Hermoso's assignments was maintaining the grounds of the Governor's Mansion, a task made more interesting and pleasurable by his occasional opportunities to interact informally with the Governor Ronald Reagan, as the Governor relaxed while they tossed a football back and forth on the Mansion's ground; and

WHEREAS, Gus and his wife Kris moved to Healdsburg in 1991 when Gus retired from a position as a landscape administrator at Sonoma State University; and

WHEREAS, Gus was an avid volunteer and community leader, serving on many committees, boards and commissions, but relishing the times when he could man a barbecue grill or drive his tractor for community events and work parties; and

WHEREAS, Gus' contribution continues to thrive and grow in Healdsburg, as the city staff used his expertise and energy to help rebuild some of the city's parks; and

Resolution #

Date:

Page 2

WHEREAS, Gus was known for the secret rub he concocted for ribs and for volunteered his cooking and grilling skills at many community events, including organizing a BBQ competition for the celebration of Healdsburg's 150th anniversary in 2007; and

WHEREAS, recognized, admired and much loved by his community as a great volunteer and a “go to guy,” only two weeks before his passing, Gus Hermoso received Healdsburg’s 2013 Marie Sparks Memorial Volunteer Award; and

WHEREAS Gus Hermoso leaves his wife of 32 years, Kris; his daughters, Shannon, Andrea and Romell; and his sons, August and Neil, and his ten grandchildren to mourn his passing and celebrate his legacy ; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Sonoma County, hereby honors and celebrates Gus Hermoso for his generosity and commitment to his family, friends and community throughout his lifetime, recognizing that he will be sorely missed by all.

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: 9
(This Section for use by Clerk of the Board Only.)

To: Board of Directors of the Sonoma County Agricultural Preservation and Open Space District

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Agricultural Preservation and Open Space District

Staff Name and Phone Number:

Leslie Lew 565-7367

Supervisory District(s):

District 1

Title: Montini Open Space Preserve Road Crossing Improvements and Accessible Parking

Recommended Actions:

1. Approve plans and specifications for construction of the Montini Open Space Preserve road crossing improvements, accessible parking space, and gate installation (Project);
2. Authorize the General Manager to solicit bids for the Project and award a contract to the lowest responsible bidder, provided the bid does not exceed the engineer's cost estimate for the Project; and
3. Delegate authority to the General Manager to take specified actions to administer the contract.

Executive Summary:

Since its inception, the Sonoma County Agricultural Preservation and Open Space District (District) has worked to protect the prominent hillside that forms the scenic backdrop to the City of Sonoma. As part of this effort, the District protected 151 acres of the Montini property in 2005. Of these 151 acres, 53 acres are protected by a conservation easement and 98 acres are owned by the District in fee title. The 98-acre property comprises the Montini Open Space Preserve (Preserve). On October 6, 2009, the Directors adopted an Initial Study and Mitigated Negative Declaration in accordance with C.E.Q.A. and approved the Preserve Management Plan (Management Plan), which set forth plans for the Preserve, including the development of a 1.8-mile trail (Trail) to connect the Preserve's trailhead to a neighborhood access on the west side of the City. The Trail, which includes vistas of Mt. Burdell, Sonoma Mountain, the Hayward Fault, and San Pablo Baylands, also connects to the City's Sonoma Overlook Trail.

Transfer to the City of Sonoma

In March 2013, your Board approved the transfer of the Preserve to the City after the District constructs the Trail and associated improvements on the Preserve. At the time of transfer, the District will retain a conservation easement to preserve the conservation values of the Preserve and a recreation conservation covenant to ensure the Preserve is open to the public for low-intensity outdoor recreational purposes. Both the conservation easement and the recreation covenant will be effective in

perpetuity.

The Preserve is to be transferred to the City within 45 days after the filing of the last notice of completion for certain agreed-upon work on the Preserve. This work includes Trail tread construction (now completed), a road decommissioning project (currently underway), sign installation (in development), and gate installation, road crossing improvements, and accessible parking, all of which are being addressed in this Board item.

The Project

The Project at issue in this agenda item consists of (1) gate installation, (2) road crossing improvements and (3) accessible parking improvements. These items are packaged together for bidding purposes because they are related to visitor transportation to and throughout the Preserve.

1. Road Crossing Improvements

The Trail connects to the City's existing Sonoma Overlook Trail across Norrbom Road. An engineering firm with expertise in transportation safety, W-Trans, prepared a design for this crossing. W-Trans' design includes advanced warning signs, such as "Pedestrian X-ing" placed 450 feet north and south of the trail crossing alongside of Norrbom Road, "Trail X-ing" pavement markings on Norrbom Road 150-feet in advance of both approaches to the trail crossing, and "Pedestrian X-ing" signs at the trail crossings facing Norrbom Road traffic in each direction. The W-Trans design also includes signs to warn hikers, including pedestrian-sized (18" x 18") stop signs and a 12-inch-wide, 4-foot-long stop bar perpendicular to the Trail near the approach to the street. A stop bar, when accompanied by a stop sign, is designed to control pedestrian traffic and to prepare hikers for the roadway crossing.

2. Accessible Parking

The District plans to construct an accessible on-street parking space at the 4th St. West trailhead. This parking space will connect the trailhead to an accessible vista point and beyond that, to the rest of the Preserve Trail system.

3. Gate Installation

A small portion of the Trail was constructed on Sonoma State Historic Park, Vallejo Home. The District plans to construct a universally-accessible cattle-excluding pedestrian gate along the Trail at the border of the Preserve and Sonoma State Historic Park to connect the accessible parking space to the rest of the Preserve.

This Board item seeks the Board's approval of the plans and specifications for the Project, which are on file with the Clerk.

DELEGATION OF AUTHORITY TO THE GENERAL MANAGER

The Board is asked to delegate authority to the General manager to take certain actions to administer the construction contract through to completion.

First, staff is requesting that the Board authorize the General Manager to solicit bids for the Project. Pursuant to an existing agreement between the District and Regional Parks, Regional Parks will

administer the public bidding process for the District and oversee construction.

Second, staff is requesting that the Board authorize the General Manager to award the construction contract for the Project to the lowest responsible bidder, provided the bid does not exceed the engineer's cost estimate for the Project. The engineers estimate for the Project is \$24,000 - \$32,000.

Third, the Contractor must execute a release of claims (Document 00650) before final payment but may except any unresolved claims from the release. The requested action authorizes the General Manager to approve the release unless the contractor lists unresolved claims. In that case, County Counsel must review Document 00650 prior to General Manager approval.

Fourth, the requested action authorizes the General Manager to approve change orders, if necessary, consistent with the authority vested in certain department heads pursuant to Resolution No. 04-0547.

Fifth, the requested action also authorizes the General Manager to issue and record a Notice of Completion at the end of the Project, consistent with the authority vested in certain department heads pursuant to Resolution No. 09-0267. A Notice of Completion is a written notice signed and verified by District staff and then filed with the County Recorder to indicate that the District has accepted the work. The filing of the notice establishes the end date by which subcontractors can file stop notices and begins the one-year guaranty period for the work.

By approving this agenda item, your Board authorizes the General Manager to:

1. Solicit Bids for the Project;
2. Award the construction contract for the Project to the lowest responsible bidder, provided bids do not exceed the engineer's construction cost estimate;
3. Sign Document 00650 (Agreement and Release of Any and All Claims), with County Counsel review, if any unresolved claims are listed by the Contractor;
4. Approve and issue written change orders to the contract so long as (a) the General Manager concludes that the change order doesn't affect that material character of the work and the need for the change order results from unforeseen matters which are discovered after the contract was awarded and such modifications are necessary or advisable to complete the Project in a timely and efficient manner; and (b) no single change order exceeds 10% of the original contract amount.
5. Issue and record notice of completion pursuant to Civil Code section 3093.

Prior Board Actions:

On May 15, 2013, the Directors approved construction of the Montini Open Space Preserve Trail. On March 12, 2013, the Directors approved the transfer of the Preserve to the City of Sonoma, the plans and specifications for construction of the Montini Trail Project, and authorized the General Manager to execute a right-of-entry permit with the State of California, assign existing District agreements with the State Department of Parks and Recreation and the State Coastal Conservancy to the City of Sonoma, and execute a memorandum of understanding with the City of Sonoma. On September 11, 2012, the Directors approved an Agreement with Regional Parks to provide trail construction contract and oversight assistance. On October 6, 2009, the Directors approved the Montini Open Space Preserve Management Plan and adopted its related CEQA document. On August 2, 2005, the Board of Directors approved the lease

purchase of 98 acres of the Montini Property.

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

The project will result in improvements to the Preserve that will facilitate visitation to the Preserve. These improvements include the implementation of road crossing improvements to facilitate hiker crossing of Norrbom Road, the development of an ADA parking space at the 4th St. West trailhead, and the installation of a universally accessible gate to allow visitors to visit the Preserve without letting cows escape.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 32,000		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 32,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 32,000	Total Sources	\$ 32,000

Narrative Explanation of Fiscal Impacts (If Required):

Contract expenditures for construction are included in the District's 2013/2014 Board approved budget. Once the contract is awarded, the District anticipates a fiscal impact of \$24,000 - \$32,000 for completion of the work described in this Board item.

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):

Attachments:

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

1. Transfer Agreement
2. Addendum to a Previously Adopted Mitigated Negative Declaration, October 2010
3. Construction Bid Documents



County of Sonoma Agenda Item Summary Report

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

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

To: Board of Directors of the Sonoma County Agricultural Preservation and Open Space District

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Agricultural Preservation and Open Space District

Staff Name and Phone Number:

Alex Roa 565-7263

Supervisory District(s):

District 1

Title: North Slope Sonoma Mountain Ridge Trail Fence Contract Award and Access Agreement

Recommended Actions:

Authorize the General Manager of the Sonoma County Agricultural Preservation and Open Space District ("District") to (1) execute a contract with Hanford A.R.C. in the amount of \$45,579.00 for the construction of fencing for the North Slope Sonoma Mountain Ridge Trail project, and (2) authorize the General Manager to take specified actions to administer the contract, including execution of an access agreement with Mrs. Martha Skiles.

Executive Summary:

Working collaboratively with the Sonoma County Regional Parks Department (Regional Parks), Bay Area Ridge Trail Council, California Department of Parks and Recreation, and other partners the District constructed 4.25 miles of trail connecting the District-owned property known as Jacobs Ranch to Jack London State Historic Park. The trail project is part of the collaboration between the District and Regional Parks to create the future North Sonoma Mountain Regional Park and Preserve.

The proposed construction contract will allow the District to construct fencing along the trail corridor to ensure property boundaries are clearly marked for trail users. The work includes installing split rail and wire fencing, and an equestrian gate, a metal ranch gate, and two frameless gates. The adjacent land is owned by Mr. Daniel Skiles and Ms. Martha Skiles, who have graciously offered to allow the District and associated contractors to traverse their property in order to efficiently and safely build the fence. This permission is granted to the District subject to the terms and conditions of the access agreement on file with the Clerk.

PROJECT HISTORY

On March 18, 2008, by Resolution No. 08-0250,, the Board approved the North Slope Sonoma Mountain Ridge Trail Project (the "Project"), after adopting a Mitigated Negative Declaration in accordance with the California Environmental Quality Act. The trail corridor contemplated by the Project is adjacent to several private landowners, including the Skiles family to the East. Boundary fencing is needed in some

locations to inform trail users of property boundaries. From the start of this Project, neighboring private landowners have been consulted regarding the upcoming public access. Fencing was identified as a method of addressing the potential impact of the new trail on landowners and their property, livestock, and privacy.

On February 11th, 2014, the Board authorized the District to solicit bids for the North Sonoma Mountain Fence Project ("Fence Project"). The Fence Project consists of:

- Approximately 200 linear feet of wood split rail fence (3-rail type)
- Approximately 2,570 linear feet of wire mesh fence (4" square mesh with 2-strand barb wire)
- One 12-foot ranch gate
- One 6-foot equestrian accessible gate
- Two 8-foot frameless gates

CONSTRUCTION BID

On February 12th, 2014, a notice inviting bids was published in the Press Democrat. Notice was also sent to the local builder's exchanges. Four firms attended the mandatory pre-bid conference held February 25th, 2014, and all four subsequently submitted bids.

On March 11th, 2014, bid packets were publicly opened at the District office and read aloud. The four bids submitted were as follows:

Firm	Base Bid
Kenwood Fence Co.	\$102,000.00
Hanford A.R.C.	\$45,579.00
Ahlborn Fence & Steel Inc.	\$99,600.00
Arrow Fencing	\$61,450.00

Hanford A.R.C. from Sonoma, CA submitted the lowest responsive bid, in the amount of \$45,579.00. Staff recommends awarding the construction contract (on file) for the North Sonoma Fence Project to Hanford A.R.C., to begin work in May 2014. The work outlined is expected to require approximately three weeks of acceptable weather and subsequent soil conditions to complete.

The budgeted amount for this report is \$50,136.90, which is the bid amount of \$45,579.00 plus a 10% contingency for any unexpected construction costs.

CONSTRUCTION ACCESS AGREEMENT

In order to more safely and efficiently construct a portion of this project (approximately 2,570 linear feet of wire fence, one ranch gate, and two frameless gates), the neighboring landowners, Mr. Daniel Skiles and Ms. Martha Skiles, have graciously offered to allow the District and associated contractors to traverse their property and utilize several segments of their ranch roads in order to efficiently and safely build said fence. As shown in Exhibit A of the Agreement, the Skiles family has ranch roads that run

roughly parallel to the Project in several locations, which will provide efficient access to the building site.

Staff recommends authorizing the General Manager of the District to execute an access agreement with Mrs. Martha Skiles to grant the District access to the land adjacent to the project site for the purposes of fence construction.

DELEGATION OF AUTHORITY TO THE GENERAL MANAGER

The Board is asked to delegate authority to the General manager to take certain actions to administer the construction contract.

The Contractor must execute a release of claims (Document 00650) before final payment but may except any unresolved claims from the release. The requested action authorizes the General Manager to approve the release unless the contractor lists unresolved claims. In that case, County Counsel must review Document 00650 prior to General Manager approval.

The requested action authorizes the General Manager to approve change orders, if necessary, consistent with the authority vested in certain department heads pursuant to Resolution No. 04-0547.

The requested action also authorizes the General Manager to issue and record a Notice of Completion at the end of the Fence Project, consistent with the authority vested in certain department heads pursuant to Resolution No. 09-0267. A Notice of Completion is a written notice signed and verified by District staff and then filed with the County Recorder to indicate that the District has accepted the work. The filing of the notice establishes the end date by which subcontractors can file stop notices and begins the one-year guaranty period for the work.

By approving this agenda item, your Board authorizes the General Manager to:

1. Execute the revocable license agreement with the Contractor permitting use of a 2-acre portion of the Preserve for spike camp operations.
2. Sign Document 00650 (Agreement and Release of Any and All Claims), with County Counsel review, if any unresolved claims are listed by the Contractor;
3. Approve and issue written change orders to the contract so long as (a) the General Manager concludes that the change order doesn't affect that material character of the work and the need for the change order results from unforeseen matters which are discovered after the contract was awarded and such modifications are necessary or advisable to complete the project in a timely and efficient manner; and (b) no single change order exceeds \$5,000.
4. Issue and record notice of completion pursuant to Civil Code section 3093.

Prior Board Actions:

On February 5, 2013, the Board authorized an amendment to a Construction Management Services Agreement between the Agricultural Preservation and Open Space District and Regional Parks extending the terms to November 30, 2014. On September 14, 2010, the Board approved a construction contract to complete the North Slope Sonoma Mountain Ridge Trail Project. February 23, 2010, the Board authorized a Construction Management Service Agreement for Regional Parks and for Consultant Services. March 18, 2008, by Reso. No. 08-0250, the Board adopted a mitigated negative declaration and

mitigation monitoring program for the North Slope Sonoma Mountain Ridge Trail Project. On February 11th, the Board approved the design of the Project and authorized the District to solicit bids for the fence project above.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

This project is one component of a larger project to create the future North Slope Sonoma Mountain Park and Preserve, which will protect natural resources and expand the current recreational opportunities in Sonoma County.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 50,136.90		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 50,136.90
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 50,136.90	Total Sources	\$ 50,136.90

Narrative Explanation of Fiscal Impacts (If Required):

The budgeted amount for this report is \$50,136.90, which is the bid amount of \$45,579.00 plus a 10% contingency for any unexpected construction costs. The District has this expense budgeted in its FY 13/14 budget. The funding source is sales tax revenue.

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):

Attachments:

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

Construction Agreement
Access Agreement



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 Directors of the Sonoma County Agricultural Preservation and Open Space District

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Sonoma County Agricultural Preservation and Open Space District

Staff Name and Phone Number:

Jake Newell, 565-7357

Supervisorial District(s):

1

Title: Nicholas Conservation Easement Quitclaim Deed to Correct Scrivener's Error

Recommended Actions:

Adopt a resolution authorizing the President to execute a Quitclaim Deed releasing the Sonoma County Agricultural Preservation and Open Space District's interest in Parcel B which was erroneously included in original legal description in the conservation easement purchased from Arbor Acres Farms, Inc. (Document No. 1995-105289), so that the amended legal description matches the lands the District intended to protect.

Executive Summary:

Background

In 1995, the Sonoma County Agricultural Preservation and Open Space District ("District") purchased a Conservation Easement from Arbor Acres Farms, Inc. (Document No. 1995-105289, "Easement," on file with Clerk). The Easement includes approximately 306.24 acres, which are separated into four designated areas: Parcel A (Agricultural); Parcel C (Forever Wild), Area AA (Building Restriction Zone), and Area CC (Building Envelope); Parcel B, which is located between Parcels A and C, was excluded from the Easement, as shown on the Baseline Site Map (Attachment A).

In January 2014, a seller of Parcel B informed District staff that a title search indicated that the Easement included Parcel B. Staff research found that Parcel B was indeed included in the legal description of the Easement and was not described as excluded from the Easement.

The original intent of the District with respect to Parcel B is evidenced in the November 14, 1995, staff report to the Board of Directors (on file with Clerk), which states, "Parcel B, as shown on the attached map, is not subject to this easement transaction." Further, the Baseline Documentation (on file with Clerk), which was prepared by the District to document property conditions at the time of Easement acquisition, states that "Parcel B is not protected by the Easement," and the Baseline Site Map identifies Parcel B as "Agricultural Parcel - No Conservation Easement." Finally, the appraisal did not include Parcel B in the valuation of the Easement, and its value was not included in the purchase price the

District paid for the Easement.

Therefore, District staff and County Counsel determined that there is a scrivener’s error in the Easement legal description.

Quitclaim Deed

In order to correct the scrivener’s error in the Easement legal description, County Counsel worked with the buyer of Parcel B to prepare a Quitclaim Deed (on file with Clerk), which releases the District’s interest in Parcel B. The legal description attached to the Quitclaim Deed has been approved by the County Surveyor.

District staff has notified the landowners of Parcel A, Area AA, Parcel C, and Area CC of the action requested of the Board, and these landowners have not raised any concerns.

Recommendation

Staff recommends that the Board approve the proposed resolution authorizing the President to execute a Quitclaim Deed releasing the District’s interest in Parcel B, which was erroneously included in original legal description, so that the amended legal description matches the lands the District intended to protect.

Prior Board Actions:

Board of Directors approved the Acquisition and Assignment of Development Rights on November 14, 1995, Resolution No. 95-1464.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

This Quitclaim Deed will correct a scrivener’s error and will result in the Easement legal description properly reflecting the lands protected by the Easement purchased in 1995.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 2,000		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 2,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 2,000	Total Sources	\$ 2,000

Narrative Explanation of Fiscal Impacts (If Required):

Estimated expenditures of \$2,000 include the costs of having the County Surveyor review the legal description, and staff and Counsel time spent preparing the Quitclaim Deed.

Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
NA			
Attachments:			
<ul style="list-style-type: none"> A. Proposed Resolution Authorizing Execution of Quitclaim Deed B. Nicholas Conservation Easement Baseline Site Map 			
Related Items "On File" with the Clerk of the Board:			
<ul style="list-style-type: none"> 1. Nicholas Conservation Easement (Document No. 1995-105289) 2. November 14, 1995, staff report to the Board of Directors 3. Baseline Documentation 4. Quitclaim Deed with Legal Description 			

Date: April 22, 2014

Item Number: _____
Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Directors Of The Sonoma County Agricultural Preservation and Open Space District, State Of California, Authorizing the Board President to Execute Quitclaim Deed to Correct Scrivener's Error.

Whereas, in 1995, the Sonoma County Agricultural Preservation and Open Space District ("District") purchased a Conservation Easement from Arbor Acres Farms, Inc. (Document No. 1995-105289, "Easement"); and

Whereas, the Easement includes approximately 306.24 acres, which are separated into four designated areas: Parcel A (Agricultural); Parcel C (Forever Wild), Area AA (Building Restriction Zone), and Area CC (Building Envelope); Parcel B, which is located between Parcels A and C, was excluded from the Easement; and

Whereas, the appraisal did not include Parcel B in the valuation of the Easement, and its value was not included in the purchase price the District paid for the Easement; and

Whereas, as a result of a scrivener's error, Parcel B was included in the legal description of the Easement; and

Whereas, the District and the owner of Parcel B desire to correct the legal description of the Easement to reflect the proper boundaries of the Easement;

Now, Therefore, Be It Resolved that this Board of Directors hereby finds and determines that the forgoing recitations are true and correct.

Be It Further Resolved that the President is authorized and directed to execute, on behalf of the District, that certain quitclaim deed releasing Parcel B from the Easement to remove it from the operative legal description of the Easement boundary.

Directors:

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

So Ordered.

SONOMA COUNTY
 AGRICULTURAL
 PRESERVATION
 & OPEN SPACE
 DISTRICT



Nicholas Property
 (Nicholas Turkey and Breeding Farms)
Conservation Easement

EXHIBIT 4b
Baseline Site Map

Aerial Photo
 Property Lines
 Easement Boundaries
 Photograph Locations
 Site Improvements (Also see Exhibits 4c-4e)

Prepared by: SCAPOSD Staff
 Aerial Photo Date: Dec. 19, 1991 & Mar. 9, 1992 (SE corner inset)
 Source: Aero-Geodetic Corp. San Jose, CA
 Job #: 950000-58 (914830)
 Scale: 1" = 500'

LEGEND	
	Property Boundary
	Parcel/Conservation Easement Area Boundaries (Approximate Location)
Parcel A	Agricultural Conservation Easement (1 entitlement)
Area AA	Building Restriction Zone
Parcel B	Agricultural Parcel (No Conservation Easement)
Parcel C	Forever Wild Conservation Easement
Area CC	Building Envelope
	Roads
	Photograph location, number & direction (Exhibits 5 and 6)
	Well & water tank locations

Note: This map is for illustrative purposes only, and is not intended to be a definitive property description.



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 Directors, Sonoma County Water Agency
Board of Directors, Sonoma Valley County Sanitation District

Board Agenda Date: April 22, 2014

Vote Requirement: 4/5

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

Staff Name and Phone Number:

Kevin Booker / 524-1865

Supervisory District(s):

First and Second

Title: Bay Area Integrated Regional Water Management Plan 2013 Update

Recommended Actions:

Adopt Concurrent Resolution determining that adoption of the 2013 Bay Area Integrated Regional Water Management Plan (2013 Plan) will not have a significant adverse effect on the environment; adopting the 2013 Plan; and authorizing the Water Agency General Manager to file a Notice of Exemption.

Executive Summary:

This item requests the Board of Directors of the Sonoma County Water Agency and the Board of Directors of the Sonoma Valley County Sanitation District to adopt the 2013 update to the San Francisco Bay Area Integrated Regional Water Management Plan (2013 Plan). The Bay Area Integrated Regional Water Management Plan was first completed in 2006 and adopted by these Boards that same year (2006 Plan). This 2013 Plan updates and expands upon the 2006 Plan, documents progress towards meeting Integrated Regional Water Management Plan objectives, and identifies ongoing regional needs and issues. It also serves as a platform to secure future state and federal funding, and its update and adoption are required by agencies with projects currently funded with Proposition 84 or Proposition 1E water bond monies.

Since 2007, the Sonoma County Water Agency (Water Agency) has received over \$4.5 million in Proposition 50, Proposition 84, and Proposition 1E grant awards; and Sonoma Valley County Sanitation District (District) has received more than \$1.1 million in Proposition 84 grant awards. If the update to the 2013 Plan is not adopted by its Boards, the Water Agency and the District would be ineligible to receive grant money linked to Integrated Regional Water Management Plans through Proposition 84 or other sources.

HISTORY OF ITEM/BACKGROUND

The State electorate has approved multiple statewide bond measures since 2000, including Propositions 50, 84, and 1E to fund water and natural resource projects and programs, including Integrated Regional Water Management planning and implementation. The goal of this Integrated Regional Water Management planning and implementation effort is to manage water resources in a collaborative way and to have regions work across jurisdictional, watershed, and political boundaries. Regions are defined by Regional Water Quality Control Board boundaries and involve multiple geo-political boundaries, agencies, stakeholders, individuals, and groups.

State statute and guidelines require that an Integrated Regional Water Management Plan must be updated and adopted by the governing boards of participating agencies before Integrated Regional Water Management grant funds will be provided for water management projects that are part of the Plan. Several of the participating agencies in the Bay Area, including the Water Agency and the District, have jointly submitted an Integrated Regional Water Management grant application for state consideration where one condition for funding requires the Bay Area Integrated Regional Water Management Plan update be adopted by May 11, 2014.

Integrated Regional Water Management Plan grant monies will assist the Water Agency and the District in implementing the ongoing Sonoma Valley Groundwater Management Plan, as well as recycled water projects in the Sonoma Valley and along San Pablo Bay (the North Bay Water Reuse Program), Water Conservation programs, the Advanced Quantitative Precipitation Investigation project, and other projects as they are identified. Future projects could include recovery planning for listed fisheries that would directly benefit the Water Agency's water supply, sanitation, and flood control services; additional water use efficiency programs; and addressing the effects of climate change through research, modeling, and data collection.

THE 2013 PLAN

The San Francisco Bay Area Integrated Regional Water Management Plan is a planning process and document that identifies Bay Area water challenges and opportunities and describes how water resources management agencies and communities can work together to plan for and manage the whole lifecycle of this essential resource for the benefit of the region's seven million residents, its ecosystem and its wildlife. The region qualifies and can compete for specific state funding when the state approves its Integrated Regional Water Management Plan. The region also becomes part of a statewide network of integrated regional water management planning regions.

The Bay Area Integrated Regional Water Management Plan will inform future water resource management planning, including the relationship between water and land use planning, by creating a roadmap that will help enhance water supply reliability, protect water quality, manage flood protection, maintain public health standards, improve habitat conditions and enhance the overall health of San Francisco Bay. New to the 2013 Plan is a chapter that identifies how Bay Area water resources are vulnerable to the impacts of climate change. Awareness of potential climate change impacts can help communities plan for and mitigate expected water changes and threats. Other change to the 2006 plan includes formation of a Project Update Team, Project Screening Committee, and a Planning and Process Committee. The climate change section will assist in regional adaptation strategies and performance metrics for vulnerable areas in S.F. Bay and the various groups that were established after 2006 will help in

the collaboration and coordination of projects as well as the Integrated Regional Water Management process.

The Bay Area Integrated Regional Water Management Coordinating Committee comprised of representatives from Bay Area water supply agencies, wastewater agencies, flood control agencies, ecosystem management and restoration agencies, regulatory agencies, non-governmental organizations, and members of the public, has completed the final updated Plan and submitted it to Department of Water Resources for review and approval. Once Department of Water Resources completes its review, a formal 30-day public comment period begins. The final plan, as submitted to Department of Water Resources, can be found here: <http://bairwmp.org/docs/2013-bairwm-plan-update/2013-final-plan/final-bairwmp-2013>.

Prior Board Actions:

12/12/2006: Concurrent Resolution of the Sonoma County Water Agency and the Sonoma Valley County Sanitation District to adopt the Bay Area Integrated Regional Water Management Plan.

Strategic Plan Alignment Goal 3: Invest in the Future

County Goal 3: Invest in the Future: By adopting the 2013 Plan update, we are investing in infrastructure, systems, etc. to save money in the long-term.

Water Agency Organizational Goals and Strategies, Goal 2: Responsibly manage Water Agency finances.

Fiscal Summary - FY 13-14

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

Narrative Explanation of Fiscal Impacts (If Required):

Adoption of the Bay Area Integrated Regional Water Management Plan Update does not entail a direct commitment of resources. If authorized by its Boards, the Water Agency and District will adopt the 2013 Update to the San Francisco Bay Area Integrated Regional Water Management Plan and be eligible to receive grant money linked to Integrated Regional Water Management Plans through Proposition 84 and other sources.

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:			
Concurrent Resolution			
Related Items “On File” with the Clerk of the Board:			
2013 San Francisco Bay Area Integrated Regional Water Management Plan (1 copy); Notice of Exemption			

RW\FILESERVER\DATA\CL\AGENDA\MISC\04-22-2014 WA BAY AREA IRWMP_SUMM.DOCM

CF/40-0-1 BAY AREA INTEGRATED REGIONAL WATER MANAGEMENT PLAN (IRWMP) (ID 783)



County of Sonoma
State of California

Date: April 22, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

CONCURRENT RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA COUNTY WATER AGENCY AND BOARD OF DIRECTORS OF THE SONOMA VALLEY COUNTY SANITATION DISTRICT, DETERMINING THAT ADOPTION OF THE 2013 BAY AREA INTEGRATED REGIONAL WATER MANAGEMENT PLAN (2013 PLAN) WILL NOT HAVE A SIGNIFICANT ADVERSE EFFECT ON THE ENVIRONMENT; ADOPTING THE 2013 PLAN; AND AUTHORIZING THE WATER AGENCY GENERAL MANAGER TO FILE A NOTICE OF EXEMPTION.

Whereas, the State electorate approved multiple statewide bond measures since 2000, including Propositions 50 and 84, to fund water and natural resource projects and programs, including Integrated Regional Water Management (IRWM); and

Whereas, the benefits of integrated planning for water resources management activities include increased efficiency or effectiveness, enhanced collaboration across agencies and stakeholders, and improved responsiveness to regional needs and priorities; and

Whereas, state statute and guidelines required that an IRWM Plan be adopted by the governing boards of participating agencies before IRWM grant funds would be provided for water resources management projects that are part of the IRWM Plan; and

Whereas, The Sonoma County Water Agency (Agency) and Sonoma Valley County Sanitation (District) were one of several of the participating agencies in the Bay Area that jointly submitted an IRWM grant application for state consideration where a condition for funding required the Bay Area IRWM Plan to be adopted by January 1, 2007; and

Whereas, The Water Agency and District were amongst those Bay Area agencies that received the aforementioned funding and did adopt the Bay Area IRWM Plan before such funds were received; and

Whereas, more recent state statutes and guidelines require that the Bay Area IRWM Plan be updated before agencies may receive future IRWM grant funding; and

Whereas, a planning grant was received by the San Francisco Bay Area IRWMP Coordinating Committee (Coordinating Committee) to update the Bay Area IRWM Plan. The Coordinating Committee is comprised of representatives from Bay Area water supply agencies,

Resolution #

Date:

Page 2

wastewater agencies, flood control agencies, ecosystem management and restoration agencies, regulatory agencies, non-governmental organizations, and members of the public; and

Whereas, the draft update (Draft Bay Area IRWM Plan Update) was completed in the fall of 2013 and submitted to the Department of Water Resources in January 2014; and

Whereas, a series of workshops were held on the Draft Bay Area IRWM Plan Update to provide stakeholders, including Bay Area local governments, an opportunity to ask questions, provide comments and make recommendations; and

Whereas, the Draft Bay Area IRWM Plan Update was posted on the internet and made available for public comment; and

Whereas, the Draft Bay Area IRWM Plan Update was finalized and adopted by the Coordinating Committee in a public meeting on October 28, 2013 after incorporating changes based on comments received during the public review period in the areas of environmental justice, technical project data, and other elements of the Plan (Final 2013 Bay Area IRWM Plan); and

Whereas, the Final 2013 Bay Area IRWM Plan, which is slated for adoption by all agencies represented on the Coordinating Committee, is an information gathering and regional planning document, which provides an implementation framework that calls for tracking accomplishments, developing lists of prioritized projects and periodically updating the Bay Area IRWM Plan as conditions warrant, provided funding and resources are available to carry out these activities; and

Whereas, adoption of the Final 2013 Bay Area IRWM Plan does not entail a direct commitment of resources for implementation of any project, as these commitments will be the responsibility of the particular project proponent and any applicable project partners, and there is no joint commitment or responsibility by the Final 2013 Bay Area IRWM Plan participants to implement any or all of the projects; and

Whereas, this Board has reviewed the Bay Area IRWM Plan Update and has determined it is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines §15262 and §15306 because the Bay Area IRWM Plan Update contemplates basic data collection and research that will not result in a serious or major disturbance to an environmental resource and involves planning studies for possible actions that the participating agencies have not yet approved, adopted, or funded; and

Whereas, the Bay Area IRWM Plan Update is meant to be complementary to participating agencies' individual plans and programs and does not supersede such plans and programs, and this Board's adoption of the Bay Area IRWM Plan Update does not prohibit or affect in any way a participating agency's planning efforts separate from the Bay Area IRWM Plan.

Now, Therefore, Be It Resolved that the Boards of Directors of the Sonoma County Water Agency and the Sonoma Valley County Sanitation District hereby find, determine, certify, and declare as follows:

1. All of the above recitals are true and correct.
2. This Board's adoption of the 2013 Update to the San Francisco Bay Area Integrated Regional Water Management Plan is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines §15262 and §15306 because it consists of basic data collection that would not result in a serious or major disturbance to an environmental resource and involves planning studies for possible actions that the participating agencies have not yet approved, adopted or funded.
3. The 2013 Update to the San Francisco Bay Area Integrated Regional Water Management Plan is adopted.
4. The General Manager of the Sonoma County Water Agency is authorized and directed to file a Notice of Exemption for the 2013 Update to the San Francisco Bay Area Integrated Regional Water Management Plan.

Sonoma County Water Agency Directors:

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

So Ordered.

Sonoma Valley County Sanitation Directors:

Rabbitt:	Gorin:	Rouse:	
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: 13
(This Section for use by Clerk of the Board Only.)

To: Board of Directors, Sonoma Valley County Sanitation District

Board Agenda Date: April 22, 2014

Vote Requirement: 2/3 - SVCSD

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

Staff Name and Phone Number:

Vic Swift / 547-1975

Supervisory District(s):

First District

Title: Phase 2 Environmental Assessment for Sonoma Valley Trunk Main

Recommended Actions:

Authorize Chair to execute an agreement with ERM-West, Inc. to provide soil and groundwater testing and analysis (\$33,585; agreement terminates on July 31, 2015).

Executive Summary:

This item requests approval for the Chair to execute an agreement with ERM-West, Inc. (Consultant) for hazardous materials soil and groundwater testing and analysis (\$33,585, through July 31, 2015).

HISTORY OF ITEM/BACKGROUND

The Sonoma Valley trunk main replacement from Sixth Street East to the Happy Lane Project (Project) is a sewer replacement project that will expand the trunk main size in order to reduce the potential for wet weather overflows.

The Sonoma Valley County Sanitation District (District) conducted a Wet Weather Overflow Study published in March 2002 which evaluated the District's sewer collection system capacity. Since 2002, and in accordance with the recommendations of the study, the District has replaced the sewer trunk main between the treatment plant along Eighth Street East and the southern end of the Project at the intersection of Sixth Street West and Studley Street. The Project is the next segment of sewer pipe that is to be replaced in a multi-year effort to replace infrastructure pursuant to the study. In October 2011, the District contracted with the Consultant to conduct a Phase 1 Environmental Site Assessment (Assessment) from Studley Street at Sixth Street West to Happy Lane for the Project. Results from the Phase 1 Assessment indicated that nearby sites may have contaminated the soil and groundwater with hazardous material along the Project route.

SELECTION PROCESS

ERM-West, Inc. (Consultant) was selected from a list of qualified environmental site assessment and field investigation consultants. Taken into account during the selection process was the Consultant's prior Phase 1 Assessment work on the Project in 2011. Consultant was selected in 2010 for the Phase 1 Assessment work from a short list of qualified consultants developed in 2009 based on their familiarity with the project area and their excellent work in the past on other projects for not only the Sonoma Valley County Sanitation District, but also for the South Park County Sanitation District. On September 21, 2012, the Sonoma County Water Agency issued a Request for Qualifications to 41 firms on behalf of the District for Phase 2 Assessment work.

Of the 41 firms, 23 firms submitted Statements of Qualifications:

1. AMEC
2. Arcadis
3. Brunsing Associates, Inc.
4. Conestoga-Rovers & Associated
5. EBA Engineering
6. Ed Clark & Associates, Inc.
7. Erler & Kalinowski, Inc.
8. Environmental Geology Services
9. ERM-West, Inc.
10. Frey Environmental
11. Fugro Consultants, Inc.
12. Geocon Consultants, Inc.
13. Geologica
14. GHD
15. Harris & Lee Environmental Sciences
16. Hurvitz Environmental
17. Kennedy Jenks Consultants
18. Millennium Consultants, Inc.
19. Ninyo & Moore
20. PES Environmental, Inc.
21. Professional Services Industry, Inc.
22. Roken Engineering Services
23. Tetra Tech

ERM-West, Inc. was selected for the Phase 2 Assessment work because it has exhibited a great deal of experience and expertise with this type of work in the past, their familiarity with the area, and it has provided a reasonable schedule and competitive labor rates for this work.

SERVICES TO BE PERFORMED

Under the proposed Agreement, the Consultant will conduct a Phase 2 Assessment, including testing and analyzing soil and groundwater. The Phase 2 Assessment will evaluate whether hazardous materials from the sites along the Project route identified in Phase 1 have contaminated the soil and/or groundwater along the proposed Project. The findings of the Phase 2 Assessment will determine how the District will design and construct the Project in the future.

The cost of Phase 2 Assessment services not-to-exceed \$33,585; the term end date is July 31, 2015.

Prior Board Actions:

8/24/10: Concurrent Board actions approving agreements with ERM-West, Inc. for Phase 1 Assessment services for the Sonoma Valley County Sanitation District Phase IV Main Sewer Trunk Replacement Project.

Strategic Plan Alignment 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.

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	\$ 33,585	Water Agency Gen Fund	\$ -0-
Add Appropriations Req'd.	\$ -0-	State/Federal	\$ -0-
	\$	Trunk Main Phase IV Fund - Fees/Other	\$ 33,585
	\$	Use of Fund Balance	\$ -0-
	\$	Contingencies	\$ -0-
	\$		\$
Total Expenditure	\$ 33,585	Total Sources	\$ 33,585

Narrative Explanation of Fiscal Impacts (If Required):

Fiscal year 2013/2014 appropriation of \$33,585 is from the Trunk Main Phase IV 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\04-22-2014 WA PHASE II ENVIRONMENTAL ASSESSMENT SV TRUNK MAIN_SUMM.DOCM

CF/70-712-21 ENVIRONMENTAL RESOURCES MANAGEMENT WEST, INC. (AGREE FOR SIXTH STREET AND HAPPY LANE TRUNK MAIN REPLACEMENT PROJECT PHASE II ENVIRONMENTAL SITE ASSESSMENT) TW 13/14-103 (ID 4990)



County of Sonoma Agenda Item Summary Report

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

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

To: Sonoma County Board of Supervisors

Board Agenda Date: April 22, 2014

Vote Requirement: No Vote Required

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

Staff Name and Phone Number:

Jonathan Kadlec 565-6124

Supervisorial District(s):

Title: Request for approval of contract between the Auditor-Controller Treasurer-Tax Collector and Tax Sale Services of California, LLC for an amount not to exceed \$150,000

Recommended Actions:

Authorize the Auditor-Controller Treasurer-Tax Collector to sign a contract with Tax Sale Services of California, LLC for general and advisory services related to the sale of tax-defaulted property in an amount not to exceed \$150,000, from May 1, 2014 to May 1, 2015.

Executive Summary:

In accordance with California Revenue and Taxation Code Section 3692 through 3694, the Auditor-Controller Treasurer-Tax Collector (ACTTC) is required to sell at public auction properties that are tax-defaulted for 5 or more years on their secured property taxes. In order to offer properties for sale at public auction, a full title search must be performed on the subject property to ensure that proper required notification is given and that the property does not have disqualifying conditions that would render it ineligible for sale. The sale of an owner's property is the last resort the county has to recover delinquent property taxes owed. The taking of a person's property is an extreme step and is strictly governed by California Statute. Tax Sale Services of California, LLC (TSS) has the expertise and knowledge of California tax law and their principal business is to provide California's county tax collectors with the necessary research and services to satisfy the statutory requirements for the sale of tax defaulted property under the provisions of the Revenue and Taxation code. TSS currently contracts with many California counties in providing tax sale services for the recovery of delinquent property taxes. TSS possesses knowledge of real property issues to assist the county in ensuring that all due process requirements under the statute are met. The ACTTC has reached out to local title companies in regards to these services but has not located any that offer services to the extent that TSS provides in their Scope of Services that is made a part of their contracts with counties. TSS's general partner, Steve Hourigan, is a former employee of the California State Controller's office in the Tax Defaulted Land Unit, whose responsibilities included the supervision of California's property tax sales and to provide advice to county tax collectors as to their duties under the law.

The ACTTC has a current contract for these services with TSS. This contract expires May 1, 2014. It is the desire of the ACTTC to renew the relationship with TSS so that there is a current contract in place in order to proceed with research and notification for a delinquent property tax sale to take place in October 2014.

The ACTTC hereby requests that the Board authorize the ACTTC to sign a contract between the ACTTC and TSS for general and advisory services related to the sale of tax-defaulted property. TSS has previously been in contract with the ACTTC for general and advisory services related to the sale of tax-defaulted property. The anticipated amount payable to TSS in the 2014 fiscal year for title searches, personal contacts and advisory services related to the sale of tax-defaulted property will be for an amount not to exceed \$150,000. This amount is comprised of \$350 per parcel for title search and \$100 per improved parcel. It is estimated that there could potentially be 340 parcels that qualify to be sold at tax sale. However, the amount paid to TSS may be much less, depending on the number of property owners that have redeemed their delinquent taxes prior to the anticipated sale date in October 2014.

The expense for the contract will be incurred in the 2014-15 budget year. The cost incurred for each property is added to the minimum bid of the property once Board approval is obtained to offer the property at tax sale. In the event that a property sells at tax sale the expense incurred will be offset by the proceeds of the sale. In addition, if a property owner redeems the delinquent taxes after receiving Board approval for the sale, but prior to the sale date, the expense incurred is recovered in the redemption amount.

This increase cost over the previous contract amount of not to exceed \$25,000 is attributed to the increase in the number of properties that have become 5 or more years delinquent in property taxes and are eligible for sale by the Tax Collector since the downturn in the economy that occurred during the 2005 through 2008 years. Many counties have reported that their number of properties eligible for tax sale have significantly increased in comparison to past years.

In compliance with Revenue and Taxation Code the ACTTC is currently planning to hold the sale of tax defaulted parcels at public auction in October 2014. The ACTTC will request approval list of properties to be offered at tax sale at the July 29, 2014 meeting.

Prior Board Actions:

The Board has previously approved the ACTTC to contract with TSS for performing title searches and general advisory services related to the sale of tax defaulted property. The Board has approved a 3 year contract between SCEIP and TSS on July 1, 2012 for preparation of title reports and related services for an amount not to exceed \$180,000.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

The services provided in this contract insure that all due process requirements under the statute are met when conducting tax sales of delinquent properties, protecting the economic interests of the County and taxpayers.

Fiscal Summary - FY 13-14

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

Narrative Explanation of Fiscal Impacts (If Required):

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Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):

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Attachments:

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

Draft of contract between ACTTC and Tax Sale Services of California, LLC



County of Sonoma Agenda Item Summary Report

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

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

To: Board of Supervisors of Sonoma County, Board of Directors of Sonoma County Water Agency,
Board of Directors of North Sonoma County Air Pollution Control District

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): County Administrator/Auditor-Controller Treasurer-Tax
Collector/Water Agency/North Sonoma County Air Pollution Control
District

Staff Name and Phone Number:

Paul Cocking: 565-2858

Supervisory District(s):

4th District

Title: Subordination of pass-through tax payments relating to the City of Healdsburg, Sotoyome
Community Development Project to allow the refinance of their bonds.

Recommended Actions:

Concurrent approval of the Sonoma County Board of Supervisors, the Board of Directors of the Sonoma County Water Agency and North Sonoma County Air Pollution Control District, to allow the subordination of pass-through tax payments for the Successor Agency to the Redevelopment Agency of the City of Healdsburg relating to the Sotoyome Community Development Project, and authorize the Chair to execute a letter of consent.

Executive Summary:

The Oversight Board of the Successor Agency to the Redevelopment Agency of the City of Healdsburg (Agency) has approved a resolution to issue a tax allocation bond financing (2014 Bonds) for the purpose of refinancing the outstanding 2002 tax allocation bonds (2002 Bonds) to take advantage of reduced interest rates. Health and Safety code section 34177.5 authorizes successor agencies to refund bonds for certain purposes, including debt service savings to taxing agencies. To issue the 2014 Bonds at the lowest possible interest rate, the Agency seeks to present the bond investor with the most senior lien possible on the Agency's tax increment revenues. To provide this senior lien, the Agency has asked that the County, the Sonoma County Water Agency (Water Agency) and the North Sonoma County Air Pollution Control District (NSCAPCD) continue to subordinate their pass-through tax payment entitlement to debt service the new 2014 Bonds.

The process a Successor Agency must follow according to the Health & Safety code 34177.5 to refinance enforceable obligation includes:

1. Gain oversight Board approval prior to issuing refunding bonds.

2. Make use of an independent financial advisor to develop the refinancing proposal.
3. Submit to the Department of Finance (DOF) for review and approval the Oversight Board approved refinancing proposal.
4. Enter the new item on the Recognized Obligation Payment Schedule (ROPS) once DOF approves debt service obligation. The ROPS should also reflect the retirement of the refinance debt.

County Administrator and Auditor-Controller Treasurer-Tax Collector staff have reviewed the Oversight Board approval of the proposed refinancing prepared by Del Rio Advisors, LLC (financial advisors to the Agency), and the DOF approval document , and concluded the refunding bonds to be issued meet the limitations of the Health & Safety code 34177.5 (a) which permit savings to be realized provided that (A) the total interest cost to maturity on the refunding bonds plus the principal amount of the refunding bonds does not exceed the total remaining interest cost to be refunded plus the remaining principal of the bonds; and (B) the principal amount of the refunding bonds does not exceed the amount required to defease the refunded bonds, to establish customary debt service reserves, and to pay related costs of issuance.

As part of the process in supporting this conclusion a scenario was modeled in which the assessed value of property in the Project Area remains flat through 8/1/2031. Assessed values in the district have increased by an average annual rate of 1.59% for the past five years. Additionally, factoring in the costs associated with the bond sale and refinancing, debt service will decrease by \$1.974 million over the life of the bond. This will result in a Net Present Value (NPV) savings of \$1.48 million or 9.97%. The minimum acceptable NPV savings threshold used in the industry is 3%. The estimated annual savings to flow back through the apportionment to the taxing agencies is \$122,000.

In 2010 the Board, the Water Agency and NSCAPCD subordinated their pass-through payments to debt service on the Agency’s outstanding debt relating to the 2002 Bonds (which the 2014 Bonds are refinancing) and the 2003 Bonds.

Staff recommends the Board, Water Agency and NSCAPCD approve the request to allow the subordination of pass-through payments for the Successor Agency to the RDA of the City of Healdsburg, and authorize the Chair to execute a letter of consent.

Prior Board Actions:

October 26, 2010 – Item #14, Board approved subordination of pass-through payments for Healdsburg’s RDA

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Continuing to subordinate tax payments to the Successor Agency supports City of Healdsburg economic development and provides improved tax revenue flows returning to the County General Fund, Water Agency, and Northern Air Pollution Control district taxing agencies.

Fiscal Summary - FY 13-14

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

Narrative Explanation of Fiscal Impacts (If Required):

There is no fiscal impact associated with this action. However, property tax revenue apportioned back to the county and agencies, after enforceable obligations are met, are estimated to increase about \$120,000/year in total in future years.

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):

Attachments:

- 1) Sotoyome Community Development Successor Agency Oversight Board Resolution approving bond refinancing proposal.
- 2) Department of Finance approval of the Oversight Board action to refinance bonds.

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

- 1) Written Consent to Subordination of County Pass-through Payments – County
- 2) Written Consent to Subordination of County Pass-through Payments – Water Agency
- 3) Written Consent to Subordination of County Pass-through Payments – NSCAPCD

OVERSIGHT BOARD FOR THE REDEVELOPMENT SUCCESSOR AGENCY OF THE
CITY OF HEALDSBURG

RESOLUTION NO. OB3-2014

RESOLUTION OF OVERSIGHT BOARD FOR THE
REDEVELOPMENT SUCCESSOR AGENCY OF THE CITY OF
HEALDSBURG AUTHORIZING THE ISSUANCE OF
REFUNDING BONDS AND APPROVING THE FORMS OF
DOCUMENTS IN CONNECTION THEREWITH

WHEREAS, the California Legislature adopted, the Governor signed, and the California Supreme Court, in *California Redevelopment Association, et al. v. Matosantos*, (2012) 53 Cal.4th 231, upheld Assembly Bill x1 26 (“ABx1 26”); and

WHEREAS, ABx1 26 dissolved redevelopment agencies, including the former Redevelopment Agency of the City of Healdsburg (“Redevelopment Agency”), effective February 1, 2012; and

WHEREAS, as added by ABx1 26, California Health and Safety Code Sections 34171(j) and 34173 originally provided that a city or county that formed a redevelopment agency would serve as the successor agency to the dissolved redevelopment agency unless such city or county affirmatively elected not to fill that role; and

WHEREAS, as added by ABx1 26, California Health and Safety Code Section 34173(b) provides that the authority, rights, powers, duties and obligations previously vested with the former redevelopment agencies are vested in the successor agencies; and

WHEREAS, pursuant to ABx1 26, the City of Healdsburg has been serving as the successor agency to the Redevelopment Agency since February 1, 2012 (the “Successor Agency”); and

WHEREAS, AB 1484, enacted on June 27, 2012, amended ABx1 26 (together with AB 1484, the “Dissolution Law”) to clarify that successor agencies are separate public entities from their sponsoring city or county; and

WHEREAS, on July 16, 2012, the City of Healdsburg adopted a resolution acknowledging that the “Redevelopment Successor Agency of the City of Healdsburg” is the successor agency to the former Redevelopment Agency; and

WHEREAS, pursuant to Section 34179 of the Dissolution Law, an oversight board (the “Oversight Board”) has been established for the Successor Agency; and

WHEREAS, prior to its dissolution, the Former Agency issued its Sotoyome Community Development Project 2002 Tax Allocation Bonds, Series A in the principal amount of \$14,290,000 (the “2002A Bonds”) and 2002 Tax Allocation Bonds, Series C (Housing Set-Aside

Tax Revenues) in the principal amount of \$5,630,000 (the “2002C Bonds” and together with the 2002A Bonds, the “Prior Bonds”), for the purpose of financing and refinancing redevelopment activities; and

WHEREAS, the 2002A Bonds are currently outstanding in the principal amount of \$10,645,000 and the 2002C Bonds are currently outstanding in the principal amount of \$4,190,000; and

WHEREAS, Section 34177.5 of the Dissolution Law permits the Successor Agency to refinance the Prior Bonds, provided that certain savings and other parameters are met; and

WHEREAS, the Oversight Board adopted a resolution on February 4, 2014, directing the Successor Agency to undertake the refunding of the Prior Bonds and to engage the necessary financial professionals to accomplish the refunding, and adopted this resolution authorizing the issuance of refunding bonds; and

WHEREAS, pursuant to the foregoing direction, the Successor Agency has now determined to issue bonds to be designated its 2014 Tax Allocation Refunding Bond, Series A (the “Series A Bond”) and 2014 Tax Allocation Refunding Bond, Series B (Housing Set-Aside) (the “Series B Bond” and together with the Series A Bond, the “Bonds”) to refund all or a portion of the Prior Bonds (the “Refunded Bonds”); and

WHEREAS, the following documents and proposed agreements relating to the issuance, sale and delivery of the Bonds, which are incorporated herein by reference, have been presented to the Oversight Board of the Successor Agency (the “Board”) for its review and approval:

1. an indenture with a trustee named therein that provides for the issuance of the Series A Bond (the “Series A Indenture”); and
2. an indenture with a trustee named therein that provides for the issuance of the Series B Bond (the “Series B Indenture”); and
3. an escrow agreement with an escrow agent named therein that provides for the irrevocable deposit of funds sufficient to repay the Refunded Bonds in a manner legally sufficient to defease the Refunded Bonds (the “Escrow Agreement”).

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board for the Redevelopment Successor Agency of the City of Healdsburg that:

Section 1. Recitals. The Board finds and determines that the foregoing recitals are true and correct.

Section 2. Authorization of Officers to Execute and Deliver Documents. The Board hereby authorizes and directs the Successor Agency to approve, execute, and deliver the Series A Indenture, the Series B Indenture and the Escrow Agreement in substantially the form of each presented to the Board at this meeting, which documents are hereby approved, with such changes, insertions, revisions, corrections, or amendments as shall be approved by the Successor Agency executing such documents. The execution of the foregoing documents by the Successor shall constitute conclusive evidence of such officer's or officers' and the Board's approval of any such changes, insertions, revisions, corrections, or amendments to the respective forms of documents presented to the Board at this meeting.

Section 3. Authorization to Issue Bonds. Subject to the approval of the State of California Department of Finance, the Board hereby authorizes the issuance of the Bonds in accordance with the respective terms of the Series A Indenture and the Series B Indenture, as executed. The Bonds may be issued as a single issue or from time to time in separate series, as the Successor Agency shall determine. The approval of the issuance of the Bonds by the Successor Agency and the Oversight Board shall constitute the approval of each separate series of Bonds, without the need for any further approval from the Oversight Board; provided that, in conformity with Section 34177.5: (i) the total interest cost to maturity of each series of the Bonds plus the principal amount of the Bonds of such series does not exceed the total remaining interest cost to maturity on the Refunded Bonds refunded thereby plus the remaining principal of such Refunded Bonds and (ii) the principal amount of each series of the Bonds does not exceed the amount required to defease the Refunded Bonds refunded thereby, to establish customary debt service reserves and to pay related costs of issuance.

Section 4. Authorization of Sale. The Board hereby authorizes the sale of the Bonds by private placement with a bank or other financial institution; provided that the net present value of the debt service savings from the refunding is at least three percent (3%) of the par amount of the Refunded Bonds. The Successor Agency is hereby authorized to choose the method of sale in consultation with the Financial Advisor. The Board hereby authorizes the Successor Agency to negotiate the final terms of the sale of the Bonds to a bank or other financial institution in conjunction with Del Rio Advisors, LLC, as financial advisor, and Brandis Tallman LLC, as placement agent.

Section 5. Execution of the Bonds. The Successor Agency is hereby authorized and directed to execute each of the Bonds on behalf of the Successor Agency.

Section 6. General Authorization. The Board hereby authorizes and directs the Successor Agency to do any and all things and to execute and deliver any and all documents that they may deem necessary or advisable in order to complete the sale, issuance, and delivery of the Bonds and otherwise to carry out, give effect to, and comply with the terms and intent of this resolution. All actions heretofore taken by the Successor Agency that are in conformity with the purposes and intent of this resolution are hereby ratified, confirmed and approved in all respects.

Section 7. Effective Date. This resolution shall take effect immediately upon its passage.

PASSED, APPROVED AND ADOPTED by the Oversight Board for the Redevelopment Successor Agency of the City of Healdsburg this 4th day of April 2014, by the following vote:

AYES: Board Members: (4) Liles, Schaffner, Ward, and Vice Chairperson Ziedrich

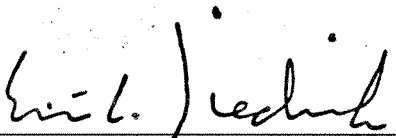
NOES: Board Members: (0) None

ABSENT: Board Members: (3) Herrington, Navarrette and Chairperson Plass

ABSTAINING: Board Members: (0) None

SO ORDERED:

ATTEST:


Eric Ziedrich, Vice Chairperson


Maria Curiel, Board Secretary

I, MARIA CURIEL, Secretary to the Oversight Board for the Redevelopment Successor Agency of the City of Healdsburg, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. OB3-2014 duly adopted by the Oversight Board at a special meeting held on the 4th day of April, 2014.


Maria Curiel, Board Secretary



April 9, 2014

Ms. Jone Hayes, Administrative Services Director
City of Healdsburg
401 Grove Street
Healdsburg, CA 95448

Dear Ms. Hayes:

Subject: Approval of Oversight Board Action

The City of Healdsburg Successor Agency (Agency) notified the California Department of Finance (Finance) of its February 4, 2014 Oversight Board (OB) Resolution on February 10, 2014. Pursuant to Health and Safety Code (HSC) section 34179 (h), Finance has completed its review of the OB resolution.

Based on our review and application of the law, OB Resolution No. OB1-2014 directing the Agency to refund its 2002 Series A and C Tax Allocation Bonds is approved. This approval is specifically conditioned on the understanding that no refunding bonds will be issued unless such bonds meet the limitations in HSC section 34177.5 (a). Any debt service obligations listed in a Recognized Obligation Payment Schedule stemming from bonds issued not in compliance with that section will not be approvable by Finance.

This is our determination with respect to the OB action taken.

Please direct inquiries to Wendy Griffe, Supervisor, or Medy Lamorena, Lead Analyst at (916) 445-1546.

Sincerely,

JUSTYN HOWARD
Assistant Program Budget Manager

cc: Mr. David Mickaelian, Assistant City Manager, City of Healdsburg
Mr. Randy Osborn, Property Tax Manager, Sonoma County
California State Controller's Office



County of Sonoma Agenda Item Summary Report

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

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

To: Sonoma County Board of Supervisors

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): General Services

Staff Name and Phone Number:

Mike West: 707- 565-3665

Supervisorial District(s):

Fifth District

Title: Siri Communications Tower Project

Recommended Actions:

Authorize the Chair of the Board to execute an amendment to an existing consultant contract with Stantec Architecture, Inc. as follows: Additional design services for Siri Tower and Vault for a lump sum of \$14,400

Executive Summary:

The County of Sonoma maintains a series of communication sites throughout the County that provide radio and wireless communication for vital services, including the 911 dispatch system, emergency fire services, emergency medical response services, law enforcement, and other agencies. Many of the existing communication sites utilize old, out-of-date equipment and aging infrastructures that are in need of updating. In a continuing effort to support the public safety needs of the residents of Sonoma County, the County has embarked on a program of upgrading its communication sites to provide continued and improved communication coverage to the surrounding areas. To facilitate the proposed project work several consultant agreements are required for both subject matter and technical expertise.

Project Description:

The Siri Road communication site is located in Guerneville. The Facilities Development and Management Division of the Sonoma County Department of General Services, in coordination with the Sheriff's Department and their Communications-Radio Division have initiated the process of upgrading the Siri Road communication site. This work will include the replacement of the existing 80-foot tower on Siri Road, with a new 180-foot tower. This upgrade will provide better communications for emergency response personnel and other public safety entities and will result in better service to the surrounding communities.

Background:

On September 25, 2012 the Board of Supervisors authorized a contract with Stantec for Siri Road Communications Tower and Vault design and construction administration services with a lump sum of \$51,300. Stantec completed the schematic design drawings. However, the CEQA was not completed until January 2014, so the design work needs to be updated to incorporate the 2013 California Building Code revisions. A contract amendment is required to incorporate the code changes into the construction documents, as well as address the comments raised in the CEQA Mitigation Monitoring Program. In addition, based on preliminary review of the design drawings FDM has requested redesign of the roof to a more cost effective design and requested modifications to the site plan. The consultant proposal for additional services was reviewed by Staff and was found to be fair and reasonable. Changing design consultants at this time when design is 95% complete would be more expensive than the proposed amendment and would significantly extend the completion date for the design.

The additional services include:

Architectural Services – Update design to current codes and standards including California Green Building Standards. Revise site plan layout and elevations in accordance with Lease Agreement and future tenants. Assist with response to the CEQA Mitigation Monitoring Program comment responses.

Structural Engineering Services – Update drawings to comply with current codes and standards, update equipment locations to conform to revised site plan. Redesign roof to provide a more cost effective design for a remote location.

Cal Green Compliance – Update project documents to comply with new California Green Building Standards.

Electrical Engineering – Update design to current codes and standards. Revise electrical site plan to include updated PG&E design requirements.

Civil Engineering Services – Provide topographic mapping services to include revised access and modified site layout. Prepare and update site grading and drainage plans due to revised site layout. Develop responses and associated plans for CEQA Mitigation Monitoring Program including pre and post construction Storm Water Best Management Practices pursuant to Sonoma County's Best Management Practice Guide. Provide a storm water drainage system that will conform to the Sonoma County Flood Control Design Criteria including a Drainage Report or a Memorandum of Design.

Schedule

We anticipate that design and bidding for the Siri Tower and Vault site will be completed by the end of July 2014 and that construction can begin in October 2014.

Prior Board Actions:

1/7/14 – Adopted a Mitigated Negative Declaration and Mitigation Monitoring Program and approving a project to construct a communication tower and equipment shelter at 21789 Siri Rd Guerneville.

9/25/12 – Authorize the Chair of the Board to execute consulting contracts and an amendment to an existing contract with Stantec Architecture, Inc. Including Siri Tower and Vault design and construction administration services a lump sum of \$51,300. Initial schedule for construction completion was December 2013. However, CEQA for this project was not completed until January 2014. The site lease

is still being negotiated. Upon successful lease negotiations construction completion date will be identified.

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

Goal 3: Investing in The Future

The radio tower upgrades support the public safety needs of the residents of Sonoma County, providing continued and improved communication coverage to the surrounding areas. These upgrades also provide needed infrastructure for future communications systems upgrades.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 68,500	County General Fund	\$ 68,500
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 68,500	Total Sources	\$ 68,500

Narrative Explanation of Fiscal Impacts (If Required):

The projects are funded by the Capital Project Budget. The proposed fees are within the project budgets for each of the projects identified:

\$51,300 - Siri Tower and Vault design and construction administration services

\$ 2,800 – Siri Tower and Vault photo simulations.

\$14,400 - Siri Tower Amendment #2-Tower construction administration services

Total \$68,500

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):

Attachments:

Attachment A: Additional Services Request

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

Copies of Agreement provided for signature by the Chair of the Board:
Stantec contract for Siri Communications Tower



Stantec Architecture Inc.
1383 North McDowell Boulevard, Suite 250
Petaluma CA 94954
Tel: (707) 765-1660
Fax: (707) 765-9908

April 1, 2014

Mr. Mike West
Project Manager
Sonoma County Architects Office
2300 County Center Drive
Santa Rosa, CA

**RE: ADDITIONAL SERVICES REQUEST #2_REVISION 3
DESIGN REVISIONS AND CIVIL, ELECTRICAL, AND STRUCTURAL ENGINEERING FOR
RADIO TOWER INSTALLATION AT SIRI ROAD
SONOMA COUNTY, CA**

Dear Mike,

In accordance with your request, STANTEC is submitting the following Additional Services Request for \$14,400.00 for the above referenced project. The scope of additional services are outlined in Exhibit A, additional fees are detailed in Exhibit B. Thank you for the opportunity to submit this ASR. Please give me a call if you have any questions or if you need additional information. We look forward to working with you on this project.

Sincerely,

STANTEC ARCHITECTURE INC.



James C. McGrath, AIA, LEED AP
Associate/Client Manager



EXHIBIT “A”

ADDITIONAL SERVICES DESCRIPTION

STANTEC will make the Client requested revisions to the 95% CDs including site plan revisions, additional architectural, structural, and electrical engineering services, as well as project coordination with AT&T’s design team and the County’s Civil engineer. Civil engineering and surveying services are not included and will be contracted by the County directly. STANTEC scope of work includes site plan revisions requested by the Client, additional site work required by PG&E for the electrical service installation, and revising the structural design of the building roof from pre-cast panels to poured-in-place concrete. The existing design was not submitted for permit prior to the 2013 California Building Code updates were adopted by the State, therefore STANTEC will review the current design for compliance with the 2013 California Code of Regulations (CCR’s) and update the plans as necessary to comply with the new code, including California Green Building Standards.

In accordance with the County’s request we have excluded all services by BKF engineers for them to perform the surveying and civil engineering phases of the work, which will be contracted directly by the County: additional surveying as needed for the access road design, civil design of (N) access road, grading and drainage plan, and erosion control plan are not included. Stantec will provide coordination services to coordinate with the Civil engineer and incorporate the civil design elements into the final set of plans.

SCOPE OF SERVICES

I. ADDITIONAL SERVICES –

Additional services to be provided include the following:

A. Civil engineering coordination

- i. Services including coordination with the County’s Civil Engineer to incorporate their design drawings for the proposed access road, site grading and drainage plan, and erosion and sediment control plan into the permit drawing set pursuant to the County’s request.



B. Structural Engineering

- i. Services include calculations and construction documents to revise the roof design from pre-cast panels to cast-in-place concrete with a shoring plan,
- ii. Update drawings to comply with current codes and standards, and revise the building and generator slabs to conform with the revised site plan;
- iii. Standards and applicable specifications will be referenced on the improvement plans, thus an independent set of Technical specifications for the Structural engineering work is not included;

C. Architecture –

- i. Services include reviewing and updating the current design to the most recent codes and standards;
- ii. Update drawings and specifications to address new CA Green building standards. Services include preparation of Green building code mandatory measures and local County adopted voluntary measures checklist, calling the locations of measures out on the plans, and updating plans and specifications to comply with the requirements;
- iii. Revise the (E) site plan layout and elevations in accordance with the Client provided layout plan sketch (dated 02-10-14),
- iv. Coordinate the revised site layout and elevations with AT&T's design drawings,
- v. Incorporate comments #1-9, 13, 14, 17, 18, and 21 from the Mitigation Monitoring Program document (dated 01-07-14) into the plans as "conditions of approval" (addressing items 16, 19, and 20 - checked "by County Forces" and "by AT&T staff" are not included,
- vi. Incorporate Client requested revisions to the site plan from the 02-11-14 design review meeting.

D. Electrical Engineering-

- i. Services include reviewing and updating the current design to the most recent codes and standards;
- ii. Revise the (E) site plan layout in accordance with the Client provided layout plan sketch (dated 02-10-14). Overall site plan to include call-out of (N) work at the (E) power pole and referencing PG&E details from their drawing (dated 10/24/13);
- iii. Client provided electrical comments from the Mt. Jackson project (including revised equipment rack and hardware specifications, poly phaser rack detail, and ground bus bar comments) will NOT be



addressed in the plans. The Client will address these items as a bid addendum in the front end specifications;

- iv. Provide additional detail for the proposed PG&E work. STANTEC will not include PG&E's design details but will reference the PG&E detail numbers on our plans and include PG&E work at the (E) power pole on the overall site plan.

Items not included:

- A. Utility plan
- B. Site visits
- C. Land surveys to ascertain right-of-way and property lines
- D. Civil Engineering and Surveying services
- E. Legal description and plat for an easement to the County of Sonoma
- F. Field identification of easement location
- G. Mapping of subsurface utilities
- H. Plan review fees, permit fees, bonding costs, title company fees, etc.
- I. Soil/ geotechnical report and recommendations
- J. Storm Water Pollution and Prevention Plan Services
- K. Mechanical engineering services other than updating the base plan



“EXHIBIT B”

EXISTING FEES (Project #12923A, Contract #2611; dated October 1, 2012)

ORIGINAL CONTRACT AMOUNT	\$51,300.00
ASR #1 AMOUNT	\$2,800.00
CURRENT CONTRACT AMOUNT	\$54,100.00

CLIENT REQUESTED ADDITIONAL SERVICE FEES

I. ADDITIONAL SERVICES

A. Civil Engineering Coordination	\$1,500.00
B. Structural Engineering Services	\$4,400.00
C. Architectural Services	\$4,500.00
D. CAL Green Compliance	\$2,500.00
E. Electrical Engineering Services	\$1,500.00

CURRENT CONTRACT AMOUNT	\$54,100.00
ASR #2 AMOUNT	\$14,400.00
<u>NEW CONTRACT AMOUNT</u>	<u>\$68,500.00</u>



County of Sonoma Agenda Item Summary Report

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

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

To: Sonoma County Board of Supervisors

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): General Services / Transportation & Public Works

Staff Name and Phone Number:

Jose Obregon, General Services, 565-2977
Susan Klassen, Transportation & Public Works,
565-2440

Supervisorial District(s):

5th District

Title: License Agreement for James McConnell d/b/a Andorno's Pizza for use of a portion of the Guerneville Plaza

Recommended Actions:

Authorize the General Services Director to execute a License Agreement with James McConnell d/b/a Andorno's Pizza for use of a portion of County property commonly known as the Guerneville Plaza, lease payments to start at \$300/month; for a term of 5 years, with 5 years of possible extensions.

Executive Summary:

General. In 1998, the State of California Department of Transportation ("CalTRANS") constructed a new, concrete bridge to extend Highway 116 to River Road, to replace the steel-framed Guerneville Bridge, built in 1922 and located at the intersection of Armstrong Woods Road in the town of Guerneville. In 1999, the California Transportation Commission relinquished its interest in the superseded highway right-of-way and collateral facilities, now known as the Guerneville Historic Bridge & Plaza, to the County ("County Property"). The County Property is no longer used for vehicle traffic, and is now open to public pedestrian use.

Since that time, the County Transportation & Public Works Department, Sonoma County Transit Division ("TPW") has been responsible for the construction and funding of improvements made on the County Property, including parking spaces, concrete hardscape, tables and seating, landscaped planter box areas, lighting and a water feature. TPW also currently pays for PG&E and water utilities.

Current Agreements for Use of the Plaza

The County General Services Department ("GSD") granted revocable license agreements to the Russian River Chamber of Commerce ("Chamber") and the Russian River Rotary Foundation ("Rotary") for use of the County property, to host farmers markets and other Chamber-sponsored events throughout the

year, as well as a summer concert series sponsored by the Rotary. In June 2013, your Board approved execution of new license agreements with the Chamber and the Rotary, as pursuant to Government Code 26227, the provision of these agreements to the Chamber and the Rotary promotes the social needs of the general public, as the Chamber and the Rotary sponsor community events that are open to the general public and which promote local artists, agriculture and businesses in the local Guerneville and West Sonoma County area. The Board further found that the County does not need the Plaza during these days specified for Chamber and Rotary events, and there is no other proposed use for the Plaza by the County during the term of the licenses. The Chamber agreement expires on July 21, 2014, and has two, 1-year options which may extend the term through July 2016. The Rotary agreement expired on September 19, 2013, as the summer concert series ended in September, 2013.

Proposed License Agreement with James McConnell/Andorno's Pizza.

Staff received a request from James McConnell, the business owner-operator of Andorno's Pizza ("Licensee"), a small restaurant in Guerneville. The business is located at 16205 First Street, Guerneville, and situated adjacent to County property. The Licensee wishes to use a portion of the County Property to install an outdoor patio area for seating and dining for Licensee's/Andorno's customers (the "Project"). Please see the attached diagram ([Attachment 1](#)).

Licensee has secured written approval from the County Permit & Resource Management Department ("PRMD") for the construction and operation of the Project. The PRMD permit approval is conditioned upon the execution of the proposed license agreement, as well as Licensee obtaining required building and health permits, conformance with accessibility standards reviewed and approved by County TPW, and compliance with all applicable federal, state and county statutes and ordinances related to the proposed license. Please see PRMD conditions of permit approval ([Attachment 2](#)).

Staff has negotiated a license agreement, the proposed terms of which follows:

- Use: Enclosed outdoor patio dining area for Licensee's customers, with permitted hours of operation from 7:00 a.m. to 10:00 p.m., seven days per week. The maximum seating allowed within the outdoor dining area is 32 at any time.
- Initial Term: The initial term would be for five years, with three extension terms (two years for the 1st and 2nd extension terms, and one year for the 3rd extension term). The total term of the agreement would not exceed 10 years.
- Termination: Either party may terminate the agreement with 60 days' prior written notice.
- Consideration: \$300 per month for Year 1 of the initial term, with an increase to \$400 per month for Year 2 of the initial term. A one-time rental credit equal to \$8,400 or 50% of Licensee's cost for certain work of improvement would be provided. Consideration would be subject to 3% fixed increases for Years 3 through 10 of the agreement.

Public Benefit. As discussed earlier in this report, County has granted licenses to the Chamber and the Rotary for use of the County Property, in order to host special events for the general public, citizens and

visitors to West Sonoma County. These special events have been successful in drawing an increasing number of visitors to the West Sonoma County area, thereby promoting local businesses, products and services. For the current proposal, staff is of the opinion that the designated outdoor dining area on the County property will increase not only local business, but enhance visibility and use of the Plaza. The proposed license would not interfere with use of the Guerneville Bridge & Plaza by the Chamber, and add an attractive dining/seating area for use by the local community as well as visitors to West Sonoma County, and augment the existing amenities at the Plaza during the tourist seasons and year-round. The proposed license agreement will facilitate the improvement of a public parking infrastructure component and provide the County with a future revenue stream that will partially offset current costs associated with maintaining the Guerneville Bridge and Plaza.

Recommendation: Staff recommends that the Board authorize the General Services Director to execute a license agreement with James McConnell d/b/a Andorno's Pizza for use of a portion of County property commonly known as the Guerneville Plaza.

Prior Board Actions:

- 06/04/13 Authorized the General Services Director, or his Deputy, to: 1) execute a license agreement with the Russian River Chamber of Commerce & Visitors Center, 2) execute a license agreement with the Russian River Rotary Foundation, and 3) make findings as required by Section 26227 of the Government Code that the proposed license agreements are necessary to meet the social needs of the population of the County, and that the County does not need the Guerneville Pedestrian Bridge & Plaza during the term of the license agreements.
- 05/01/13 Posted notice of intent to extend the term of the license agreement through June 3, 2013, for the Russian River Chamber of Commerce & Visitors Center
- 05/10/04 Posted notice of intent to license County real property consisting of the pedestrian bridge over the Russian River and the area commonly known as the Plaza, located in Guerneville
- 10/01/02 Authorized General Services Director to execute first amendment to license agreement
- 05/08/01 Board finding of County project and CEQA exemption; authorized General Services Director to execute license agreement; directed Transportation & Public Works Director to work with Russian River Parks & Recreation District for possible transfer of operation/responsibility of the property to the District on a long-term or permanent basis

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Provision of the proposed license agreement will increase use of the Guerneville Bridge and Plaza by local business and thereby enhance visibility and support tourism to West Sonoma County, as well as providing a revenue stream to the County for use of the County Property.

Fiscal Summary - FY 13-14			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 2,400	County General Fund	\$ 2,400
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 2,400	Total Sources	\$ 2,400
Narrative Explanation of Fiscal Impacts (If Required):			
The proposed license agreement will generate \$300 per month for the first year of the term, or approximately \$900 in FY13-14 for the months April, May and June, 2014. In addition, Licensee would pay County an additional one-time administrative fee of \$1,500, for a total of \$2,450 for the FY13-14.			
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:			
Diagram, PRMD Conditions of Approval			
Related Items "On File" with the Clerk of the Board:			
Proposed license agreement			

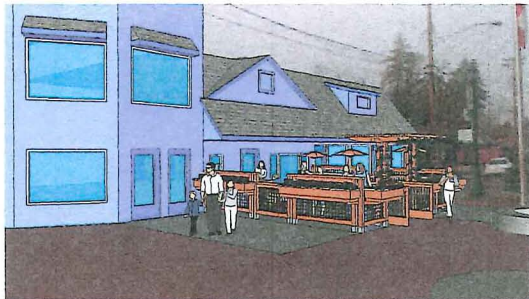
EXHIBIT A



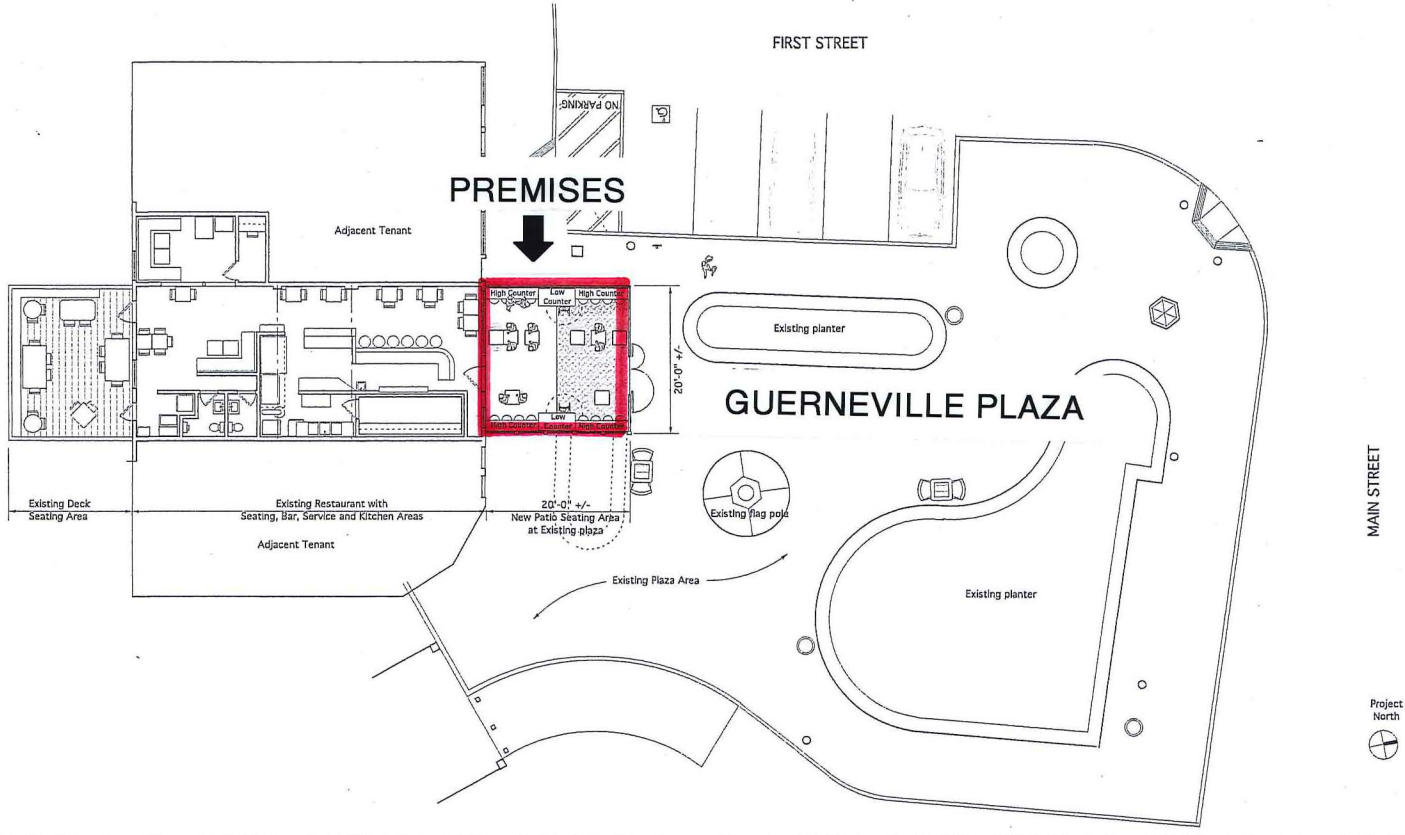
View of new patio from existing Plaza planter



View of new patio from existing Plaza near flag pole



View of new patio from existing Plaza



REVISIONS:



Project
 Andorno's Pizza Restaurant
 16205 First Street
 Guerneville, CA
 9 5 4 4 6

Client Rev. 22 March 2013

Building and Plaza Floor Plan

A0.1



COUNTY OF SONOMA

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

October 17, 2013

Jim Mc Connell
P O Box 1567
Guerneville, CA 95446

Re: UPE13-0060; 16205 1st Street, Guerneville; APN: 070-040-038

This letter is in reference to your request for a Use Permit for a 400 square foot outdoor dining area adjacent to an existing restaurant within the Guerneville Plaza designated as a County right-of-way. The outdoor dining area is to be surrounded by a four foot high wood and wire railing and includes 32 seats. The project requires the removal of an existing 175 square foot planter currently located in the Guerneville Plaza.

Notice of the County's intent to waive the hearing requirement for the requested Use Permit was posted for 10 days and no protests were received. Pursuant to Section 26-92-040(d) of the Sonoma County Code, no public hearing is required and the Use Permit will be issued subsequent with conformance with the enclosed conditions. Once compliance with all pre-operational conditions has been achieved, a Use Permit Certificate will be issued and the approved use may commence.

The Use Permit approval is based on a determination by the Permit and Resource Management Department that the use will not be detrimental to the health, safety or welfare of adjacent land uses or properties. In addition, it is the determination of the department that the project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to the Provisions of Title 14 of the California Administrative Code, Section 15303, because this is the construction of a fenced area around an outdoor dining area adjacent to an existing restaurant.

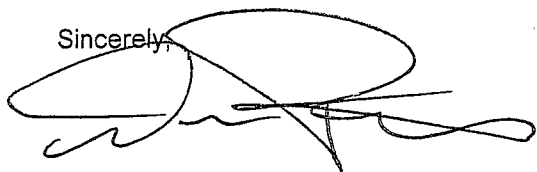
There are approximately 20 parking spaces located in the public right-of-way and adjacent to the pedestrian bridge that crosses the river. These parking spaces are open to the public and provide parking for the downtown area of Guerneville, including Andorno's Pizza restaurant.

The Use Permit shall be issued for the use as described on the application form, the proposal statement, the site plan submitted to this department and as modified by the Conditions of Approval. Any modifications of the use, expansion or alteration shall be submitted for review and approval by the Permit and Resource Management Department, Project Review Division, in advance of the proposed change and may, at the discretion of the department, require a new Use Permit with or without a public hearing.

This decision may be appealed in writing, along with an appeal fee, within 10 (ten) calendar days of the date of this letter.

If you have any questions, feel free to contact me at Dean.Parsons@sonoma-county.org or at 707-565-1948. Please refer to your file number (UPE13-0060) and site address when making inquiries.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dean Parsons', written over a large, light-colored oval scribble.

Dean Parsons
Project Planner

:bp

Enclosure: Conditions of Approval dated October 17, 2013

c: File UPE13-0060
Herman Hernandez
Praxis Architects, Attn. Brian Grant

Conditions of Approval

Date:	October 17, 2013	File No.:	UPE13-0060
Applicant:	Jim McConnell	APN:	070-040-038
Owner:	Herman Hernandez		
Address:	16205 1 st Street, Guerneville		

Project Description: Request for a Use Permit for a 400 square foot outdoor dining area adjacent to an existing restaurant within the Guerneville Plaza designated as a County right-of-way. The outdoor dining area is to be surrounded by a four foot high wood and wire railing and includes 32 seats. The project requires the removal of an existing 175 square foot planter currently located in the Guerneville Plaza.

Prior to commencing the use, evidence must be submitted to the file that all of the following non-operational conditions have been met.

BUILDING:

1. The applicant shall apply for and obtain a building related permit from PRMD for the outdoor dining area construction. The necessary applications appear to be, but may not be limited to accessibility report, site review and building permit(s). Construction inspections shall occur and the building permit(s) finalized prior to occupancy of new structures.
2. All required paths of travel (parking lots, sidewalks) shall comply with State and Federal Accessibility guidelines. Grading plans submitted to PRMD shall include sufficient details of features to validate compliance.
3. All buildings, structures, sidewalks, curbs, and related facilities shall be accessible to and usable by persons with disabilities. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the most recent CBC as determined by the PRMD Building Division.
4. The proposed occupancy, type of construction, square footage, and occupant load shall be clearly identified on the required plans and construction documents.
5. The extent of the floodway and flood zone shall be clearly delineated on the proposed Site Plan, and any structures within the flood zone shall be designed to resist the effects of inundation.
6. If any changes to plans, drawings, documents or specifications required pursuant to any conditions herein specified occur, these changes shall be brought to the appropriate department for review and approval prior to any construction or improvements. Also, these changes shall be reviewed by all departments involved in the initial approval of the subject plans, drawings, documents or specifications that are proposed for change.
7. The business operator shall post a sign during the construction process that includes the phone number for a current job manager for the benefit of neighbors. The job manager can be contacted if there are any problems associated with the construction process site such as dust, storm water runoff, hours of operation, equipment noise, traffic issues or lack of compliance with any project conditions of approval.

HEALTH:

“The conditions below have been satisfied BY _____ DATE _____

OPERATIONAL REQUIREMENTS:

Water:

- 8. Connection shall continue to be made to public sewer and water.
- 9. A safe, potable water supply shall be provided and maintained.

Consumer Protection:

- 10. Obtain and maintain all required Food Industry Permits from the Sonoma County Environmental Health & Safety Section prior to serving any food. Note that no food service exceeding the limits specified under the planning conditions shall be authorized on this site by the issuance of any retail food facility permit, catering permit, mobile food vendor permit or building permit.

Noise:

- 11. Noise shall be controlled in accordance with Table NE-2 (or an adjusted Table NE-2 with respect to ambient noise as described in General Plan 2020, Policy NE-1c,) as measured at the exterior property line of any affected residential or sensitive land use:

TABLE NE-2: Maximum Allowable Exterior Noise Exposures

Hourly Noise Metric ¹ , dBA	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
L50 (30 minutes in any hour)	50	45
L25 (15 minutes in any hour)	55	50
L08 (4 minutes 48 seconds in any hour)	60	55
L02 (72 seconds in any hour)	65	60
¹ The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level. The L02 is the sound level exceeded 1 minute in any hour.		

- 12. If noise complaints are received from nearby residents, and they appear to be valid complaints in PRMD’s opinion, then the applicant shall conduct a Noise Study to determine if the current operations meet noise standards and identify any additional noise Mitigation Measures if necessary. A copy of the Noise Study shall be submitted to the Project Review Health Specialist within sixty days of notification from PRMD that a noise complaint has been received. The owner/operator shall implement any additional Mitigation Measures needed to meet noise standards.
- 13. The outdoor dining area shall close by 10:00 p.m.
- 14. Special events were not requested in this Use Permit and therefore are not authorized by this Use Permit.

Solid Waste:

- 15. All garbage and refuse on this site shall accumulate or be stored in non-absorbent, water-tight,

vector resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity to completely close the lid. Garbage and refuse on this site shall accumulate or be stored for no more than seven calendar days, and shall be properly disposed of at a County Transfer Station or County Landfill before the end of the seventh day. At least once per day, the operator of the establishment shall remove trash, litter, and debris generated from the restaurant use from the sidewalks adjoining the premises.

Smoking:

16. Smoking is prohibited at any public event, in any dining area, service area (including entry lines or ticket purchase lines) and in any enclosed area that is a place of employment (Sonoma County Code 32-6). "No Smoking" signs shall be conspicuously posted at the point of entry into the outdoor dining area where smoking is prohibited by Chapter 32 of the Sonoma County Code. The California Health and Safety Code (section 113978) also requires the posting of "No Smoking" signs in all food preparation areas, all retail food storage areas, and all food utensil washing areas. Note that Health and Safety Code section 113781 definition of food includes any beverage intended for human consumption.

TRANSPORTATION AND PUBLIC WORKS:

"The conditions below have been satisfied BY _____ DATE _____

17. The existing public parking area located adjacent to the plaza and on First Street does not conform to current accessibility standards because of the asphalt ramp leading from the accessible parking space to the sidewalk. The project applicant shall modify this area to conform to current accessibility standards subject to review and approval of the Department of Transportation and Public Works. The Developer shall obtain an Encroachment Permit from the Permit and Resource Management Department prior to constructing any improvements within County Road right-of-way.

The accessible parking space shall be relocated to avoid the existing street light and any other existing obstructions located within the Right of Way and plaza. Refer to Caltrans Standard Plan A88A and A88B, and Sonoma County Department of Transportation and Public Works Construction Standards 224A and 224B for details. The existing asphalt ramp shall be removed to reclaim a parking space. Depending on where the new ramp is located, re-striping of the other four adjacent parking spaces may be required. A slurry seal is required to mask old striping.

SONOMA COUNTY TRANSIT:

"The conditions below have been satisfied BY _____ DATE _____

18. Concrete surfaces and bricks/pavers within the outdoor dining area and in public areas shall match the texture and color of existing consistent with Exhibit A and subject to final review and approval by Sonoma County Transit prior to installation. The existing concrete table and chairs located adjacent to the raised planter to be removed shall be removed and replaced with bricks/pavers to match existing.
19. All fastening methods for attaching outdoor dining fencing, posts, stationary furniture and any other appurtenant installations for the outdoor dining area are subject to the review and approval by Sonoma County Transit prior to issuance of the building permit.
20. A minimum of two signs shall be installed on the exterior of the outdoor dining area fenced area explaining that the path of travel around the outdoor dining area cannot be blocked at any time. Sign dimensions, design, and text are subject to review and approval by Sonoma County Transit prior to installation and receiving Final Occupancy on the project building permit. Once the project is constructed, Transit shall determine if it is necessary to paint a line on the concrete/brick/paver

surface to delineate a protected path of travel around the outdoor seating area.

FIRE AND EMERGENCY SERVICES:

"The conditions below have been satisfied BY _____ DATE _____

21. The subject development is subject to the Sonoma County Fire Safe Standards and shall be reviewed and approved by the County Fire Marshal/Local Fire Protection District. Prior to occupancy, written approval indicating that the required improvements have been installed correctly shall be provided to PRMD from the County Fire Marshal/Local Fire Protection District.

PLANNING:

"The conditions below have been satisfied BY _____ DATE _____

22. This Use Permit allows the applicant to develop a fenced 400 square foot outdoor dining area containing a maximum of 32 seats adjacent to an existing restaurant within the Guerneville Plaza (designated as a County right-of-way). Permitted hours of operation are 7:00 a.m. to 10 p.m., seven days per week. The use shall be constructed and operated in accordance with the applicant's proposal statement and site plan located in File No. UPE13-0060 as modified by these conditions.
23. This Use Permit (UPE13-0060) shall supersede all prior Use Permits, upon implementation or when all the pre-operational conditions have been met and this Use Permit is vested.
24. The property owner shall enter into a revocable license agreement with the County of Sonoma Facilities Development & Management Department prior to Building Permit and Encroachment Permit issuance. All terms of the License Agreement are incorporated into this Use Permit approval and if there are any conflicts with these conditions of approval, the most restrictive shall apply. This Use Permit expires when the License Agreement is terminated.
25. The applicant/owner shall maintain the outdoor dining facility in good condition at all times. There shall be no planters or landscape features hung outside of the outdoor dining area fenced area.
26. Customer and Site Visitor Management. The operator of the establishment shall take all reasonable steps, including contacting law enforcement in a timely manner, to prevent customers or other persons from engaging in objectionable activities on the premises, parking areas under the control of the operator, and other public or quasi-public areas within site of the premises during business hours.
27. The operator of the establishment shall remove all graffiti from the premises within 72 hours of its application.
28. This use shall be constructed, maintained, and operated in conformance with all applicable County, state, and federal statutes, ordinances, rules, and regulations. A violation of any applicable statute, ordinance, rule or regulation shall be a violation of the Use Permit, subject to revocation.
29. At the time of submitting a building permit application, the applicant shall submit to PRMD a Condition Compliance Review fee deposit (amount to be determined consistent with the ordinance in effect at the time). In addition, the applicant shall be responsible for payment of any additional compliance review fees that exceed the initial deposit (based upon hours of staff time worked) prior to final inspection being granted.
30. The applicant shall include these Conditions of Approval on separate sheets of plan sets to be submitted for building and grading permit applications.

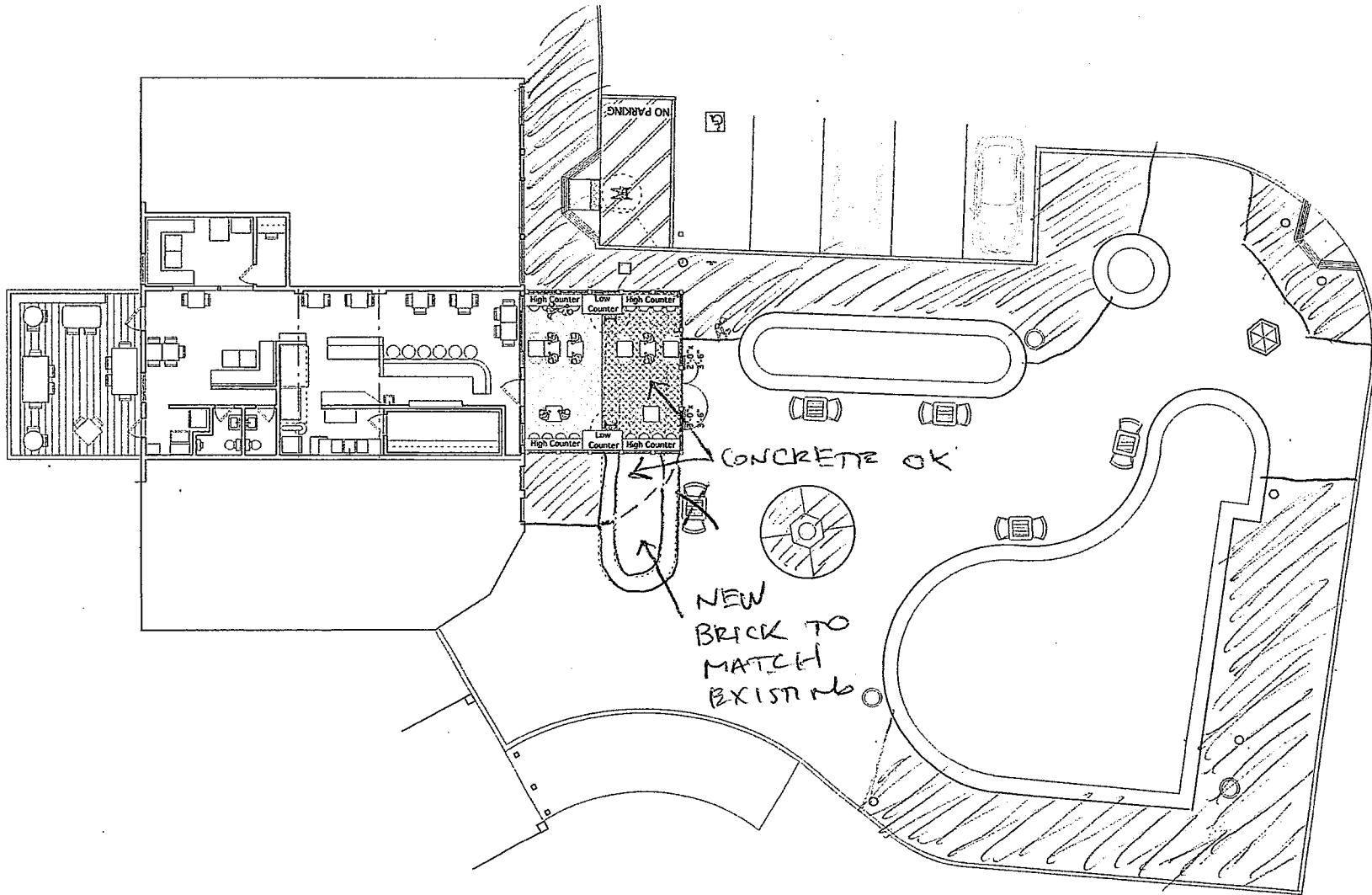
31. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of PRMD or the Board of Zoning Adjustments, as appropriate. Such changes may require a new or modified Use Permit and additional environmental review.
32. The Director of PRMD is hereby authorized to modify these conditions for minor adjustments to respond to unforeseen field constraints provided that the goals of these conditions can be safely achieved in some other manner. The applicant must submit a written request to PRMD demonstrating that the conditions is infeasible due to specific constraints (e.g. lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. PRMD shall consult with affected departments and agencies and may require an application for modification of the approved permit. Changes to conditions that may be authorized by PRMD are limited to those items that are not adopted standards or were not adopted as mitigation measures or that were not at issue during the public hearing process. Any modification of the permit conditions shall be documented with an approval letter from PRMD, and shall not affect the original permit approval date or the term for expiration of the permit.


The owner/operator and all successors in interest, shall comply with all applicable provisions of the Sonoma County Code and all other applicable local, state and federal regulations.

33. This permit shall be subject to revocation or modification by the Board of Zoning Adjustments if:
(a) the Board finds that there has been noncompliance with any of the conditions or (b) the Board finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.

In any case where a Use Permit has not been used within two (2) years after the date of the granting thereof, or for such additional period as may be specified in the permit, such permit shall become automatically void and of no further effect, provided however, that upon written request by the applicant prior to the expiration of the two year period the permit approval may be extended for not more than one (1) year by the authority which granted the original permit pursuant to Section 26-92-130 of the Sonoma County Code.

Exhibit A - UPE13 - 0060



 = EXISTING CONCRETE



County of Sonoma Agenda Item Summary Report

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

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

To: Board of Supervisors of Sonoma County

Board Agenda Date: April 22, 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: Aquatic Assessment Agreement

Recommended Actions:

Authorize the Director of Health Services to execute an agreement with ENTRIX, Inc. dba Cardno ENTRIX to perform an aquatic assessment related to water supply fluoridation, with a term end date of June 30, 2015, in an amount not to exceed \$60,766.

Executive Summary:

This item requests approval of an agreement with ENTRIX, Inc. dba Cardno ENTRIX to perform an aquatic assessment related to water supply fluoridation, with a term end date of June 30, 2015, in an amount not to exceed \$60,766.

On February 26, 2013 the Sonoma County Board of Supervisors directed Department of Health Services' staff to continue efforts to analyze community water fluoridation in Sonoma County, including convening an advisory committee. The Fluoridation Advisory Committee convened in May 2013 with the purpose of: 1) providing advice on fluoridation issues; 2) reviewing information on engineering proposals; 3) gathering relevant data; 4) facilitating broad community input; and 5) developing recommendations for consideration by the Department of Health Services.

The Department of Health Services (DHS) continues to seek input from the public and to work closely with the Sonoma County Water Agency. Members of the Fluoridation Advisory Committee as well as community members identified the need for more information regarding the potential impacts of community water fluoridation on environmentally endangered or threatened fish species. In response, the Sonoma County Water Agency (SCWA) biologists and DHS staff determined that an assessment of potential exposure to fluoridation in sensitive habitats would be feasible and in line with goals to ensure that public health practices are safe for the environment.

Working closely with SCWA, the Department conducted a request for proposals (RFP) process in August 2013 to identify a vendor to perform an aquatic assessment of community water fluoridation. Although no proposals were received in response to the first RFP, a subsequent competitive process for these services was initiated in December 2013 by the SCWA and DHS, this time a request for qualifications

(RFQ). Three submissions were received in response to the RFQ. An evaluation committee made up of engineers from SCWA, DHS staff, and a National Oceanic and Atmospheric Administration fish expert reviewed the RFQ submissions and selected the top two scoring vendors for an in-person presentation and interview. The evaluation committee selected ENTRIX, Inc. dba Cardno ENTRIX to conduct a scientific literature review to identify the body of research on acute and chronic effects of fluoride on the salmonids of concern, including a general characterization of the fate and transport of fluoride in the environment. The contractor will also identify the environmental pathways of fluoride from various uses and sources of release of fluoridated community water; quantify the presence of fluoride in the habitats of interest; and, considering several other variables including seasonal hydrologic conditions, temperature, pH, and flow rates, provide a scale of potential for adverse effects for discreet reaches of the study area where the species of interest are located.

It is anticipated that the aquatic assessment will be completed by September 2014. The Fluoridation Advisory Committee will consider the findings of the aquatic assessment when making their recommendation to DHS regarding community water fluoridation.

Prior Board Actions:

On May 13, 2008 the Board accepted a report on the Community Health Needs Assessment for 2008-2011. On January 12, 2010 the Board approved a contract for a fluoridation assessment for Sonoma County. On February 28, 2012 the Board accepted a status report on Dental Health in Sonoma County. On February 26, 2013 the Board accepted a staff report on continuing efforts related to oral health and approved four contracts to promote oral health and to analyze the potential of fluoridation in Sonoma County. The contracts approved were: 1) Community Action Partnership to lead community-based oral health activities; 2) The Lew Edwards Group to develop a public education campaign related to oral health efforts; 3) California State University, Sacramento to facilitate the advisory committee and discussion with water retailers and community stakeholders; and 4) MWH Americas, Inc. to develop a Preliminary Engineering Design Report for fluoridation of Sonoma County Water Agency's drinking water supply.

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

This action supports overall health, including the health of the sensitive fish species and their habitat in Sonoma County waterways. A thorough assessment of any potential negative effect of community water fluoridation is part of the DHS strategy to consider the community's comments and concerns regarding water fluoridation in preparation for a full report to the Board on the feasibility of fluoridation of the Sonoma County Water Agency's water supply.

Fiscal Summary - FY 13-14			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 30,383	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$ 30,383
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 30,383	Total Sources	\$ 30,383
Narrative Explanation of Fiscal Impacts (If Required):			
Funding of \$30,383 is included in the FY 13-14 budget for this agreement. The remaining \$30,383 will be added to the FY 14-15 budget through the budgetary adjustments process. The funding source for this agreement is Intergovernmental Transfer (IGT).			
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:			
Agreement with ENTRIX, Inc. dba Cardno ENTRIX			
Related Items "On File" with the Clerk of the Board:			
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 ENTRIX, Inc. dba Cardno ENTRIX (hereinafter "Contractor").

RECITALS

WHEREAS, Contractor represents that it is a duly qualified consulting firm, experienced in the preparation of evaluations of the impact of chemicals on wildlife and related services; and

WHEREAS, in the judgment of the Board of Supervisors, it is necessary and desirable to employ the services of Contractor for the evaluation of the impact of the fluoridation of water on endangered fish and related services;

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, in its sole discretion, 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.

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 on a time-and-material/expense basis in accordance with the budget set forth in Exhibit B – Budget, provided, however, that total payments to Contractor shall not exceed \$60,766 without the prior written approval of County. Any remaining balance at the end of FY 2013-2014 shall automatically be carried forward to 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.

3. Term of Agreement

The term of this Agreement shall be from Effective Date to June 30, 2015 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 accept all responsibility for loss or damage to any person or entity, including County, and to indemnify, hold harmless, and release County, its officers, agents, and employees from and against any actions, claims, damages, liabilities, disabilities, or expenses that may be asserted by any person or entity, including Contractor, that arise out of, pertain to, or relate to Contractor's or its agents', employees', contractors', subcontractors', or invitees' performance or obligations 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' performance or obligations under this Agreement. Contractor's obligations under this Article apply whether or not there is concurrent negligence on County's part, but to the extent required by law, excluding liability due to County's conduct. County shall have the right to select its legal counsel at 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:

Kim Caldewey
Health Program Manager
Department of Health Services - Administration
3313 Chanate Road
Santa Rosa, CA 95404
707.565.4837
Kim.Caldewey@sonoma-county.org

TO CONTRACTOR:

Curtis Weeks
Northern California Operations Manager
Cardno ENTRIX
2300 Clayton Road, Ste 200
Concord CA 94520
Phone: 925-988-1217
Curtis.Weeks@cardno.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.

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the

Effective Date.

CONTRACTOR:



3-28-14

Curtis Weeks, Northern California Operations Manager
ENTRIX, Inc. dba Cardno ENTRIX

Dated

COUNTY OF SONOMA:

Certificate of Insurance on File with County:

Rita Scardaci, MPH, Director
Department of Health Services

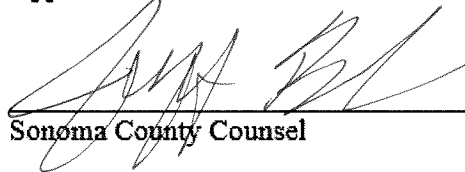
Dated

Approved as to Substance:

Division Director or Designee

Dated

Approved as to Form:



Sonoma County Counsel

3/28/14
Dated

Exhibit A. Scope of Work

Aquatic Assessment of Community Water Fluoridation

Task 1: Project Management and Meetings

Contractor's project manager Tom Taylor and team lead Steve Huntley will meet with County to review, modify, and refine the proposed project schedule; discuss deliverables; and review the evaluation steps and the level and timing of other interaction from other agencies. It is assumed that wastewater discharges for up to four sanitary districts will be evaluated under the Contractor's budget. The task will also cover the project management activities associated with budget tracking, monthly progress reports, and other planning and management activities associated with the project. The Project Meeting subtask is for two meetings that include the kick-off meeting with County and a second meeting coincident with submittal of the draft report to review the report findings with County and other invited entities. Additional multi-party meetings may be conducted as needed via conference calls or webinars, and other two-to-three-party meetings could be addressed by phone calls or emails.

Task 2: Technical Reviews and Toxicity Summaries

Contractor's staff will locate and review available literature and information on fluoride effects on listed salmonids or other species as surrogates in the affected service area water ways. This review will be extensive but focused on potential adverse effects of fluoride exposure on salmonids. Likely sources of publications and fluoride toxicity information include sources such as the California Department of Toxic Substances Control (DTSC), Regional Water Quality Control Boards (RWQCBs), the CDFW, the Office of Environmental Health Hazard Assessment (OEHHA), USEPA, USFWS, Oak Ridge National Laboratory (ORNL), and the peer-reviewed literature. If literature is not available for all species and life stages of interest, Contractor will use appropriate surrogate species to assess exposure concentration and duration.

Task 3: Interviews with County Staff

In-person and telephone interviews with County staff (up to 24 hours of effort), initially set up through County but coordinated by Contractor's employees, will be conducted to obtain available information and documentation on the location, water quality constituents, flow rates, and seasonality of existing wastewater discharges. This information will be used to develop an overview of various wastewater volume and water quality characteristics, including the potential flow connections and intersections that provide the pathways and transport of fluoride sources to identified surface waters of interest. This information will then be used to identify anticipated seasonal flow patterns and the possible processes associated water flows that modify fluoride concentrations.

This process will be repeated to the extent possible for Publicly Owned Treatment Works (POTW) treated wastewater released directly to the streams and treated, recycled wastewater re-routed for irrigation for up to four sanitary districts. It is assumed that the bulk of this information will be determined by reviewing county, state, and local water flow information. Important to this process is developing representative average daily flows in the receiving waters at each wastewater discharge point and at downstream nodes of major tributaries from U.S. Geological Survey (USGS) and Sonoma County Water Agency records. This data will be used

to develop the mass balance values and dilution rates downstream of the points of discharge. Candidate waterways include the Russian River, Santa Rosa Creek, the Laguna de Santa Rosa, and other waterways identified during the interview process.

Task 4: Characterization of Potential Aquatic Receptors

Central Coast Coho salmon are listed as endangered under the USESA and under the California Endangered Species Act (CESA). Central Coast Chinook salmon and Northern California Coast steelhead are both listed as threatened under the USESA. Under these listing categories, Coho would have a higher level of protection than Chinook or steelhead both at the federal and state levels. Salmonid life stage data will be aligned with life stage toxicity data developed under Task 3, as applicable.

Contractor will use its understanding of the species distribution and life stages augmented with information developed from interviews with the Sonoma County Water Agency and from published literature to determine which specie(s) and life stage(s) would be evaluated as potential receptors for fluoride-contaminated water based on points and locations for discharged waste water and season of the year for up to four sanitary districts. Using the data on fluoride concentrations from historic and/or current monitoring programs in water bodies that might contribute to the total fluoride mass, Contractor will generate a tiered estimate of dilutions and/or concentrations as the flows proceed from tributaries to the final receiving waters. Contractor will conduct an analysis of the geographic boundaries, water transport pathways in the County, and major inputs of potable water from wastewater discharge and irrigation runoff of treated water to the Sonoma County Water Agency service area using a mass balance approach.

Task 5: Development of Matrix to Estimate Screening Level Toxicities

Contractor will identify water courses of interest to evaluate based on information from Task 4. Using the data on fluoride concentrations from historic and/or current monitoring programs in comparable waterbodies and modeled fluoride concentrations in the discharges based on community water supply fluoridation concentrations of 0.7 to 0.9 mg/L, Contractor will evaluate the total fluoride concentration in downstream watercourses and the potential effect on the targeted listed species based on literature values using a mass-balance approach to generate a tiered estimate of dilutions and/or concentrations as the flows proceed down the main stem Russian River or down tributaries along the flow path and considering additions of uncontaminated surface flows and additional sources of fluoride. Emphasis will be placed on receiving waters that will overlap with known timing and distribution of the target species. The analysis will consider the geographic boundaries, the water transport pathways in the County, and major sources of potable wastewater discharge and irrigation runoff of recycled water to the Sonoma County Water Agency service area using a mass balance approach. The initial screening would evaluate conditions of the lowest river flow, highest wastewater discharge volume, and most sensitive species and life stage.

Contractor will develop a series of screening level potential fluoride concentrations at appropriate watershed locations for incorporation into a mass balance spreadsheet. This information and specific data about flows will be used to estimate concentrations of fluoride in the river at various points downstream of the discharge locations. This analysis will identify a worst-case scenario, (highest concentration during highest recycled water discharge and lowest receiving water flow when the most sensitive receptor is present) while considering and

incorporating information about pH and temperature. This process will be used to develop a first step screening level assessment to see if concentrations rise to the level of concern when considering reported values in the literature for salmonids and local pH and temperature conditions in the project study area. The same process would also be used to further evaluate locations where fluoride levels are identified as a potential issue. This approach can also be used to determine the flow level in the any watercourse that would be needed to reduce the concentration to below the level of concern. In this process, Contractor will generate a series of “what if” scenarios and a sensitivity analysis to home in on the flow rates that would become problematic. This also provides a simple means to develop graphic and other presentation tools and a means to conduct a “reality check” on the dilution rates that would be protective of salmonids.

Task 6: Preparation of Draft and Final Reports

Draft and final reports will be prepared. The draft report will include an abstract, introduction, study area, methods, results, and conclusion sections and appendices supporting the document. The report is estimated to be no longer than 50 pages including all tables, graphs, and supporting documentation. The report would be written in layman’s terms and describe the evaluation process in a clearly understandable manner. Graphics would be used to illustrate the process and also display the results of the mass balance analysis. The report would have a reference section citing communications and literature used in developing the report. The draft report would be submitted to County's Project Manager. The draft report would proceed through a review over a two-week period. Comments received from outside reviewers (engineering and fisheries professionals coordinated by County) and from County staff would be compiled into one set of comments and provided to Contractor. Contractor will present the report findings to County and other invited entities as described in Task 1. Contractor will summarize findings in a Power Point presentation with supporting graphics designed to convey the methods, analysis, and conclusions of the report. At least one telephone conference call will be scheduled to review comments on the Draft Report for clarification or further explanation. Contractor would then revise the draft report into a final for submittal to County. Contractor will provide electronic draft and final copies of the document to County in MS Word and PDF file formats. Contractor will continue to provide clarification and answer technical questions as requested by County up to the limit of its budget during the contract period.

§ The remainder of this page has intentionally been left blank. §

Project Schedule

Contractor's project timeline, including milestones and deliverables is displayed immediately below.

CARDNO TEAM MILESTONES AND DELIVERABLES																					
	weeks:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
1 - Initial Meeting with SCDHS (Task 1)			▼																		
2 - Interviews and file review with SCWA (Task 3)				▼																	
3 - Exposure of target species and toxicity data acquisition (Tasks 2 and 4)							▼														
4 - Summary of toxicity information (Task 2)									▼												
5 - Development of mass balance and exposure approaches (Task 5)													▼								
6 - Development of exposure / risk matrix (Task 5)															▼						
7 - Draft report to SCDHS and draft submittal meeting (Task 6)																	▼				
8 - Final report - 2 weeks after receipt of all comments (Task 6) (assuming 2-week review period)																					▼

Exhibit B. Budget**Aquatic Assessment of Community Water Fluoridation**

Description	Labor (\$)	Sub- consultants/ Affiliates	Mileage	Totals (\$)
Task 1 Project Management and Meetings				
a. Project Management	6,474			6,474
b. Two Meetings (Kick off, Draft Submittal)	5,468		497	5,965
<i>Subtotal - Phase Task</i>	11,942		497	12,439
Task 2 Technical Reviews and Toxicity Summaries				
a. Compile Literature fluoride effects on fish	1,144			1,144
b. Compile information on WQ, discharge rates, flows and fisheries	5,120			5,120
c. Prepare literature review/criteria tables	244			244
<i>Subtotal - Phase Task</i>	6,508			6,508
Task 3 Interviews with County Staff				
a. Sonoma County DHS	760		124	884
b. Sanitation District Water Quality and Operations	1,520	630	124	2,274
<i>Subtotal - Phase Task</i>	2,280	630	249	3,159
Task 4 Characterization of Potential Aquatic Receptors				
a. Target Species Life Stage, Distribution and Timing	1,330			1,330
b. Seasonal hydrology	2,160			2,160
<i>Subtotal - Phase Task</i>	3,490			3,490
Task 5 Develop Matrix for Mass Balance Estimates and Screening Level Toxicities				
a. Spreadsheet Development	4,188			4,188
b. Run calcs	1,144			1,144
c. Develop summary flow balance table for each site	2,608			2,608
<i>Subtotal - Phase Task</i>	7,940			7,940
Task 6 Preparation of Draft and Final Reports				
a. Prepare Draft Report	18,070			18,070
b. Draft Report Meeting (budgeted under Task 1) and support	2,366			2,366
c. Receive consolidated comments and revise report into Final	5,630			5,630
<i>Subtotal - Phase Task</i>	26,066			26,066
<i>Subtotal – Tasks 1-6</i>	58,226	630	746	59,602
Communication Fee				1,165
<i>Total Project Cost</i>				60,766

Rate Schedule

Classification	Rate (\$/hour)
Senior Consultant	225
Senior Consultant	198
Senior Consultant	190
Senior Consultant	180
Sr. Project Scientist	168
Project Consultant	143
Project Scientist	155
Sr. Staff Scientist	110
Production Specialist	122
Project Coordinator	101

Budget Assumptions

1. Billing rates are based on project completion by Dec 31, 2014.
2. Travel costs - mileage is based on federal reimbursement rates for private vehicles.
3. Contractor will not address human health issues relating to community fluoridation. Contractor's scope is focused on evaluating the health of listed species in the receiving waters.
4. Task 1 - Kick-off and Draft Document Meetings are budgeted at a maximum of four hours each. A maximum of 3 sanitary districts will be addressed.
5. Task 2 - Literature review will target listed species, but surrogate species will be used when appropriate.
6. Task 3 - A maximum of 16 hours is allocated to interviews of County and Sonoma County Water Agency staff.
7. Task 4 - Characterization of the affected fisheries will be done for up to three sanitary districts outfalls.
8. Task 5 - Mass balance analysis will be done on lowest river flow and highest volume wastewater discharge scenario for the most sensitive life stage of the most sensitive target species that would be present.
9. Task 6a - Draft and Final Reports will be 50 pages or less, including text, tables, and graphics. Reports will be delivered electronically in Microsoft Word and PDF formats.
10. Task 6b - Contractor will present findings to public bodies and government officials during the Draft Report presentation, and address technical questions and provide clarification upon request up to the limit of the budget submitted.
11. Task 6c - There will be one report review cycle. County will provide one set of consolidated comments from all reviewers of the Draft Report.

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
- a. Minimum Limits: \$1,000,000 combined single limit per accident.
 - b. 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.
 - 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 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. 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.
-

- b. 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**

- c. 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.
- d. 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.
- e. 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 of Sonoma Agenda Item Summary Report

Agenda Item Number: 19
(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 of the County of Sonoma

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Human Resources

Staff Name and Phone Number:

Supervisorial District(s):

Marcia Chadbourne - 565-2473

All

Title: Insurance Consulting Services Agreements

Recommended Actions:

Authorize the Human Resources Director to execute agreements with Cazden Insurance Solutions (in an amount not to exceed \$150,000) and Bickmore (in an amount not to exceed \$75,000) for insurance and risk management related consulting services for a three year term from May 1, 2014 through April 30, 2017.

Executive Summary:

BACKGROUND:

The Insurance Unit of the Risk Management Division of the Human Resources Department ("Risk Management") is responsible for administration and management of all miscellaneous insurance programs covering County departments and dependent agencies and districts. Responsibilities include contract insurance consultation and risk review services to contract managers, including evaluation of risk, mitigation alternatives and insurance requirements for contracts, evaluation of insurance requirements for new or proposed County operations, and special events. In conjunction with the General Services Department's Purchasing Division and County Counsel, Risk Management also provides contract insurance training and support services to all County contract managers.

In order to support fluctuating service demands from County departments and agencies, the Insurance Unit is staffed by 1.0 FTE Risk Management Analyst III, and relies upon the services of contract insurance professionals to provide timely and accurate analysis in the following service areas;

- Research trends in the insurance industry, evaluate new state and federal legislation, and interpret key case law and developments in coverage determinations.
- Make recommendations based on industry best practices and County's business needs on modifications to standard County insurance requirements and procedures in all areas of County contracting - Professional Services, Construction, Leases, Grant funding, Real Estate, products and goods, and license

agreements and encroachment permits.

- Consult on complex, multi-party and high risk agreements and adjust standard requirements as necessary for these unique situations.
- Provide evidence of County insurance, insurance certificates, endorsements, bonds and other evidence of coverage as required in County service agreements, as well as reviews evidence of coverages submitted by vendors, consultants, tenants, event sponsors, etc.
- Provide contract insurance specific training to relevant departments covering best practices and needs identified by department contract managers and Risk Management staff.

Additionally, Risk Management is responsible to procure and maintain sufficient insurance coverage protecting County assets and operational exposures. Risk Management assists departments to evaluate risk exposure for new and proposed County operations and develop loss control and risk transfer strategies to best protect the County interests while keeping County service commitments and operational needs in balance. Services provided by outside professionals in support includes;

- Develop insurance requirements for new or proposed county operations, initiatives, partnerships, and special events, etc.
- Research specialized coverage details, availability and cost of insurance products.
- Conduct analyses and comparisons of insurance proposals/quotes.

In order to ensure the County receives the best services and most competitive rate, has immediate access to the broadest range of insurance related expertise, and can access services related to future initiatives to bring efficiencies to the County’s contractual risk transfer process - Risk Management conducted a Request for Proposal (RFP) process to establish a “pool” of firms specializing in the above services. The RFP was sent to fourteen Risk Management consulting firms and posted on the County Purchasing Division’s internet site. While five firms expressed intention to respond to the RFP, two proposals were ultimately received.

The evaluation process included an assessment of services offered, professional qualifications, the firm’s experience providing similar services to public entities, compliance with the RFP requirements, and proposed rates. Both firms submitted proposals demonstrating strengths and expertise in certain areas as identified in the RFP. The evaluation resulted in the selection of both vendors – Cazden Insurance Solutions and Bickmore (formerly Bickmore Risk Services) – for different areas of work. Given the diversity of needs, it was anticipated and stated in the RFP that multiple contracts could be awarded. Fees under these agreements range from \$125/hour to \$275/hour depending on the specific scope and expertise required.

As outlined in the table below - two agreements are recommended for three year terms, with the total limit for both contracts not to exceed \$225,000.

Firm	Hourly Fee	3-Year Contract Maximum
Cazden Insurance Solutions	\$125 to \$135	\$150,000
Bickmore	\$160 to \$265	\$75,000
Total Combined Contract Maximums for 3 Year Term		\$225,000

The agreements are fee for service contracts with no minimum or maximum amount of work guaranteed to the firm, and contain a termination clause which allows the County to terminate the agreements at any time. Depending upon the County's future business needs, and the quantity and complexity of scope of the projects assigned to each firm, the contract limit may or may not be reached. Total average annual costs for insurance consulting services over the last five years has been approximately \$46,000. The extra capacity of the contracts recommended in this report ensures the appropriate expertise will be immediately available on an as-needed basis for specialized insurance consulting.

Prior Board Actions:

12/04/2012 - Authorized various agreements with safety consultants including Bickmore Risk Services.
 06/19/2012 - Authorized amendment to agreement with Ruth Cazden.
 06/21/2011 - Authorized amendment to agreement with Ruth Cazden.
 11/10/2009 - Authorized amendment to agreement with Ruth Cazden.
 06/17/2008 - Authorized various agreements for occupational safety, industrial hygiene and environmental safety consulting services, including Bickmore Risk Services.

Strategic Plan Alignment: Goal 2: Economic and Environmental Stewardship

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 46,000	Select an item.	\$
Add Appropriations Req'd.	\$ 0	State/Federal	\$
	\$	Fees/Other	\$ 46,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 46,000	Total Sources	\$ 46,000

Narrative Explanation of Fiscal Impacts (If Required):

Funding for these consulting services is included in the Self-Insured Liability FY 13-14 Adopted Budget and FY 14-15 Proposed Budget. Actual costs will depend on future business needs and specific projects assigned to each firm. Average annual costs for insurance consulting services over the last five years has been approximately \$46,000.

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):

Not applicable

Attachments:

Not applicable

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

- 1) Insurance Consulting Services agreement with Ruth Cazden
- 2) Insurance Consulting Services agreement with Bickmore



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 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Permit and Resource Management Department

Staff Name and Phone Number:

Melinda Grosch 707-565-2397

Supervisorial District(s):

First

Title: Land Conservation Act (Williamson Act) Contract Replacement; 2441 Nelligan Road, Kenwood; AGP13-0023.

Recommended Actions:

Adopt a Resolution authorizing the Chair of the Board of Supervisors to execute a replacement Land Conservation Act (Williamson Act) Contract for 13.03 +/- acres requested by Richard Idell for the Larson Family Trust; 2441 Nelligan Road, Kenwood; APN 051-180-012.

Executive Summary:

Action Requested of the Board of Supervisors: The Board previously initiated phase-out of substandard parcels, but allows owners to replace their contracts if they qualify for a different type. The applicant seeks approval of a replacement Land Conservation Act Contract for prime agricultural land planted in vineyards. Your Board is requested to adopt a resolution to rescind an existing Non-Prime contract and replace it with a new Prime contract for a 13.03 +/- acre parcel within Agricultural Preserve 2-337, and authorize the Chair to execute the replacement Land Conservation Act Contract and attached Land Conservation Plan.

Location, Zoning and Project Description: The project site is located in the Sonoma Valley at 2441 Nelligan Road, Kenwood. The project site is 13.03 +/- acres with a single family dwelling, pool, detached garage, irrigation pond, and 10.84 +/- acres of vineyard. The base zoning is LIA (Land Intensive Agriculture) 100 acres/dwelling unit, with the Z (Second Dwelling Unit Exclusion) and SR (Scenic Resources) combining districts.

Background: The parcel was first placed under a Land Conservation Act Contract in 1971. The current owners conduct a vineyard operation which is considered a prime agricultural use and the soils are prime soils meeting the criteria for inclusion in the Land Conservation Act program. The subject parcel is less than 40 acres, the minimum size for a Non-Prime contract. In the summer of 2013, the Board of Supervisors initiated phase-out of undersized, contracted parcels and the subject parcel is among those whose Land Conservation Act Contracts were non-renewed. If the Board of Supervisors does not

approve a replacement contract, the property will phase out of the program over the next nine years.

As part of the Board of Supervisors' December 2011 update of the *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones* ("Uniform Rules") the Board eliminated the distinction between Prime (Type I) and Non-Prime (Type II) Agricultural Preserves. This allows the County to enter into either a Prime or Non-Prime contract in any established Preserve. The subject project site is within an established Preserve (2-337).

Also as part of the update of the Uniform Rules, the County has implemented use of a Land Conservation Plan which is attached to and incorporated into a Land Conservation Act Contract. A Land Conservation Plan shows the locations of various agricultural, open space, permitted, and compatible land uses on contracted land. Future changes to the Land Conservation Plan may be approved by the Director of PRMD and recorded on title of the subject parcel.

Replacement Prime Land Conservation Act Contract on land located within an existing Agricultural Preserve:

The Larson Family parcel qualifies for a Land Conservation Act Contract for prime agricultural land for the following reasons:

- a) Land is within an Agricultural Preserve: The parcel is currently located within an Agricultural Preserve 2-337. No expansion of the existing Agricultural Preserve is necessary.
- b) Agricultural Use of the Land: The land must be devoted to agricultural use. In Sonoma County this means that at least 50% of the land is used for agriculture purposes. The 13.03 +/- acre parcel has 10.84 +/- acres planted in vineyard and, therefore, exceeds the 50% requirement.
- c) Single Legal Parcel Requirement: The land proposed for the contract is comprised of a single legal parcel.
- d) Minimum Parcel Size: The land must be at least 10 acres in size for a Prime Land Conservation Act contract. The 13.03 +/- acre parcel exceeds the 10-acre minimum parcel size for a new Prime Land Conservation Act Contract.
- e) Minimum Income Requirement: For vineyard land, the minimum income requirement is \$1,000.00 per acre gross annual income. The vineyard operation generates an income of \$6,800.00 per acre gross annual income between the years of 2010 and 2012.
- f) Non-Agricultural Compatible Uses: Non agricultural uses of the land must be listed in the Uniform Rules as compatible uses. The parcel is developed with a single family dwelling, pool, a detached garage, and an irrigation pond. Such uses are listed as "compatible uses" in Uniform Rule 8.3. Compatible uses must be limited to 5 acres or 15% of the total acreage, whichever is less. Here the 15% standard applies. Compatible uses occupy approximately 1.15 acres which is within the allowable area for compatible uses.

g) Prime Farmland: Contracts for parcels under 40 acres in size must be on designated prime agricultural land. Prime agricultural land is defined as land planted with fruit- or nut-bearing trees, vines, bushes, or crops which have a nonbearing period of less than five years and meet the minimum income requirements. The parcel is planted with 10.84 +/- acres of vineyard comprised of Cabernet Franc that has produced the required income for the last three years, and therefore meets the definition of prime agricultural land.

Staff Recommendation: Staff recommends the Board of Supervisors approve the request because all of the state and local requirements for a Prime Land Conservation Act Contract for the 13.03 +/- acres within the existing Agricultural Preserve have been met.

Prior Board Actions:

On August 6, 1996 the Board approved Resolution No. 96-1048 approving a conversion from a Type II to a Type I contract. The applicants never recorded the new contract.

On December 13, 2011, the Board approved the *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones* (Resolution No. 11-0678). In addition, this Board of Supervisors Resolution authorized PRMD to non-renew substandard sized parcels unless a replacement contract is obtained.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Land Conservation Act Contracts support agriculture and agribusiness by assisting in the preservation of agricultural land through the incentive of reduced property taxes in exchange for retaining the land in agricultural production.

Fiscal Summary - FY 13-14

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

Narrative Explanation of Fiscal Impacts (If Required):

Approval of the replacement Land Conservation Act Contract means that the owner will continue to pay a reduced property tax assessment based upon the value of the agricultural uses rather than the land value under Proposition 13. This results in a reduction in the County's share of property tax revenue for each parcel under a Land Conservation Act Contract. The amount of this reduction for an individual contract depends on parcel-specific variables including the Proposition 13 status of the land and the value of the agricultural crop, and is determined annually by the Assessor's office. The Board has not requested, and staff does not recommend, evaluating property tax revenue implications on a contract-by-contract basis. Instead, the Board has directed that, as a policy matter, approving new contracts is

important to the County's agricultural economy and outweighs the cost in reduced property tax revenue.

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:

Attachment A: Draft Board of Supervisors Resolution

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

Land Conservation Act Contract with attached Exhibit A (legal description) and Exhibit B (Land Conservation Plan with attached Site Plan).



County of Sonoma
State of California

Date: April 22, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Approving The Request By Larson Family Trust, C/O Richard Idell, To 1) Rescind An Existing Land Conservation Act Contract (Williamson Act Contract) And Replace It With A New Land Conservation Act Contract And Attached Land Conservation Plan; And 2) Authorize The Chair To Execute The New Land Conservation Act Contract And Land Conservation Plan, For Prime Agricultural Land Located At 2441 Nelligan Road, Kenwood; APN 051-180-012.

Whereas, a request has been made by the property owners Larson Family Trust, c/o Richard Idell, to authorize the Chair to rescind an existing Land Conservation Act (Williamson Act Contract) Contract and replace it with a new Land Conservation Act Contract and attached Land Conservation Plan, for prime agricultural land located at 2441 Nelligan Road, Kenwood, APN 051-180-012, Supervisorial District No. 1; and

Whereas, on December 13, 2011, the Board of Supervisors adopted the updated *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules)* (Resolution No. 11-0678); and

Whereas, consistent with the Uniform Rules, County Counsel has revised the Land Conservation Act Contract form, which now incorporates a Land Conservation Plan identifying the various uses of the contracted land. Future changes to identified land uses require amendment of the Land Conservation Plan. The Board, pursuant to Resolution No. 11-0678, has authorized the Director of PRMD to approve amendments to executed Land Conservation Plans; and

Whereas, the Board of Supervisors finds that the 13.03 +/- acre parcel, is currently located in Agricultural Preserve 2-337 and presently meets the requirements for a new Prime (Type I) Land Conservation Act Contract.

Now, Therefore, Be It Resolved that the Board of Supervisors makes the following specific findings concerning the requirements for a new Prime (Type I) Land Conservation Act Contract ("Contract"):

1. As required by Uniform Rule 4.2, the land proposed to be restricted by the Contract is currently located within a designated Agricultural Preserve (2-

337); and

2. Consistent with Uniform Rule 4.2, the land is devoted to an agricultural use because more than 50% of the land is planted with a commercial vineyard, which is a prime agricultural use; and

3. As required by Uniform Rule 4.2, the land proposed to be restricted by the Contract is a single legal parcel, presently identified as APN 051-180-012; and

4. The land proposed to be restricted by the Contract is Prime agricultural land and is 13.03 +/- acres in size, which exceeds the 10 acre minimum parcel size requirement for a Prime Land Conservation Act Contract under Uniform Rule 4.2; and

5. As required by Uniform Rule 4.2, the land proposed to be restricted by the Contract presently meets the minimum annual commercial agricultural income requirement of \$1,000.00 per acre gross annual income for vineyard land under a Prime Land Conservation Act Contract; and

6. All non-agricultural uses of the land are allowed as compatible uses in Uniform Rule 8.0, and consistent with Government Code Section 51238.1; and

Be It Further Resolved that the Board of Supervisors finds the requested action categorically exempt from the California Environmental Quality Act pursuant to Section 15317, of the State CEQA Guidelines, which provides that executing a new Land Conservation Act Contract is exempt from the California Environmental Quality Act.

Be It Further Resolved that the Board of Supervisors hereby grants the request by Larson Family Trust, c/o Richard Idell by approving rescission of the existing Type II contract and simultaneous replacement of that contract with a new Prime Land Conservation Act Contract and attached Land Conservation Plan, to restrict the 13.03 +/- acre parcel located at 2441 Nelligan Road, Kenwood, APN 051-180-012.

Be It Further Resolved that the Board of Supervisors authorizes the Chair of the Board of Supervisors to execute the Land Conservation Act Contract and attached Land Conservation Plan.

Be It Further Resolved that the Clerk of the Board of Supervisors is hereby instructed to record within 20 days and no later than December 31, 2014 (1) this Resolution and (2) the associated Land Conservation Act Contract and attached Land Conservation Plan with the Office of the Sonoma County Recorder.

Resolution #

Date:

Page 3

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, including the original executed Contract and Land Conservation Plan. 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.



County of Sonoma Agenda Item Summary Report

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

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

To: Board of Supervisors

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Regional Parks

Staff Name and Phone Number:

Steve Ehret 565-1107

Supervisorial District(s):

Countywide

Title: Regional Parks As-Needed Agreements – Multiple Firms

Recommended Actions:

Authorize Chairperson of the Board of Supervisors to execute multi-year, as-needed professional agreements for the following professional services and “not to exceed” amounts for each contractor:

1. Biological Resources (\$100,000): Californian Environmental Services, LLC, Environmental Science Associates, LSA Associates, Inc., Sonoma Ecology Center, Triple HS, Inc., dba H.T. Harvey & Associates, WRA, Inc.;
2. Environmental & Regulatory Processing (\$100,000): Prunuske Chatham, Inc.
3. Geotechnical Engineering (\$100,000): Brunsing Associates, Inc., Kleinfelder, Inc., LACO Associates, Inc., Miller Pacific Engineering Group, PJC & Associates, Inc.;
4. Land Surveying (\$150,000): BKF Engineers, Carlile Macy, Inc., Cinquini & Passarino, Inc., Susan D. Ruschmeyer, dba Pacific Land Surveys, Ray Carlson & Associates, Inc.;
5. Traffic Engineering (\$100,000): Kittelson & Associates, Inc., TJKM, Whitlock & Weinberger Transportation, Inc.

Executive Summary:

The adopted Five Year Capital Project Plan for Regional Parks contains numerous projects that require a range of professional services. In order to expedite contracting for these services over the next three to five years, the Regional Parks Department proposes that multi-year as-needed agreements with several firms for each professional services discipline be utilized. The Purchasing Agent and County Counsel support this approach.

Regional Parks is requesting that the Board approve multi-year as-needed professional service agreements for nine types of frequently used professional services: architectural and access compliance, biological resources, civil & biological engineering, civil engineering - boat launch and marinas, cultural resources, environmental and regulatory processing, geotechnical engineering, land surveying, and traffic engineering. In addition to contracting out for these services, Regional Parks will request

professional services from other County staff if appropriate to perform this work. However, regardless of whether these services are provided under an as-needed versus case-by-case contractual arrangement, there are many tasks that cannot be provided in-house by County staff, either due to specialized knowledge required, professional license requirements, or due to peaks in workload.

June 16, 2009, the Board approved the department’s first use of multi-year as-needed service agreements which resulted in improved efficiency in Regional Parks, County Counsel, and the Purchasing departments by significantly reducing processing overhead of Professional Service Agreements. A single agreement was used to perform multiple services for a variety of projects. By eliminating the need to prepare separate request for proposals, contracts, and board reports for numerous contracts, staff costs were reduced by an estimated 4,330 hours, a department savings of \$143,570 over four years. In addition, work load efficiencies were realized, and project schedules were shortened by two to six months. As-needed service agreements have a general scope of work per county guidelines for such agreements.

For this current round, Regional Parks coordinated with the Purchasing Agent and County Counsel to develop the overall approach to setting up these agreements. When the Request For Statements of Qualifications (RFQ) was circulated, Regional Parks used the Department's existing consultant list, as well as lists from other sources such as the Department of Transportation and Public Works, and the Sonoma County Water Agency. In addition, staff also researched other potential firms.

Following the execution of as-needed agreements, staff will obtain quotes from multiple firms for each project, thus ensuring the County is receiving the best price and product. As is standard with County as-needed agreements, there is no guarantee of any minimum amount of work for any consultant. The agreements' maximum not-to-exceed amounts are based upon projects that are identified in the Department's approved Five Year Capital Project Plan. All the funds expended will be consistent with the amounts appropriated for each project by the Board of Supervisors. The contract amounts also include contracting capacity for unforeseen projects that arise over the course of a three to five year period.

Regional Parks evaluated and selected the consultants based upon an RFQ and analysis of numerous criteria, including quality and scope of related work experience, ability to perform tasks, local preference policy, competence, references, past work performance with the Department, willingness to agree to County's contract language, cost efficiency, and responsiveness to the RFQ. Each of the five services were evaluated using a numerical scoring matrix developed by the evaluation committee. Reference checks were conducted on firms with staff from Transportation and Public Works, Permit and Resource Management Department, and the Sonoma County Agricultural Preservation & Open Space District. 14 of the 20 proposed service providers in this board item meet the County’s Local Vendor Preference Policy and received a 5% score boost.

A summary of the proposals sent, proposals received, and recommended contracts is provided below.

Contract Type	Not-to-exceed Amount	Proposals Sent	Proposals Received	Proposed Agreements
Biological Resources	\$100,000	26	13	6

Environmental & Regulatory Processing	\$100,000	20	11	1*
Geotechnical Engineering	\$100,000	11	8	5
Land Surveying	\$150,000	19	9	5
Traffic Engineering	\$100,000	10	5	3

* Four other Environmental & Regulatory Processing agreements were approved by the Board on March 25, 2014.

Biological Resources:

1. Californian Environmental Services, LLC, San Ramon
2. Environmental Science Associates, Petaluma
3. LSA Associates, Inc., Point Richmond
4. Sonoma Ecology Center, Eldridge
5. Triple HS, Inc., dba H.T. Harvey & Associates, Los Gatos
6. WRA, Inc., San Rafael

Environmental & Regulatory Processing:

1. Prunuske Chatham, Inc., Sebastopol

Geotechnical Engineering:

1. Brunsing Associates, Inc., Santa Rosa
2. Kleinfelder, Inc., Santa Rosa
3. LACO Associates, Inc., Eureka
4. Miller Pacific Engineering Group, Petaluma
5. PJC & Associates, Inc., Rohnert Park

Land Surveying:

1. BKF Engineers, Santa Rosa
2. Carlile Macy, Inc., Santa Rosa
3. Cinquini & Passarino, Inc., Santa Rosa
4. Susan D. Ruschmeyer, dba Pacific Land Surveys, Gualala
5. Ray Carlson & Associates, Inc., Santa Rosa

Traffic Engineering:

1. Kittelson & Associates, Inc., Oakland
2. TJKM, Pleasanton
3. Whitlock & Weinberger Transportation, Inc., Santa Rosa

Prior Board Actions:

03/25/2014 Regional Parks As-Needed Agreements – Multiple Firms
Board Approved Regional Parks 2012-2017 5-Year Capital Project Plan
06/16/2009: Regional Parks As-Needed Agreements – Multiple Firms

Strategic Plan Alignment		Goal 2: Economic and Environmental Stewardship	
Fiscal Summary - FY 13-14			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 150,000	County General Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$ 150,000
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 150,000	Total Sources	\$ 150,000
Narrative Explanation of Fiscal Impacts (If Required):			
Regional Parks estimates using these as-needed agreements for contracting of approximately \$100,000-\$150,000 worth of services during the remainder of FY 13/14. These grant funds have been previously allocated by the BOS through the budgetary process. Future expenditures will be incorporated into the Capital Project Plan.			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Related Items "On File" with the Clerk of the Board:			
20 As-Needed Agreements (4 copies each)			



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: Board of Supervisors of Sonoma County

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

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

Staff Name and Phone Number:

Jody Like, Dept. Analyst, 565-1119

Supervisorial District(s):

All

Title: Agreement for Identification Services and Mobile Identification Upgrade

Recommended Actions:

Authorize the Chair to execute an agreement with 3M Cogent, Inc. to upgrade identification services and mobile identification capability for the fingerprint system for the period of April 28, 2014 to April 27, 2016 for an amount not to exceed \$283,336.

Executive Summary:

This item requests that the Board authorize the Chair to execute an Agreement for Services between the County of Sonoma and 3M Cogent, Inc. to upgrade identification services and mobile identification capability for the County's automated fingerprint system. All law enforcement agencies in Sonoma County use this system, which is managed by the Sheriff's Office. The automated fingerprint system is funded with vehicle registration fee revenue held in the DMV ID special revenue fund, which is described below.

Vehicle Code Section 9250.19, ("Section 9250.19") authorizes the Board of Supervisors to increase vehicle registration fees by \$1.00 for each vehicle registered or renewed by Sonoma County residents. The Board of Supervisors approved this fee on June 2, 1998. Fees must be used exclusively for programs that enhance the capacity of local law enforcement to provide automated mobile and fixed location fingerprint identification. Fees collected under Section 9250.19 are held in a County special revenue fund within the Sonoma County Sheriff's Office ("SCSO"). The Remote Access Network Board ("RAN Board"), defined below, makes DMV ID special revenue fund expenditures recommendations to the Board of Supervisors.

RAN Board Members: The Remote Access Network Board ("RAN Board") is charged with regulating the use of Section 9250.19 funds and making identification system recommendations to the Sonoma County Board of Supervisors. Government code specifies that "each RAN board shall be composed of seven members, as follows: a member of the board of supervisors (the Remote Access Network Board representative for 2014 is Shirlee Zane), the sheriff, the district attorney, the chief of police of the Cal-ID

member department having the largest number of sworn personnel within the county, a second chief selected by all other police chiefs within the county, a mayor elected by the city selection committee established pursuant to Section 50270 of the Government Code, and a member-at-large chosen by the other members.”

Background: Since 1998 the SCSO, in conjunction with the RAN Board, and in compliance with government code, has implemented a variety of systems that “enhance the capacity of local law enforcement to provide automated mobile and fixed location fingerprint identification.”

Implementation included a multiphase approach to replacing all Sonoma County law enforcement agencies' aging live scan fingerprinting devices (live scan); establishing a local automated fingerprint identification archive (“CAFIS”); implementing quick identification in the detention facilities' booking areas; installing remote fingerprint input terminals; deploying handheld fingerprint identification devices (“Mobile Ident II”) to law enforcement officers in the field; and implementing a booking system that maps booking photos to automated fingerprints. These integrated systems were purchased from 3M Cogent Inc., (“Contractor”).

Proposed Agreement: The proposed Agreement will upgrade the Sonoma County fingerprint identification network with updated equipment and processing capability. The Agreement will facilitate the replacement of two existing computer servers in order to double fingerprint matching capacity, upgrade mug shot software to enhance facial recognition and demographic filtering capability, and give four law enforcement agencies mugs hot capture capability. The Agreement also includes a mobile identification equipment (BlueCheck IIU) upgrade that enables fingerprint searches in Department of Justice and Federal Bureau of Investigation databases. Finally, aging laptops and scanners will be replaced and system users will receive training to ensure that they are maximizing the capabilities of the criminal identification system. At its annual meeting on August 28, 2013, the RAN Board voted in favor of funding the upgrades in the proposed Agreement.

3M Cogent is the single source vendor providing services to the County’s law enforcement agencies. The agencies have been satisfied with the vendor’s services. 3M Cogent systems are the fastest, most accurate, and economical compared to other providers. Single sourcing these services is justified and beneficial for several reasons. These fingerprint systems operate 24 hours a day and when the system malfunctions, operations are put on hold or significantly slowed. Having to contact several different vendors during a malfunction increases the time needed to restore functionality. In addition, multi-vendor systems increase support costs because all systems require 24 hour technical support. Finally, a single vendor offers a simplified, coordinated, and comprehensive approach to user training and technical support training. With multiple vendors, staff would need to be trained on each system component separately.

This project is scheduled to be completed by the end of 2015, however the proposed Agreement has a project end date of June 30, 2016 to allow for unforeseen programming, implementation, or coordination issues. The proposed Agreement has a not-to-exceed amount of \$283,336. This amount is comprised of \$269,844 for equipment, programming, and installation. The remaining amount of \$13,492 is being requested as a 5% contingency allowance. The contingency allows for unforeseen programming or project changes that may need to occur during the implementation of the project. As part of the Agreement, the Contractor will provide a credit for some of the aged equipment that is being retired. All

services under the proposed Agreement are funded with DMV ID special revenue funds; the request has no impact on the County's General Fund. Revenue and expenditure appropriations in the DMV ID fund are included in the Sheriff's Office FY 13-14 adopted budget.

Prior Board Actions:

Annual adoption of the DMV ID fund budgets since 1999.
 2006-2012 – Authorized agreements for multi-phased implementation and upgrades of the County's automated fingerprint system, staff, and related equipment. Agreements for maintenance of such equipment have also been approved.

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

Sonoma County's automated fingerprint system helps achieve a safer community by providing law enforcement officers with real-time information regarding identification for investigative purposes.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 283,336		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 283,336
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 283,336	Total Sources	\$ 283,336

Narrative Explanation of Fiscal Impacts (If Required):

FY 13-14 expenditures are budgeted in the DMV ID Special Revenue Fund (index 040899).

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:

Agreement for Professional Services: Identification Services and Mobile Identification Upgrade

Related Items "On File" with the Clerk of the Board:
None

Agreement for Professional Services: Identification Services and Mobile Identification Upgrade

This agreement ("Agreement"), is by and between the County of Sonoma, a political subdivision of the State of California (hereinafter "County"), and 3M Cogent Inc., a Delaware Corporation authorized to do business in California (hereinafter "Contractor").

R E C I T A L S

WHEREAS, Contractor represents that it is a duly qualified provider of automated fingerprint identification hardware, software, and related systems and services; and

WHEREAS, County entered into an Agreement for Services to procure a local fingerprint archive, called Cogent Automated Fingerprint Identification System (hereinafter "CAFIS") and related fingerprint identification equipment for various Sonoma County law enforcement and detention facilities; and

WHEREAS, County would like to enter into this Agreement to upgrade identification services and mobile identification capability; and

WHEREAS, Contractor shall also provide the installation of said hardware and software, in addition to training and other services; and

WHEREAS, in the judgment of the Sonoma County Board of Supervisors it is necessary and desirable to employ the services of Contractor for the purchase and installation of fingerprint hardware and software and related services.

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

1. Scope of Services.

1.1 Contractor's Specified Services. Contractor 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. 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, in its sole discretion, 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; or (d) pursue any and all other remedies at law or in equity.

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.

2. Payment. For all services and incidental costs required hereunder, Contractor shall be paid in accordance with Exhibit A, regardless of the number of hours or length of time necessary for Contractor to complete the services. Contractor shall not be entitled to any additional payment for any expenses incurred in completion of the services. Exhibit A includes a breakdown of costs used to derive the payment amount. Payments made under this Agreement shall not exceed \$283,336 (Two hundred eighty-three thousand three hundred and thirty-six dollars).

Upon completion of the work, Contractor shall submit its bill[s] for payment in a form approved by County's Auditor and the Sheriff-Coroner. The bill[s] shall identify the services completed and the amount charged.

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 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: (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 Form 587 be provided by the Contractor in order for payments to be made. If Contractor 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, Contractor 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 April 28, 2014, to April 27, 2016, 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 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, 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 the County. In addition, the Purchasing Agent or Sheriff-Coroner, in consultation with County Counsel, shall have the authority to terminate this Agreement on behalf of the County.

5. Indemnification. Contractor agrees to accept all responsibility for loss or damage to any person or entity, including but not limited to County, and to defend, indemnify, hold harmless, reimburse and release County, its officers, agents, and employees, from and against any and all actions, claims, damages, disabilities, liabilities and expense including, but not limited to attorneys' fees and the cost of litigation incurred in the defense of claims as to which this indemnity applies or incurred in an action by County to enforce the indemnity provisions herein, whether arising from personal injury, property damage or economic loss of any type, that may be asserted by any person or entity, including Contractor, arising out of or in connection with the performance of Contractor hereunder, whether or not there is concurrent negligence on the part of County, but, to the extent required by law, excluding liability due to the sole or active negligence or due to the willful misconduct of County. If there is a possible obligation to indemnify, Contractor's duty to defend exists regardless of whether it is ultimately determined that there is not a duty to indemnify. County shall have the right to select its own legal counsel at the expense of Contractor, subject to Contractor's approval, which approval 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, 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 Section 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 the 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, 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, Contractor expressly agrees that it shall have no recourse or right of appeal under rules, regulations, ordinances, or laws applicable to employees.

9.3 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.

9.4 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 four (4) years following completion of work hereunder.

9.5 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.

9.6 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, 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, 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. 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.

9.9 Assignment of Rights. Contractor 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 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 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 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.

9.11 Authority. The undersigned hereby represents and warrants that he or she has authority to execute and deliver this Agreement on behalf of Contractor.

10. Demand for Assurance. Each party to this Agreement undertakes the obligation that the other'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 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 thirty (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.

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, 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 or by U.S. Mail or courier service. Notices, bills, and payments shall be addressed as follows:

TO: COUNTY: Sonoma County Sheriff's Office
Administration Division
2796 Ventura Ave.
Santa Rosa, CA 95403

TO: CONTRACTOR: 3M Cogent, Inc.
639 N. Rosemead Blvd.
Pasadena, CA 91107
626-325-9600
f. 626-325-9700

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 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. 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. 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.

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

**CONTRACTOR:
3M COGENT, INC.**

By: 

Name: David Kniffen

Title: Business Manager

Date: 4/14/2014

COUNTY: COUNTY OF SONOMA

By: _____
Chair, Board of Supervisors

Date: _____

ATTEST:

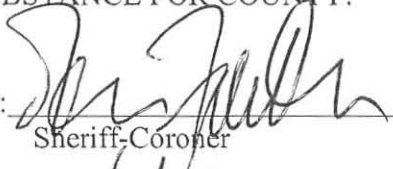
Clerk of the Board of Supervisors

APPROVED AS TO FORM FOR
COUNTY:

By: 
Deputy County Counsel

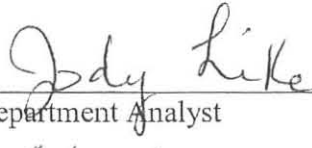
Date: 4-3-2014

APPROVED AS TO
SUBSTANCE FOR COUNTY:

By: 
Sheriff-Coroner

Date: 4/7/14

CERTIFICATES OF INSURANCE ON
FILE

By: 
Department Analyst

Date: 4/15/14

EXHIBIT A

I. Background

Since 2005, the Sonoma County Sheriff's Office ("SCSO"), in conjunction with the Sonoma County Remote Access Network and California Vehicle Code Section 9250.19, has implemented a variety of systems that, as described in Vehicle Code Section 9250.19, "enhance the capacity of local law enforcement to provide automated mobile and fixed location fingerprint identification". These systems included a multiphase approach to replacing all Sonoma County law enforcement agencies' aging live scan automated fingerprinting devices ("livescan"); establishing a local automated fingerprint identification archive ("CAFIS"); implementing quick identification in the detention facilities' booking areas; installing remote latent input terminals; deploying handheld fingerprint identifications devices to law enforcement officers in the field, and the installation of a mugshot system that integrates automated fingerprints with booking photos in the County's detention facilities. All of these systems interact together and were purchased from Contractor.

In Fiscal Year 12-13, the *Agreement for Professional Services: Live Scan Upgrade and Automated Fingerprint System Enhancements* (term: October 1, 2012 to June 30, 2015) provided for replacement of aging Livescan equipment at all Sonoma County agencies and addition of one machine at the Main Adult Detention Facility. The agreement implements 3M Cogent's web server "Gateway", and upgrades the existing back-up solution. This project is in progress and will be completed by the end the agreement term.

This *Agreement for Professional Services: Identification Services and Mobile Identification Upgrade* will enhance the Sonoma County Identification System Livescan network with updated equipment and processing capacity for the Cogent Automated Fingerprint Identification System (CAFIS), update the Cogent Mugshot System, enhance Livescan interfacing and processing, providing comprehensive mobile identification, accommodate County-wide mugshot capture, replace outdated laptops and enhance capability of the jail rapid identification devices. To further enhance personnel performance, 3M Cogent will conduct personnel training on CAFIS and CAFIS supported systems. This project has been approved by the Sonoma County Remote Access Network Board.

A detail list of equipment and related services can be found in Exhibit B, attached to this Agreement and incorporated herein by this reference.

II. Scope of Work

Contractor shall be responsible for procuring, installing, and programming the equipment identified in Exhibit B. Contractor shall develop a Statement of Work (SOW) within 10 business days of the start of the Agreement. The SOW shall include but not be limited to:

- A description of the specific details of the project;
- Itemized equipment list and product specifications;
- Timeline for planning, procurement, installation, testing, and training;
- Project deliverables;
- Ongoing support protocols; and
- Acceptance sign-off form, for each subtask identified below. The acceptance forms shall certify that the new equipment has been installed and is operating at full functionality, as described in the SOW. Such forms shall be signed by the Sheriff's CSI sergeant, or designee.

The SOW shall be approved in writing by the Sheriff's Information Technology Manager and Crime Scene Investigations (CSI) Sergeant.

III. Payment

Payment will be made as described in the body of this Agreement. Each subtask will be considered completed as described below. The following subtasks are listed in order of project priority and should be completed accordingly.

1. Completion of SOW: \$25,000

The SOW shall be considered complete when both the Sheriff's Information Technology Manager and CSI Sergeant have approved the SOW in written form.

2. Programmable Matching Accelerator (PMA) Update: \$147,000

This subtask includes replacement of Cogent Elite PMA's with M5 Matchers. Section 1 of Exhibit B identifies all equipment that will be replaced under this Agreement. Payment for this subtask shall be made after the CSI Sergeant has signed an acceptance document (described in section II above).

3. Cogent Mugshot System (CMS) Upgrade: \$10,000

Upgrade existing CMS 3.5 to CMS 3.6 for 20 concurrent user County licenses. This upgrade includes conversion of approximately 335,000 County mugshot records to provide enhanced searching capability including facial recognition with demographic

enhanced filtering. Access is permitted on workstations at the discretion of the County.

Section 2 of Exhibit B identifies the CMS system that will be purchased and installed under this Agreement. Payment for this subtask shall be made after the CSI Sergeant has signed the acceptance document.

4. Web ID/ MDC Based Mobile Identification: \$28,746

Section 3 of Exhibit B identifies the BlueCheck 2U devices that will be purchased and installed under this Agreement. 3M Cogent will provide a trade-in allowance for the County's existing MDC devices and Mobile ID licenses of \$825.00 each.

Payment for this subtask shall be made after the CSI Sergeant as signed an acceptance document.

5. Add Mugshot Capture Option for County Agencies: \$26,000

This subtask includes the addition of Mugshot capture functionality to livescans used by certain law enforcement agencies in Sonoma County. This subtask includes the livescan devices located at the following agencies:

1. Cloverdale Police Department
2. Healdsburg Police Department
3. Petaluma Police Department
4. Sebastopol Police Department

Payment for this subtask shall be made after the CSI Sergeant as signed an acceptance document.

6. Replace WebID laptops and Web ID Scanner: \$7,098

6.1 Replace two Web ID Workstations to provide contemporary laptops with minimum i7 processors, 8G RAM and Windows 7 Professional, 64 bit. New Laptops require new locking mechanisms to securely house computers in the jail environment. An allowance of \$150 per device is included or a credit would be provided for the County selected locking mechanism. The locking mechanism is to be installed by the County.

6.2 Provide Stationary CSD450 (dual) finger printer print capture device for MADF Intake to supplement existing Bluecheck IIU device.

Payment for this subtask shall be made after the CSI Sergeant has signed an acceptance.

7. Staff training and Final Acceptance: \$26,000.24

The CSI sergeant will authorize payment for subtask seven when the training identified in the SOW has been completed.

Total Cost of Project: \$ 269,844.24 (includes estimated sales tax of 8.5%)

Exhibit B

1 PMA Update			
<i>QTY</i>	<i>DESCRIPTION</i>	<i>UNIT PRICE</i>	<i>TOTAL PRICE</i>
2	Programmable Matching Accelerator 3M Cogent M5 matchers Minimum 3650 IBM servers, Linux OS Includes a trade-in credit for existing Elite PMAs.	\$90,000	\$180,000
		<i>SUB-TOTAL</i>	<i>\$180,000</i>

2 CMS Upgrade			
<i>QTY</i>	<i>DESCRIPTION</i>	<i>UNIT PRICE</i>	<i>TOTAL PRICE</i>
1	Cogent Mugshot System (CMS) Upgrade Upgrade existing CMS 3.5 to CMS 3.6. Convert approximately 335,000 County mugshot records Upgrade existing 20 concurrent user County licenses. Includes dropdown menu for all searchable fields Include Livescan ID and Livescan User ID as a searchable field	\$10,000	\$10,000
		<i>SUB-TOTAL</i>	<i>\$10,000</i>

3 Web ID / MDC Based BlueCheck 2U			
<i>QTY</i>	<i>DESCRIPTION</i>	<i>UNIT PRICE</i>	<i>TOTAL PRICE</i>
18	Web ID/MDC Based Mobile Identification BlueCheck 2U Web ID based operation Quantity discount available: o 1-9 @ \$1630 each o 10-20 @ \$1597 o 21-50 @ \$1565 o 51-100 @ 1549 (Note quantity discount will be applied based on above if purchased within 6 months of initial purchase.)	\$1,597	\$28,746
		<i>SUB-TOTAL</i>	<i>\$28,746</i>

Exhibit B

4 Mugshot Capture			
<i>QTY</i>	<i>DESCRIPTION</i>	<i>UNIT PRICE</i>	<i>TOTAL PRICE</i>
4	Mugshot Capture Option for County Agencies High Definition Camera (Sony EP 550 or equivalent) 3M Cogent Livescan Mugshot Capture Module Type 10 (mugshot) images may be ported to agency repository/database as a JPEG image (no interface engineering included) 3 point lighting (for agency installation) \$750 credit option for each agency installed lighting system with a reduction of \$112.50 yearly maintenance	\$6,500	\$26,000
<i>SUB-TOTAL</i>			<i>\$26,000</i>

5.1 Replace WebID Laptops			
<i>QTY</i>	<i>DESCRIPTION</i>	<i>UNIT PRICE</i>	<i>TOTAL PRICE</i>
3	Replace WebID laptops Minimum i7 processors, 8G Ram, Elite book 8470 or equivalent Windows 7 Pro OS, 64bit County to identify or provide locking mechanisms if desired (Allowance or Credit of \$150 each). Site installation by County.	\$2,000	\$6,000
<i>SUB-TOTAL</i>			<i>\$6,000</i>

5.2 Web ID Scanner			
<i>QTY</i>	<i>DESCRIPTION</i>	<i>UNIT PRICE</i>	<i>TOTAL PRICE</i>
2	Web ID Scanner CSD 450, Dual digit scanner	\$549	\$1,098
<i>SUB-TOTAL</i>			<i>\$1,098</i>

6 Training			
<i>QTY</i>	<i>DESCRIPTION</i>	<i>UNIT PRICE</i>	<i>TOTAL PRICE</i>
1	Updated Training: CAFIS training; 4 students, 2 days	\$5,000	\$5,000
<i>SUB-TOTAL</i>			<i>\$5,000</i>

Exhibit B

Cost Summary			
	<i>DESCRIPTION</i>	<i>Taxable</i>	<i>TOTAL PRICE</i>
1	CAFIS PMA Update	\$100,000.00	\$180,000.00
2	CMS Upgrade		\$10,000.00
3	Web ID/MDC Based Mobile Identification (BlueCheck2U)	\$28,746.00	\$28,746.00
4	Mugshot Capture for Livescan	\$18,000.00	\$26,000.00
5.1	Replace Web-ID Laptops	\$5,100.00	\$6,000.00
5.2	Web-ID Scanner	\$1,098.00	\$1,098.00
6	Training		\$5,000.00
	<i>Subtotal</i>	<i>\$152,944.00</i>	<i>\$256,844.00</i>
	Estimated Sales Tax (8.5%) (Equipment only)	\$13,000.24	\$13,000.24
	<i>TOTAL</i>		<i>\$269,844.24</i>

Exhibit C

INSURANCE REQUIREMENTS

With respect to performance of work under this Agreement, Contractor 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 the required evidence of insurance, 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 Employers 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. 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 Contractor currently has no employees, Contractor 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.
- 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 shall be additional insured for liability arising out of operations by or on behalf of the Contractor in the performance of this Agreement.
- e. The insurance shall be primary and non-contributory with any insurance or self-insurance program maintained by the County of Sonoma.
- f. 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.

g. 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 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.
- 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. All required Evidence of Insurance shall be submitted 10 working days after 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 Sections 1 – 4 above.
- a. The name and address for Additional Insured endorsements and Certificates of Insurance is: Sonoma County Sheriff's Office, 2796 Ventura Ave., Santa Rosa, CA, 95403.
- b. Required Evidence of Insurance shall be submitted for any renewal or replacement of a policy that already exists, within ten (10) days after renewal of the required insurance.
- c. Contractor 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.

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, it 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 of Sonoma Agenda Item Summary Report

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

Agenda Item Number: 23
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: April 22, 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: Construction Cooperative Agreement with the State of California, Department of Transportation, for the Route 12 Corridor Improvement Project Phase 2, Stage 2 (C08002).

Recommended Actions:

Approve and authorize the Chair of the Board to sign Construction Cooperative Agreement with the State of California, Department of Transportation, to construct road improvements from Agua Caliente Road to Boyes Boulevard for the State Route 12 Corridor Improvement Project Phase 2, Stage 2 (C08002).

Executive Summary:

The State Route 12 Corridor Improvement Project Phase 2, Stage 2 (C08002) consists of widening intersections, replacing asphalt pavement, constructing curb, gutter, sidewalk, storm water treatment devices, pedestrian street lights, and traffic signal modifications on State Route 12 between Agua Caliente Road and Boyes Boulevard in the Springs Area of Sonoma Valley.

In June of 2008, the County entered into a Cooperative Agreement with the State in order to do work within the Caltrans' right of way. The State requires a separate cooperative agreement for each phase or stage of construction. The Cooperative Agreement defines the roles and responsibilities of the County and the State of California relating to that construction phase of the project. There is no cost associated with this Cooperative Agreement.

The project was advertised the last week of March and bid open is set for April 23. We are still awaiting the right-of-way certification from Caltrans which will allow for them to issue the encroachment permit after which construction could begin. The remaining items for the certification relate to the final relocation and/or adjustment plans from the various utilities. It is anticipated that these will be received by the end of April.

The estimated cost for this stage of construction, including contingencies, quality assurance testing, construction zone safety enforcement, and construction engineering is \$6,037,000.

Prior Board Actions:			
08-26-08: Board Action No. 14 authorized construction and called for bids for improvements to State Route 12. 06-17-08: Board Action No. 32 approved Cooperative Agreement between the County and the State of California. 06-05-07: Concurrent Board Resolution No. 07-0444 approved an agreement between the County of Sonoma and the Sonoma County Community Development Commission for funding design services, right-of-way acquisitions, and construction management. 12-02-03: Concurrent Board Resolution No. 03-1198 approved the agreement between the County of Sonoma and the Sonoma County Community Development Commission for design services and right of way acquisitions			
Strategic Plan Alignment		Goal 1: Safe, Healthy, and Caring Community	
Improving roadway safety helps make the roads and sidewalks safer for County residents and visitors.			
Fiscal Summary - FY 13-14			
Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$
Narrative Explanation of Fiscal Impacts (If Required):			
There is no cost associated with this Cooperative Agreement.			
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:

Cooperative Agreement.



County of Sonoma Agenda Item Summary Report

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

Agenda Item Number: 24
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: April 22, 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):

Fourth

Title: Vehicle Length Restrictions on Laughlin Road

Recommended Actions:

Rescind Resolution 14-0066 and adopt a replacement resolution prohibiting vehicles with trailers or semi-trailers with kingpin to rear axle lengths exceeding thirty-eight feet (38') on Laughlin Road (89001) between River Road (MP 32.60) and North Laughlin Road (MP 31.50) and authorize the Director of Transportation and Public Works to install associated signage.

Executive Summary:

This item rescinds Resolution 14-0066 and proposes a replacement resolution that corrects a minor error that improperly defined the limits of the prohibition. The replacement resolution does not alter or change the purpose of the item.

Over the past several decades, the Transportation and Public Works staff has been working to limit damage to the Laughlin Road Bridge (MP 31.61) caused by the inability of long vehicles to negotiate the southern approach. Over the past three months, two tractor-trailer vehicles became disabled on the bridge structure. The road has several sharp curves south of the bridge with the most severe occurring at the southern bridge approach and abutment. These unfortunate occurrences have resulted in the closing of the roadway for several hours while the vehicles are up-righted and/or escorted off the roadway.

There are currently multiple signs on both ends of Laughlin Road documenting various attempts to limit long vehicles. It is apparent that the advisory signs are not working. In addition, without regulatory prohibitions, the enforcement agencies cannot issue citations to the drivers, other than the specific costs associated with extricating the vehicle.

Section 35401(e) of the California Vehicle Code allows local officials, in consideration of public safety, to limit the length of vehicles with trailers or semi-trailers that are allowed to use a given roadway. Staff has conducted an engineering and traffic survey of Laughlin Road and is recommending that length

restrictions be established limiting vehicles with trailer or semi-trailers to a maximum length of thirty-eight feet (38') kingpin to the rearmost axle.

The existing advisory signs at River Road and North Laughlin Road intersections with Laughlin Road will be replaced with regulatory signage notifying drivers of the length restriction. The establishment of the vehicle length restriction will allow for enforcement agencies to assess citations and fines in addition to the cost of extrication.

Prior Board Actions:

2/25/14: Board approved Resolution 14-0066 prohibiting vehicles with trailers or semi-trailers with kingpin to rear axle lengths exceeding thirty-eight feet on Laughlin Road between River Road and Slusser Road.

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

By formalizing the restriction on the length of vehicles using Laughlin Road, it is anticipated that the problems with large vehicles getting stuck on Laughlin Bridge and blocking the road will be eliminated or at least significantly reduced. This is a public safety measure.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 2,000		\$
Add Appropriations Req'd.	\$	State/Federal	\$ 2,000
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 2,000	Total Sources	\$ 2,000

Narrative Explanation of Fiscal Impacts (If Required):

The estimated cost for installation of required signage is \$2,000 which is available in the FY 13-14 Road Maintenance budget; to be funded with state gas tax revenues.

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:

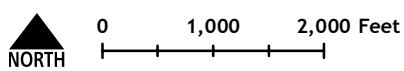
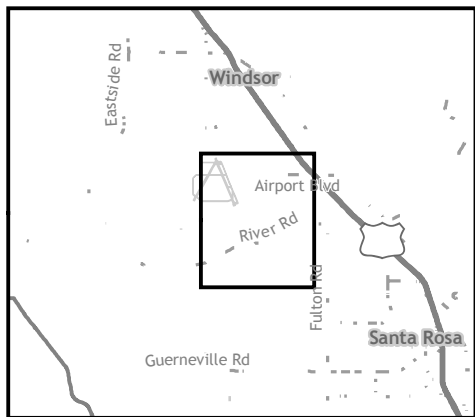
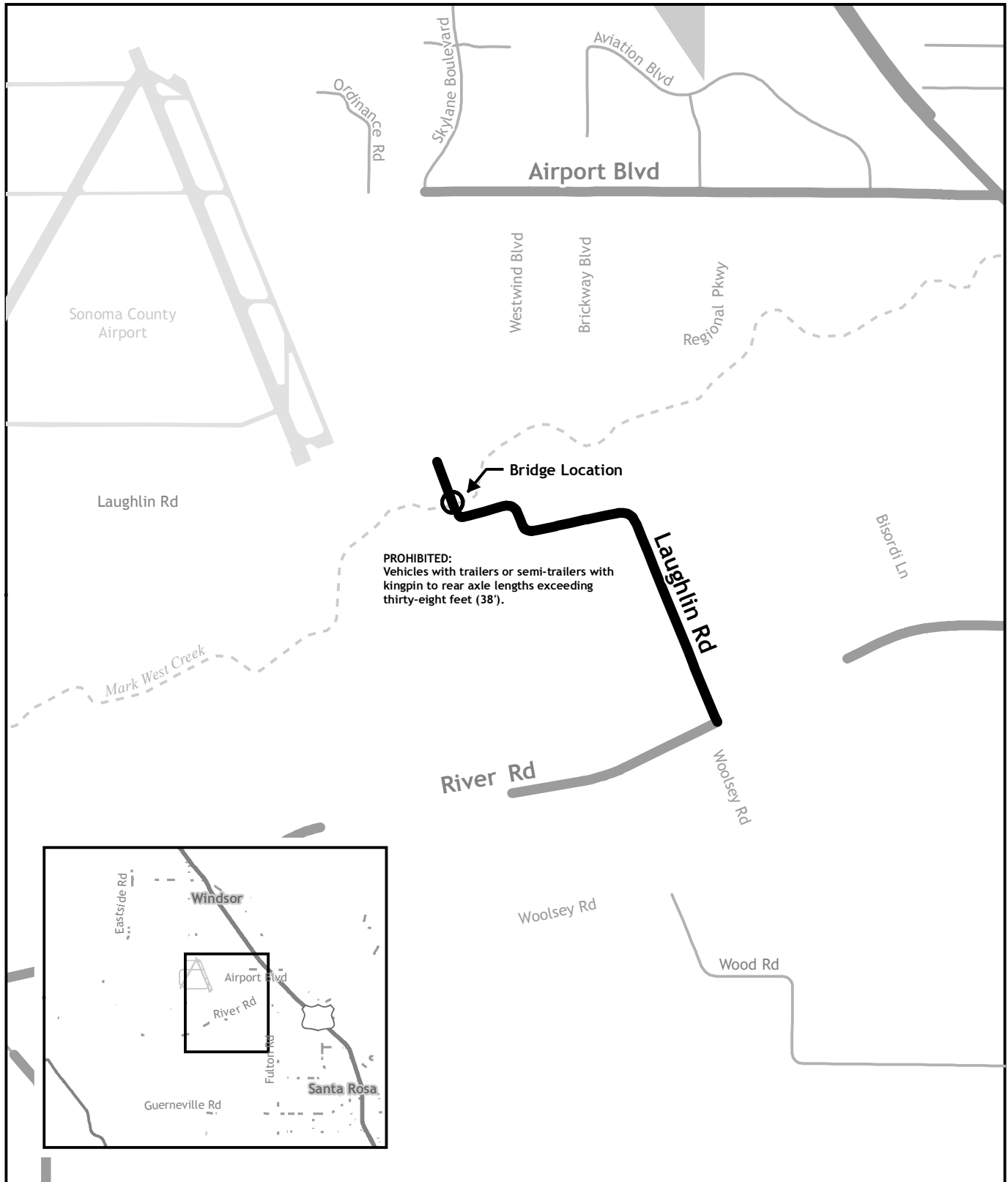
1. Location Map
2. Resolution
3. Disabled Truck Photos
4. Existing Warning Signage Photos

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

None.

Location Map

Large Trucks Prohibited due to Narrow Bridge





County of Sonoma

State of California

Date: April 22, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Rescinding Resolution 14-0066 and Replacing by Prohibiting Vehicles With Trailers or Semi-Trailers with Kingpin to Rear Axle Lengths Exceeding Thirty-Eight Feet(8) on Laughlin Road between River Road and North Laughlin Road and Authorize the Director of Transportation and Public Works to Install Associated Signage.

Whereas, Section 35401(e) in Division 15 of the California Vehicle Code authorizes a local authority to prohibit by ordinance the use of any street, road or highway by any vehicle with a trailer or semi-trailer exceeding a maximum length of thirty-eight feet (38') from the kingpin to the rearmost axle, if by accepted engineering standards, they cannot safely negotiate the street, road or highway; and

Whereas, Section 32 of the California Vehicle Code states that, whenever local authorities are given the power to take action by ordinance in pursuant to Division 11 or Division 15 of the California Vehicle Code, they shall also have the power to take such action by resolution; and

Whereas, Sonoma County seeks to ensure a safe and efficient road network; and

Whereas, Laughlin Road (89001) between River Road (MP 32.60) and North Laughlin Road (MP 31.50) is narrow with several tight angle curves, the most severe of which exists at the immediate southern approach to Laughlin Bridge, resulting in long vehicles needing to utilize the full road width to negotiate the tight radius curves, and

Whereas, Laughlin Bridge is a narrow one-lane concrete arch bridge spanning Mark West Creek; and

Whereas, there have been numerous and frequent reports of long vehicles that have been unable to negotiate the tight radius curve at the southern approach to Laughlin Bridge resulting in safety concerns, damage to Laughlin Bridge and blocked traffic; and

Whereas, staff has determined through an engineering and traffic study, that long vehicles with a trailers or semi-trailer exceeding a kingpin to rear axle length of 38 feet cannot safety negotiate Laughlin Road and that limiting the length of vehicles to the

Resolution #

Date:

Page 2

maximum extend allowed under Section 35401(e) of the California Vehicle Code is in the best interest of public safety; and

Now, Therefore, Be It Resolved, that the Board of Supervisors of the County of Sonoma hereby:

1. Rescinds **Resolution 14-0066**;
2. Prohibits vehicles with trailers or semi-trailers with kingpin to rear axle lengths exceeding thirty-eight feet (38') on Laughlin Road (89001) between River Road (MP 32.60) and North Laughlin Road (MP 31.50); and
3. Authorizes the Roads Commissioner to erect appropriate signage as required by the California Vehicle Code and California Manual of Uniform Traffic Control Devices.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.

Attachment 3 Disabled Truck Photos

December 6, 2013 - Northbound Truck



Attachment 3 Disabled Truck Photos

December 13, 2013 – Southbound Truck



Attachment 4
Laughlin Bridge and Advanced Warning Signage Photos

Laughlin Bridge Approaches



Laughlin Bridge
Southerly Approach



Laughlin Bridge
Southerly Approach



Laughlin Bridge
Southerly Abutment



Laughlin Bridge
Northerly Approach

Attachment 4
Laughlin Bridge and Advanced Warning Signage Photos

Advanced Warning Signage



Advanced Warning Signage
River Road @ Laughlin Road



Advanced Warning Signage
River Road @ Laughlin Road

**“WARNING
TRUCK
TRAILERS
90° TURN AT
NARROW BRIDGE
1 MILE”**



Advanced Warning Signage
River Road

**“TRUCK ↑
TRAILERS
USE SLUSSER
NOT LAUGHLIN”**

**“NO DELIVERIES TO
MESA BEVERAGE”**



Advanced Warning Signage
Laughlin Road @ Slusser

**“TRUCK
TRAILERS
NOT ADVISED
NARROW BRIDGE”**

**“USE SLUSSER RD
TO RIVER RD →”**



County of Sonoma Agenda Item Summary Report

Agenda Item Number: 25

(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 22, 2014

Vote Requirement: Majority

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

Staff Name and Phone Number:

Susan Klassen, 707-565-2231

Supervisory District(s):

Countywide

Title: Implementation of Clipper Fare Payment System on Sonoma County Transit

Recommended Actions:

Authorize the Transit Systems Manager to execute a Memorandum of Understanding between Sonoma County Transit and the Metropolitan Transportation Commission to participate in the Clipper fare payment system.

Executive Summary:

The San Francisco Bay Area's automated transit fare payment system is named Clipper. The Clipper universal fare card is a reloadable contactless smart card used for electronic payment of fares that is designed to operate on all public transit systems in the region.

The Metropolitan Transportation Commission (MTC) operates Clipper on behalf of participating transit agencies in the Bay Area, which currently includes only the larger transit systems. MTC is now working with the smaller transit operators in the region to implement the Clipper system. Sonoma County Transit is one of several smaller transit agencies in the North Bay on which Clipper is scheduled to be implemented.

Prior to implementing Clipper on Sonoma County Transit, a Memorandum of Understanding (MOU) must be executed with the Metropolitan Transportation Commission. The MOU outlines the responsibilities of MTC and Sonoma County Transit related to the implementation, operation and maintenance of Clipper. Responsibilities of the transit agency include following the Clipper operating rules, paying its share of Clipper operating costs, and accepting transfer of ownership of fare payment equipment.

The Metropolitan Transportation Commission is providing a combination of Regional and Federal funds for the installation of Clipper on Sonoma County Transit. The Clipper system is anticipated to be fully operational on Sonoma County Transit by the spring of 2016. Sonoma County Transit will be responsible for operation and maintenance costs no earlier than FY 2015-2016 after implementation of the Clipper system is complete.

Prior Board Actions:

2/26/13: Resolution adopted by the Board adopting Sonoma County Transit's FY 2012 – 2021 Short Range

Transit Plan Update. Resolution No. 13-0078.

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

Participation in the Clipper fare payment system will help ensure the provision of a safe, reliable, comfortable and cost-effective public transit system for residents and visitors.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$	Select an item.	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$	Local TDA Funds	\$
Total Expenditure	\$ 0	Total Sources	\$ 0

Narrative Explanation of Fiscal Impacts (If Required):

No current fiscal year impact as installation costs will be covered by MTC. No sooner than FY 2015-16 Sonoma County Transit will assume operation and maintenance costs which will be based on usage with an expected not-to-exceed amount of \$40,000 annually.

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:

Supplemental Agreement to Clipper Memorandum of Understanding

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

Attachment "A" to Supplemental Agreement (Clipper Memorandum of Understanding)

**SUPPLEMENTAL AGREEMENT to
CLIPPER® MEMORANDUM OF UNDERSTANDING**

This Supplemental Agreement to the Clipper® Memorandum of Understanding (“MOU”), dated November 20, 2011, as amended December 1, 2011 and June 30, 2013, is made and entered into by and between Sonoma County Transit (“New Clipper® Operator”) and the Metropolitan Transportation Commission (“MTC”). The following transit operators participating in the Clipper® program (referred to herein as “Operator” or “Operators”) are parties to the MOU:

Alameda-Contra Costa Transit District (“AC Transit”); Golden Gate Bridge Highway and Transportation District (“GGBHTD”); the San Francisco Bay Area Rapid Transit District (“BART”); the City and County of San Francisco, acting by and through its Municipal Transportation Agency (“MTA”); the San Mateo County Transit District (“SamTrans”); the Santa Clara Valley Transportation Authority (“VTA”); the Peninsula Corridor Joint Powers Board (“Caltrain”); the San Francisco Bay Area Water Emergency Transportation Authority (“WETA”); and any other transit operators that enter into a Supplemental Agreement to the MOU for the purposes of implementing Clipper.

The “Effective Date” shall be the date signed by both MTC and the New Clipper® Operator.

Recitals

1. Clipper® is an automated fare payment system for intra- and inter-operator transit trips in the San Francisco Bay Area that has been implemented and is currently being operated on Operators’ transit systems; and
2. MTC has entered into a contract (“the Clipper® Contract”) with Cubic Transportation Systems, Inc. (“Clipper® Contractor”) to operate and maintain Clipper® through November 2, 2019; and
3. MTC and the Operators have entered into the Clipper® Memorandum of Understanding (“MOU”) to identify their obligations relative to the implementation, operation, maintenance of the Clipper® program, including payment of operating fees due the Clipper® Contractor; and
4. Article III of the MOU permits MTC to accept additional Bay Area transit operators into the Clipper® program by means of a supplemental agreement with MTC, provided that MTC has issued a Change Notice to the Clipper® Contractor covering the work required to accept such operator into the system; and
5. MTC has issued such Change Notice in relation to the New Clipper® Operator; and
6. The New Clipper® Operator wishes to participate in the Clipper® program and understands that agreement to abide by the terms and conditions of the MOU, as it may be amended from time to time by MTC and the Operators, is a condition of such participation;

NOW THEREFORE, the parties agree as follows:

1. The New Clipper® Operator agrees to be bound by the terms and conditions of the MOU, a copy of which is attached to this Agreement and incorporated in full, including without limitation the cost and revenue allocation agreement set forth in Appendix B.
2. MTC hereby enters into this Supplemental Agreement with the New Clipper® Operator as a condition of the New Clipper® Operator's participation in the Clipper® program.
3. The New Clipper® Operator understands that MTC and the Operators may amend the MOU from time to time, and its agreement to abide by the terms and conditions of such amendment is a condition of its participation in the Clipper® program. MTC agrees to provide the New Clipper® Operator with copies of any such amendments, which shall be incorporated into this Supplemental Agreement by amendment.

IN WITNESS WHEREOF, the parties have signed the Supplemental Agreement.

SONOMA COUNTY TRANSIT

Approved as to Form:

By: Bryan Albee, Transit Systems Manager

Legal Counsel

Date

**METROPOLITAN TRANSPORTATION
COMMISSION**

Approved as to Form:

By Steve Heminger, Executive Director

Adrienne D. Weil

CLIPPER MEMORANDUM OF UNDERSTANDING APPROVAL SHEET

AGENCY:	MTC	Contract No. (Acctg. use only):	
NAME OF CONTRACTOR/CONSULTANT:		SONOMA COUNTY TRANSIT	
PROJECT TITLE:	Clipper® MOU Supplemental Agreement		
	Amount	Approval by ED or Committee (specify)	Committee Approval Date <i>Attach most recent signed Comm. memo</i>
			Grant/Allocation Name
			Grant No./ Allocation No./ Funding Source (Acctg.)
Original contract	N/A	ED	5/26/10
Supplemental Agmt For this Operator	0	ED	N/A
WORK ITEM #:	1221	Sole Source: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
FISCAL YEARS:	2012-2020		

J:\CONTRACT\Contracts-New\Con Clipper\MOUs\Clipper MOU\Clipper supplemental agreement_draft.doc

REVIEW LIST

Project Manager: _____ Date: _____
 Lynn Valdivia

Section Director: _____ Date: _____
 Carol Kuester

Contract Administration: _____ Date: _____
 Amy Valukevich¹

Office of the General Counsel: _____ Date: _____
 Brooke D. Abola

Deputy Executive Director: _____ Date: _____
 Andrew Fremier

Finance Section: _____ Date: _____
 Brian Mayhew

Return to Contract Administration

¹ Includes DBE review for all federally-funded contracts.



County of Sonoma Agenda Item Summary Report

Agenda Item Number: 26

(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 22, 2014

Vote Requirement: Majority

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

Staff Name and Phone Number:

Susan Klassen, 707-565-2231

Supervisory District(s):

Countywide

Title: FY 2014 California Transit Security Grant Program

Recommended Actions:

Approve resolution authorizing the Director of Transportation and Public Works and the Transit Systems Manager to execute for and on behalf of the County any actions necessary for the purpose of obtaining state financial assistance in the amount of \$31,815 provided by the California Office of Emergency Services for Sonoma County Transit's Video Security Systems project, and authorizing the Chair to execute the Authorized Agent Form required under the program.

Executive Summary:

The Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006, approved by the voters as Proposition 1B, authorizes the State of California to issue general obligation bonds for specified purposes, including grants for transit system safety, security, and disaster response projects.

The California Government Code directs that one billion dollars be deposited in the Proposition 1B Transit System Safety, Security and Disaster Response Account. One hundred million dollars must be made available upon appropriation by the legislature to entities for eligible transit system safety, security, and disaster response projects. Sonoma County Transit's (SCT) share of these funds for FY 2014 through the California Transit Security Grant Program (CTSGP) is \$31,815.

The FY 2014 California Transit Security Grant Program is administered by the California Office of Emergency Services (OES). Sonoma County Transit submitted an application to the California OES on January 22, 2014 requesting \$31,815 in FY 2014 CTSGP funds to expand the video security capabilities at SCT's operations and maintenance facility and provide new video security equipment at various satellite park-and-ride facilities. SCT received notification of project eligibility from the California OES on February 18, 2014.

Following Board approval, Sonoma County Transit staff will submit required documents to California OES which include a project funding plan and completed California OES Financial Management Forms, Authorized Agent Forms, a Grant Assurances Form and the adopting Board Resolution.

Prior Board Actions:

03/19/13: Resolution adopted by the Board of Supervisors authorizing any actions necessary to obtain state financial assistances from the California EMA for Sonoma County Transit’s fixed-route vehicle video security system project. Resolution No. 13-0104.

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

State financial assistance to install new video security systems at various transit facilities will help to ensure the provision of a safe, reliable, comfortable and cost-effective public transit system for residents and visitors.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 31,815	Select an item.	\$
Add Appropriations Req'd.	\$	State/Federal	\$ 31,815
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 31,815	Total Sources	\$ 31,815

Narrative Explanation of Fiscal Impacts (If Required):

None.

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:

Resolution

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

Project Application; Assurances Form; Authorized Agent Form



County of Sonoma
State of California

Date: April 22, 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 Director Of Transportation And Public Works and The Transit Systems Manager To Execute For And On Behalf of The County of Sonoma Any Actions Necessary For The Purpose Of Obtaining State Financial Assistance Provided By The California Office of Emergency Service For Sonoma County Transit's Video Security System Project, And Authorizing The Chair To Execute The Authorized Agent Form On File With The Clerk.

Whereas, The Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006 authorizes the issuance of general obligation bonds for specified purposes, including funding for transit system safety, security, and disaster response projects; and

Whereas, The California Government Code directs that one billion dollars be deposited in the Proposition 1B Transit System Safety, Security, and Disaster Response Account and one hundred million dollars must be made available upon appropriation by the legislature to entities for eligible transit system safety, security, and disaster response projects; and

Whereas, the California Office of Emergency Services (Cal OES) administers such funds deposited in the Transit System Safety, Security, and Disaster Response Account under the California Transit Security Grant Program (CTSGP); and

Whereas, Sonoma County Transit's share of CTSGP funds for FY 2014 is \$31,815, which is to be used for Video Security Systems; and

Whereas, to receive an allocation of CTSGP funds, Cal OES requires the County of Sonoma/Sonoma County Transit to complete and submit a Governing Body Resolution for the purposes of identifying agents authorized to act on behalf of the County of Sonoma/Sonoma County Transit to execute actions necessary to obtain CTSGP funds from Cal OES and ensure continued compliance with Cal OES CTSGP assurances, and state and federal laws.

Now, Therefore, Be It Resolved that the Chair is hereby authorized by the Board of Supervisors to execute the Authorized Agent Form on file with the Clerk, and the Director of Transportation and Public Works and the Transit Systems Manager are hereby authorized by the Board of Supervisors to execute for and on behalf of the County of Sonoma, a public entity established under the laws of the State of California, any actions necessary for the purpose of

Resolution #

Date:

Page 2

obtaining financial assistance provided by the Cal OES under the CTSGP.

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: 27
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: April 22, 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 Mark Bramfitt to the Sonoma Valley Citizens Advisory Commission (Springs East) effective 4/22/14 and expiring 4/22/18. (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	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

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:			
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: 28
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: April 22, 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 Rochelle Campagna to the Sonoma Valley Citizens Advisory Commission (North Valley) effective 4/22/14 and expiring 4/22/18. (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	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

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:			
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: 29
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: April 22, 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 Bruce Green to the Sonoma Valley Citizens Advisory Commission (El Verano West) effective 4/22/14 and expiring 4/22/18. (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	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

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:			
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: 30
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: April 22, 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 Krtisten Lindquist to the Sonoma Valley Citizens Advisory Commission (North Valley) effective 4/22/14 and expiring 4/22/18. (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	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

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:			
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: 31
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Human Services

Staff Name and Phone Number:

Sherry Alderman – 707-565-8501

Supervisorial District(s):

County-wide

Title: Workforce Investment Board Appointments

Recommended Actions:

- 1) Appoint Tami Huffman and Leslie Wolski to the Youth Council for a one year term ending April 22, 2015.
- 2) Reappoint Kristyn Byrne, Karen Fies, Debbie Antonsen, Robin Bartholow, Matt Martin, and Jose Obregon to the Workforce Investment Board for a two year term ending April 22, 2016.
- 3) Reappoint Marilee Eckert, Georgia Ioakimedes, Matt Martin, Kellie Noe, George Steffensen, and Catherine Wilson to the Youth Council for a two year term ending April 22, 2016.

Executive Summary:

The Workforce Investment Act (WIA) is a federal law passed on August 7, 1998 designed to prepare youth and adults for entry into the labor force. The Workforce Investment Act requires that all local regions create a Workforce Investment Board (WIB) comprised of local business and community members to oversee and implement the Workforce Investment Act programs, as well as a Youth Council under the WIB to plan delivery of WIA services to youth ages 14-24.

Membership Criteria and Process for Recommending Members for Appointment

The Workforce Investment Act (WIA) regulations established that the Sonoma County Workforce Investment Board (WIB) and its Youth Council will serve as policy oversight bodies for its employment and training programs. The law requires that appointments to these bodies be made by local elected officials. In accordance with the written agreement between the Sonoma County Board of Supervisors and the WIB, the WIB reviews and approves candidates' applications for membership and forwards its recommendations to the Board of Supervisors for final approval and appointment.

WIB members are not appointed by supervisorial district, but on a county-wide basis, and must have a high degree of policymaking and hiring authority within the organizations they represent. The WIB is required by law to maintain a business majority. The WIB and Youth Council seek members who have expertise in Sonoma County's important or emerging employment sectors, such as Advanced Manufacturing, Sustainability Services and the Health and Wellness Industry or who provide workforce-related services. Applications are reviewed by the WIB Executive Committee and are then recommended to the Board of Supervisors for appointment. Current

members in good standing are recommended for reappointment at the end of their term.

Efforts to fill the WIB and Youth Council seats are ongoing through referrals from current members and outreach to businesses, public, labor, and private non-profit organizations. The Human Services Department also works closely with the Economic Development Board to identify business members appropriate for the business seats on the WIB.

Categories of Membership Recommendations

The individuals recommended for appointment to the Workforce Investment Board will represent the following categories of membership, both of which have vacancies.

YC New Representatives

	<u>Category</u>
Tami Huffman	Parent of School-Aged Youth
Leslie Wolski	Private Sector

WIB Re-Appointment

Kristyn Byrne	Business
Karen Fies	One Stop Partner – Human Services Department
Debbie Antonsen	One-Stop Partner - Employment Development Department
Robin Bartholow	Business
Matt Martin	Community Based Organization – Social Advocates for Youth
Jose Obregon	Business

Youth Council Re-Appointment

Marilee Eckert	Youth Community Based Organization – Conservation Corps North Bay
Georgia Ioakimedes	Education Agencies Serving Youth
Matt Martin	Agency Serving Out of School Youth – Social Advocates for Youth
Kellie Noe	Organization that relates to Youth activities
George Steffensen	Apprenticeship
Catherine Wilson	Education Agencies Serving Youth

New Youth Council Member Information

Tami Huffman is the Parent of a School-Aged Youth who is a current participant in the WIA Youth Program. As a parent, Ms. Huffman can offer feedback and insight to the Youth Council. Tami Huffman will fill the Parent of School-Aged Youth seat.

Leslie Wolski is the Spa Director of Villagio Inn & Spa. As a parent of three children and an executive in the Hospitality and Tourism industry she frequently comes into contact with youth who are not properly prepared to compete in the local workforce. Ms. Wolski is interested in using her work experience to help youth be better prepared for employment and future success. Leslie Wolski will fill a Private Sector seat.

WIB Member Information

Kristyn Byrne is the Principal of Deliver the Mission. She is interested in the economic welfare of businesses and

citizens of Sonoma County. She has worked with non-profit companies in Sonoma County on a consultant basis. Kristyn Byrne will fill a Business seat on the WIB.

Karen Fies is the Assistant Director for the Sonoma County Human Services Department. She is interested in workforce development for all Sonoma County residents, including the clients of the Human Services Department. She has been involved in workforce development for over 25 years, most recently as the Director of the Sonoma County Workforce Investment Board. Karen Fies will fill a One Stop Partner seat on the WIB.

Debbie Antonsen works for the California Employment Development Department, and is the North Bay Workforce Services Cluster Manager for Sonoma, Marin, Napa, and Solano counties. Ms. Antonsen is on the Workforce Investment Board for all four counties. Debbie Antonsen will fill a One Stop Partner seat on the WIB.

Robin Bartholow has been the Workforce Development Director at the North Coast Builders Exchange in Santa Rosa, CA since August, 2008. In addition to her work encouraging and enabling students to pursue a career in construction, she is also Executive Director of CHOICES, the high school drop-out prevention program sponsored by the Builders Exchange and the Hispanic Chamber of Commerce. Robin Bartholow will fill a Business seat on the WIB.

Matt Martin is the Executive Director of Social Advocates for Youth. For over ten years, he has been involved in youth advocacy, program facilitation, and curriculum design. He began his career as an elementary school teacher in Providence, RI, and continued working with English Language Learner students in Oakland. Matt Martin will fill a Community Based Organization seat on the WIB.

José Obregón serves as the Director of General Services for the County of Sonoma. He is also engaged in the community as a member of the Sonoma County Hispanic Chamber of Commerce Board of Directors, and a member of the Sonoma State University Career Center Executive Council. José Obregón will fill a Business seat on the WIB.

Youth Council Member Information

Marilee Eckert is the Executive Director of Conservation Corps North Bay. She has over 30 years of experience working in the youth development field. Eighteen of those years she spent working at the Conservation Corps North Bay teaching youth the importance of natural resource conservation in the development of sustainable communities. Marilee Eckert will fill a Youth Community Based Organization seat on the Youth Council.

Georgia Ioakimedes was named Director of Alternative Education-Student Support Services for the Sonoma County Office of Education (SCOE) on July 1, 2008 after serving as Assistant Principal and Principal for the department for seven years. She oversees the delivery of county office educational services to at-risk youth in Sonoma County. This includes providing services to students who have been expelled, are on probation, habitually truant or wards of the court. Georgia Ioakimedes will fill an Education Agencies Serving Youth seat on the Youth Council.

Matt Martin is the Executive Director of Social Advocates for Youth. For over ten years, he has been involved in youth advocacy, program facilitation, and curriculum design. He began his career as an elementary school teacher in Providence, RI, and continued working with English Language Learner students in Oakland. Matt Martin will fill an Agency Serving Out of School Youth seat on the Youth Council.

Kellie Noe is a Program Planning and Evaluation Analyst for the Sonoma County Department of Health Services. In her current role she facilitates Cradle to Career Sonoma County, a cross-sector initiative that connects all segments of the educational continuum with broad community support to improve the educational, economic, and health outcomes for all Sonoma County youth. Her professional background includes involvement in the development of the Sonoma County Youth Ecology Corps program as well as support of other programs for at-risk

youth. Ms. Noe will fill the Organization that Relates to Youth Activities seat on the Youth Council.

George Steffensen is on the North Bay Labor Council and is the retired Apprenticeship Coordinator for the Operating Engineers. He joined the Operating Engineers Union in 1981 as an apprentice and became a journeyman in 1985. He worked on several projects in Sonoma County for a number of local contractors, i.e. Don Dowd Co., Argonaut Constructors and Ghilotti Construction. In 1990 he was employed by the Operating Engineers Union and during his tenure held various positions. He worked as a dispatcher, Business Agent, District Representative and Apprenticeship Coordinator. Mr. Steffensen will fill the Apprenticeship seat on the Youth Council.

Catherine Wilson has worked in the youth development field for over 15 years, including working as an Executive Director for three Boys & Girls Clubs in Northern California. Currently she is the manager of Career Development Services at Santa Rosa Junior College. In her current position, Ms. Wilson works with youth assisting them with career exploration and on campus employment opportunities. Catherine Wilson will fill an Education Agencies Serving Youth seat on the Youth Council.

Prior Board Actions:

January 14, 2014: Appointed three members to the Workforce Investment Board.

November 12, 2013: Appointed two members to the Workforce Investment Board, reappointed fifteen members to the Workforce Investment Board. Reappointed seven members to the Youth Council.

May 7, 2013: Appointed four members to the Workforce Investment Board, and appointed two members to the Youth Council.

March 26, 2013: Reappointed two members to the Workforce Investment Board, and reappointed six members to the Youth Council.

January 15, 2013: Appointed two members to the Workforce Investment Board.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

The Workforce Investment Board and its Youth Council make recommendations and participate in workforce development initiatives and programs that are aligned with local employer needs with a goal of building a prepared and well trained Sonoma County workforce.

Fiscal Summary - FY 13-14

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

Narrative Explanation of Fiscal Impacts (If Required):

No fiscal impacts.

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:

Proposed Workforce Investment Board Membership Roster
Proposed Workforce Investment Board Youth Council Membership Roster

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

None

Sonoma County Workforce Investment Board

Membership as of Thursday, Mar 27, 2014

<u>Membership Category</u>	<u># of Seats</u>	<u>Name</u>	<u>Organization</u>
Business			
	1	Yale Abrams	Yale Abrams Consulting
	1	Lee Alderman	Redwood Credit Union
	1	Ed Barr	P & L Specialties
	1	Robin Bartholow	North Coast Builders' Exchange
	1	Kristyn Byrne	Deliver the Mission
	1	Gina Charbonneau	Francis Ford Coppola Presents, Rosso & Bianco Winery
	1	Judy Coffey	Kaiser-Permanente
	1	Melanie Dodson	Community Child Care Council of Sonoma County (4Cs)
	1	Paul Duranczyk	Creekside Convalescent Hospital
	1	Steve Herron	Exchange Bank
	1	Kristina Holloway	Healdsburg District Hospital
	1	Keo Hornbostel	Pure Luxury Transportation
	1	Roy Hurd	Empire College
	1	Scott Kincaid	Facility Development Corp.
	1	Jose Obregon	Hispanic Chamber of Commerce /General Services
	1	David Ohman	D&D Consulting Group
	1	Pedro Toledo	Redwood Community Health Coalition
	1	Bob Whitlock	Small Precision Tools

5 *Vacant*

Total Seats 23

Community Based Organization

1	Mark Ihde	Goodwill Industries of the Redwood Empire
1	Matt Martin	Social Advocates for Youth
1	Bill Nordskog	United Way
0		

0 *Vacant*

Total Seats 3

Economic Development Agencies

1	Kelly Bass Seibel	Santa Rosa Chamber of Commerce
1	Albert Lerma	Sonoma County Economic Development Board

0 *Vacant*

Total Seats 2

<u>Membership Category</u>	<u># of Seats</u>	<u>Name</u>	<u>Organization</u>
Educational Entities			
	1	Steven Herrington	Sonoma County Office of Education
	1	Stephen Jackson	Sonoma County Office of Education
	1	Jerald Miller	Santa Rosa Junior College
	1	Lynn Stauffer	Sonoma State University
	0	<i>Vacant</i>	
Total Seats	4		
Labor Organizations			
	1	Chris Knerr	Cement Masons
	1	Bill Robotka	Engineers & Scientists of California
	1	Chris Snyder	Operating Engineers
	1	George Steffensen	North Bay Labor Council
	0		
	1	<i>Vacant</i>	
Total Seats	5		
One-Stop Partner			
	1	Debbie Antonsen	Employment Development Department
	1	Stephanie Cabral	Experience Works, Inc.
	1	Karen Fies	Sonoma County Human Services Department
	1	Peter Harsch	California Department of Rehabilitation
	1	Kathleen Kane	Community Development Commission
	1	Chris Paige	California Human Development
	1	Carol Waxman	Petaluma Adult School
	0		
	1	<i>Vacant</i>	
Total Seats	8		

45 Total Membership

38 Seats Filled

7 Vacancies

Sonoma County Youth Council

Membership as of Thursday, March 27, 2014

<u>Membership Category</u>	<u># of Seats</u>	<u>Name</u>	<u>Organization</u>
Apprenticeship			
	1	George Steffensen	North Bay Labor Council
	0	<i>Vacant</i>	
Total Seats	1		
Education Agencies Serving Youth			
	1	Dan Blake	Sonoma County Office of Education
	1	Steven Herrington	Sonoma County Office of Education
	1	Georgia Ioakimedes	Sonoma Office of Education
	1	Stephen Jackson	Sonoma County Office of Education
	1	Rafael Vasquez	Santa Rosa Junior College
	1	Catherine Wilson	Sonoma County Junior College District
	0	<i>Vacant</i>	
Total Seats	6		
Former Participant			
	1	Bradley Hellerud	VOICES Sonoma
	0	<i>Vacant</i>	
Total Seats	1		
In-School Youth			
	0		
	1	<i>Vacant</i>	
Total Seats	1		
Non-regulatory seats			
	1	Ron Beiden	Sonoma County Probation Camp
	1	Valerie McKamey	Department of Rehabilitation
	0	<i>Vacant</i>	
Total Seats	2		
Organization that Relates to Youth Activities			
	1	Kellie Noe	Department of Health Services
	0	<i>Vacant</i>	
Total Seats	1		
Out of School Youth			
	1	Matt Martin	Social Advocates for Youth
	0	<i>Vacant</i>	
Total Seats	1		

<u>Membership Category</u>	<u># of Seats</u>	<u>Name</u>	<u>Organization</u>
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Parent of Eligible Youth

1	Tami Huffman – pending appointment	
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0	<i>Vacant</i>	
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Total Seats 1

Private Sector

1	Ed Barr	P & L Specialties
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1	Roy Hurd	Empire College
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1	Scott Kincaid	Facility Development Corp.
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1	Leslie Wolski – pending appointment	
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0	<i>Vacant</i>	
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Total Seats 4

Public Housing Authority

1	James Hackett	Sonoma County Community Development Commission
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0	<i>Vacant</i>	
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Total Seats 1

WIB Member

1	Bill Nordskog	United Way
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0	<i>Vacant</i>	
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Total Seats 1

Youth Community-Based Organizations

1	Diana Curtin	Chop's Teen Club
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1	Marilee Eckert	Conservation Corps North Bay
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0	<i>Vacant</i>	
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Total Seats 2

Youth Service Agency - Juvenile Justice

1	Jeanne Buckley	Juvenile Justice
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0	<i>Vacant</i>	
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Total Seats 1

Youth Service Agency - Law Enforcement

1	Steve Freitas	Sonoma County Sheriff's Department
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0	<i>Vacant</i>	
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Total Seats 1

24 Total Membership

22 Seats Filled

1 Vacancy



County of Sonoma Agenda Item Summary Report

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

Agenda Item Number: 32
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Fire & Emergency Services; County Administrator

Staff Name and Phone Number:

Al Terrell, 565-1152; Veronica Ferguson

Supervisorial District(s):

All

Title: Drought Update and Extension of Proclamation of Local Emergency Due to Drought Conditions

Recommended Actions:

Receive an update on the current drought conditions, and adopt a 30 day extension of the Resolution proclaiming a drought emergency in Sonoma County

Executive Summary:

The Board of Supervisors and the Water Agency Board of Directors proclaimed a local emergency due to drought conditions at the February 25, 2014 meeting. That resolution covered the entire Sonoma County Operational Area, including all nine cities and special districts. The 30 day extension was approved on March 25, 2014.

Despite the most recent rainfall, drought conditions still persist throughout the County. The Sonoma County Water Agency continues to carefully manage the Russian River water supply system during this drought. As of April 15, Lake Mendocino's water supply capacity remains at 50 percent and Lake Sonoma at 76 percent. The Ukiah region has received less than half its annual rainfall and the Santa Rosa region has received 62% of its annual rainfall. The Water Agency, along with its water contractors also known as the Sonoma-Marin Saving Water Partnership, continues to ask its community to voluntarily reduce water use by 20 percent, as requested by Governor Brown when declaring a statewide drought in January 2014.

The Water Agency is sponsoring drought town hall meetings later in the month targeted to county residents, agriculture and businesses. Information will be shared about the drought, water supply conditions and water conservation rebate programs.

The Water Agency is also sponsoring with members of the Sonoma-Marin Saving Water Partnership "Drought Drive-Up" events. Community members may drive up to one of the locations to get their free drought tool kit, including a water efficient faucet aerator, toilet dye tab test, shower timer, shower bucket, low-flow showerhead, and conservation tip card. All items are available on a first-come, first-served basis and quantities are limited. One tool kit per household please. All Drought Drive-Up participants can enter to win a free high-efficiency toilet or high efficiency washing machine. This event is co-sponsored by the Sonoma County Water Agency and each participating local jurisdiction including the Cities of Santa Rosa, Petaluma, Rohnert Park, Sonoma, Town of

Windsor and the North Marin Water District – all members of the Sonoma-Marín Saving Water Partnership. For more information about the town hall meetings and Drought Drive-Up, please visit www.sonomacountywater.org.

The impacts of the drought on agriculture in Sonoma County have been reduced by the rainfall that the county has received since February. Most on-farm reservoirs are filled or nearly filled to capacity. For grape growers, there has been a light frost season to date, with just a few weeks to go under threat of frost. The light frost season has allowed growers to set aside more water for irrigation later in the growing season. For dairy and livestock producers that rely on forage crops, there has been crop growth due to recent rains. While pasture and rangelands are now able to be grazed again, it remains to be seen what effect the lack of rain will have on the hay and silage crop yields. The interest among producers in a water hauling program waned significantly after the spring rains, but the need may arise again in late summer. The Agricultural Commissioners’ office is working closely with UCCE to monitor the needs of livestock and dairy producers as the summer months approach. Other Departments, including PRMD, General Services, Transportation and Public Works, among others, continue to review operations and support they can provide community-wide to deal with the impacts of the drought.

Fire and Emergency Services continues to develop expanded fire suppression initiatives, such as the “chipping” program, as well as ongoing coordination with the State Office of Emergency Services on identified priorities such as pond water storage/holding limits. The State Department of Water Resources recently released guidelines (attached) for \$200 million in drought relief grant opportunities, funding from which the County and Water Agency will also coordinate in seeking.

The Director of Emergency Services recommends that the Board approve the proclamation extending the local emergency for 30 days. This is the maximum period allowed by law that an emergency can be extended. It is likely that an additional extension renewal will be submitted again within thirty days, unless conditions improve markedly. The proclamation extending the existence of a local emergency will enable to County to receive disaster related assistance from the State and Federal government. Although not currently available through the Gubernatorial Proclamation, future reimbursement for emergency response and coordination activities may later become available through the California Disaster Assistance Act (CDAA). The CDAA would allow for reimbursement of up to 75% of costs incurred under a locally proclaimed emergency. The County has enacted financial measures to track response costs that would allow for reimbursement should it become available in the future.

Prior Board Actions:

Proclamation proclaiming a local emergency due to drought conditions, February 25, 2014.
Proclamation extended, March 25, 2014.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

The recommended actions support the conservation of vital resources necessary for the health and continued economy of the county and citizens.

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	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

No specific budget action is requested through this item. Costs associated with emergency response planning and activity, including costs associated with staffing the Emergency Operations Center, requesting mutual aid, and other necessary measures are being tracked through the financial system.

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):

Attachments:

County of Sonoma Resolution
DWR Guidelines

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

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County of Sonoma
State of California

Date: April 22, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Extending a Proclamation of Local Emergency Due to Drought Conditions in the County of
Sonoma and Requesting Immediate State and Federal Assistance**

Whereas, the State of California is experiencing one of the driest winters in recorded history; and

Whereas, on January 17, 2014, the Governor of the State of California proclaimed a State of Emergency for the State of California due to drought conditions; and

Whereas, on January 24, 2014, the United States Department of Agriculture designated the County of Sonoma, along with many other California counties, a natural disaster area due to drought; and

Whereas, the adverse environmental, economic, health, welfare and social impacts of the drought pose an imminent threat of disaster and threaten to cause widespread potential harm to people, businesses, agriculture, property, communities, wildlife and recreation in the County of Sonoma; and

Whereas, Section 8630, Article 14 of the California Emergency Services Act requires that Board of Supervisors of the County of Sonoma review, at least every 30 days until such local emergency is terminated, the need for continuing the local emergency; and

Whereas, a period of local emergency presently exists in the County of Sonoma in accordance with the proclamation thereof by the Board of Supervisors on the 25th day of February, 2014, as a result of persistent drought conditions; and

Whereas, the Board of Supervisors of the County of Sonoma has reviewed the need to continue the existence of local emergency; and

Now, Therefore, Be It Resolved by Board of Supervisors of the County of Sonoma, State of California, as follows:

It Is Proclaimed and Ordered, pursuant to Government Code section 8558 and Chapter 10 of the Sonoma County Code, that a local emergency has existed throughout the County of Sonoma because of drought conditions since January 17, 2014; and

It Is Further Proclaimed and Ordered, that during the existence of this local emergency, the powers, functions and duties of the Director of Emergency Services and the emergency management organization of the Sonoma County Operational Area shall be those prescribed by Federal law; State law; by ordinances, resolutions and the Code of the County of Sonoma; and by the Sonoma County/Operational Area Emergency Operations Plan approved the Board of Supervisors; and

It Is Requested that the Governor of the State of California waive regulations that may hinder response and recovery efforts, make available California Disaster Assistance Act funding for the State of Emergency proclaimed on January 17, 2014, and seek all available forms of Federal disaster assistance and relief programs, to include a Presidential Declaration of Emergency; and

Be It Further Resolved pursuant to Government Code section 8630, the Board of Supervisors shall review the need for continuing this local emergency at least once every 30 days until the Board of Supervisors terminates the local emergency: and

Be It Further Resolved that a copy of this extension of the emergency proclamation be forwarded to the State Director of the Office of Emergency Services and all State and Federal legislators representing the County of Sonoma.

Resolution #
Date: April 22, 2014
Page 3

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes

Absent:

Abstain:

So Ordered.



January 18, 2013



January 18, 2014



Proposal Solicitation Package

2014 IRWM Drought Solicitation
Integrated Regional Water Management
Implementation Grant Program
Funded by Proposition 84

Draft
April 2014



The Natural Resources Agency
Department of Water Resources
Division of Integrated Regional Water Management

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FOREWORD

This document contains the California Department of Water Resources' (DWR) Proposal Solicitation Package (PSP) for 2014 Integrated Regional Water Management (IRWM) Drought Grant Solicitation funded by Proposition 84 (The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006).

This document details the application process, eligibility requirements, and review and scoring criteria. General information is covered in the front end of the document. This document is not a standalone document and the applicant will need to refer to the 2014 IRWM Drought Grant Program Guidelines (2014 IRWM Drought Guidelines) for additional information. The 2014 IRWM Drought Guidelines can be found at the following link: <http://www.water.ca.gov/irwm/grants/guidelines.cfm>. Potential applicants are encouraged to read both the 2014 IRWM Drought Guidelines and this PSP prior to deciding to submit an application. The application process for this solicitation is a one-step process. All qualified interested parties are encouraged to submit a grant proposal.

The Governor and Legislature have directed DWR to expedite the solicitation and award of \$200 million in IRWM funding to support projects and programs that:

- Provide immediate regional drought preparedness
- Increase local water supply reliability and the delivery of safe drinking water
- Assist water suppliers and regions to implement conservation programs and measures that are not locally cost-effective
- Reduce water quality conflicts or ecosystem conflicts created by the drought

To expedite the award, DWR will be using a streamlined grant application approach. Applicants will provide DWR high-level information regarding the project(s) for which funding is being requested. Selected proposals will be conditionally awarded funding. Final award of the grant funding is dependent upon the Applicant submitting to DWR, in a timely manner, any and all information necessary for DWR to verify the claim contained in the Applicant's 2014 IRWM Drought Grant Proposal and the execution of a grant agreement with DWR.

Due Date

The complete application and all supporting documentation must be submitted via DWR's Grant Review and Tracking System (GRanTS) and hardcopies received by 5:00 p.m. on **<Insert date in Final PSP>**, 2014.

Contacts

For questions about this document, or other technical issues, please contact DWR's Financial Assistance Branch at (916) 651-9613 or by e-mail at: DWR_IRWM@water.ca.gov.

For questions and assistance regarding GRanTS, please contact the GRanTS Administration Team at (888) 907-4267 or grantsadmin@water.ca.gov.

For questions regarding Urban Water Management Plans (UWMPs), Assembly Bill (AB) 1420, or Water Meter Implementation compliance, please contact Betsy Vail at (916) 651-9667 or betsy.vail@water.ca.gov.

Website

This document as well as other pertinent information about the IRWM Program can be found at: <http://www.water.ca.gov/irwm/grants/implementation.cfm>.

Mailing List

In addition to the website, DWR will distribute information via e-mail. If you are not already on the IRWM contact list and wish to be placed on it, please visit <http://www.water.ca.gov/irwm/grants/subscribe.cfm>.

Tables

Electronic versions of all tables in this PSP can be found here:

<http://www.water.ca.gov/irwm/grants/implementation.cfm>

Grant Agreement

All applicants that are awarded funding will be required to sign a grant agreement with DWR. The 2014 IRWM Drought Grant Solicitation agreement template can be found at the following link: <will be posted before release of Final PSP>

<http://www.water.ca.gov/irwm/grants/resourceslinks.cfm>

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I. INTRODUCTION

On January 17, 2014, Governor Edmund G. Brown proclaimed a Drought State of Emergency (<http://gov.ca.gov/news.php?id=18379>) and on March 1, 2014, Governor Brown signed legislation to assist drought-affected communities and provide funding to better use local water supplies. Senate Bills (SB) SB 103 and SB 104 provide \$687.4 million to support drought relief, including money for housing and food for workers directly impacted by the drought, bond funds for projects to help local communities more efficiently capture and manage water, and funding for securing emergency drinking water supplies for drought-impacted communities. The approved funding includes \$472.5 million in Proposition 84 Integrated Regional Water Management (IRWM) funding.

The Governor and Legislature have directed the Department of Water Resources (DWR) to expedite the solicitation and award of \$200 million, of the \$472.5 million, in IRWM funding to support projects and programs that:

- Provide immediate regional drought preparedness
- Increase local water supply reliability and the delivery of safe drinking water
- Assist water suppliers and regions to implement conservation programs and measures that are not locally cost-effective
- Reduce water quality conflicts or ecosystem conflicts created by the drought

To expedite the award, DWR will be using a streamlined grant application approach. Applicants will provide DWR high-level information regarding the project(s) for which funding is being requested. Selected proposals will be conditionally awarded funding. Final award of the grant funding is dependent upon the Applicant submitting to DWR, in a timely manner, any and all information necessary for DWR to verify the claim contained in the Applicant's 2014 IRWM Drought Grant Proposal and the execution of a grant agreement with DWR.

The 2014 IRWM Drought PSP works in conjunction with the 2014 IRWM Drought Guidelines to disburse \$200 million grant funding under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84).

Prospective applicants should read this PSP and the entire 2014 IRWM Drought Guidelines. Specific emphasis should be directed to the *Guidance for IRWM Plan Standards* (Appendix C) and to *Proposal Selection* (Section V) to ensure that the submittal will meet the grant program requirements.

A complete list of acronyms and a glossary of terms used throughout this PSP are available in the 2014 IRWM Drought Guidelines. The 2014 IRWM Drought Guidelines are posted on the DWR website at the following link:

<http://www.water.ca.gov/irwm/grants/guidelines.cfm>

II. ELIGIBILITY

This section of the PSP provides an overview of the eligibility requirements that must be met to apply for this IRWM Drought Grant Solicitation, which is part of DWR's IRWM Implementation Grant Program. Only one application per eligible IRWM Region will be accepted for this solicitation.

A. Eligible Grant Applicants

A Grant Applicant is the entity submitting the grant application on behalf of an IRWM Region. The IRWM Region must have been accepted, for Implementation funding, into the IRWM Grant program through DWR's Region Acceptance Process (RAP). A list of accepted regions can be found at the following link: <http://www.water.ca.gov/irwm/grants/rap.cfm>

Grant Applicants will enter into an agreement with the State, should the application be successful. Eligible applicants are local public agencies or non-profit organizations. Project proponents are generally any stakeholder responsible for implementing a project within a grant proposal. Section III of the 2014 IRWM Drought Guidelines contains more information on applicants and project proponents.

B. Eligibility Criteria

Applications for 2014 IRWM Drought grant funding must meet all Eligibility Criteria in order for the application to be considered to receive grant funding. General eligibility requirements are included in the 2014 IRWM Drought Guidelines, Section III. Specific eligibility criteria that apply to this solicitation are listed below. Eligibility will be determined based on information furnished by the applicant as described in Section V of this PSP.

C. Eligible Project Types

Section III.C of the 2014 IRWM Drought Guidelines provides specific detail on eligible project types. Eligible projects must be consistent with an adopted IRWM Plan (PRC §75026(a)). In addition to the eligible project provisions in the Guidelines, each project must meet at least one of the four following project types in order to be eligible to receive funding:

- Provide immediate regional drought preparedness (See Table 1 of the 2014 IRWM Drought Guidelines for a definition of drought preparedness)
- Increase local water supply reliability and the delivery of safe drinking water
- Assist water suppliers and regions to implement conservation programs and measures that are not locally cost-effective
- Reduce water quality conflicts or ecosystem conflicts created by the drought

The Human Right to Water Policy (AB 685 (2012)/CWC § 106.3) states that every human being has the right to clean, affordable, and accessible water for human consumption, cooking, and sanitary purposes. In consideration of this Policy, DWR is making additional points available to proposals with projects that address clean, affordable, and accessible water for human consumption, cooking, and sanitary purposes as a water supply reliability and delivery of safe drinking water (see Attachment 7).

III. FUNDING

DWR has administered multiple rounds of solicitations for Proposition 84 IRWM Implementation Grants. This PSP is applicable to the 2014 IRWM Drought Grant solicitation only. In this solicitation, \$200 million will be available for grant awards.

DWR intends to target the 2014 IRWM Drought funding to IRWM regions with the greatest drought impacts. DWR has tracked the prior grant awards by Funding Area and will, by the conclusion of Proposition 84 IRWM Grant Program, ensure that the allocation schedule contained in Proposition 84 will be met. Table 1 provides a listing of the Funding Areas, the Proposition 84 Allocations Schedule, and the Remaining Balance of funds by Funding Area. The amount of funds awarded through the 2014 IRWM Drought Solicitation for any single Funding Area will not exceed the amount listed in Column C for that Funding Area.

DWR will evaluate the Proposals based on the statewide drought impacts and need, the amounts requested, and proposal scores as determined using the criteria contained in Table 9 when determining the amount of funding to award to an individual proposal and the total funding awarded to each Funding Area.

Table 1 – Proposition 84 IRWM Implementation Funding

Column A	Column B	Column C
Funding Area	Proposition 84 Schedule	Funding Area Remaining Balances
North Coast	\$37,000,000	\$19,747,939
San Francisco Bay	\$138,000,000	\$73,483,858
Central Coast	\$52,000,000	\$19,748,065
Los Angeles-Ventura	\$215,000,000	\$96,340,789
Santa Ana	\$114,000,000	\$74,482,996
San Diego	\$91,000,000	\$56,512,951
Sacramento River	\$73,000,000	\$40,518,410
San Joaquin River	\$57,000,000	\$26,696,455
Tulare/Kern	\$60,000,000	\$16,217,196
Lahontan	\$27,000,000	\$10,705,051
Colorado River	\$36,000,000	\$16,700,000
Total	\$900,000,000	\$451,153,710

A. Funding Match

The minimum funding match is 25% of the total proposal cost. Project costs must be incurred after January 1, 2010 to be considered as funding match. For projects that address the needs of a DAC, the funding match may be waived for these projects only. See instructions for Attachment 8 for more information on applying for a funding match waiver. See the 2014 IRWM Drought Guidelines, Section II.E, for additional information on Funding Match.

B. Reimbursement Date

For the 2014 IRWM Drought solicitation, eligible costs incurred after the date of the Governor's Drought Declaration, January 17, 2014, will be eligible for reimbursement. Reimbursable costs are defined in 2014 IRWM Drought Guidelines, Appendix B.

IV. SCHEDULE

The schedule in Table 2 shows the program timeline from release of the Final 2014 IRWM Drought Guidelines and PSP through approval of awards. Updates for the events listed in this schedule may be required. When finalized, an updated schedule will be posted on the DWR website listed in the Foreword. Updates may also be advertised through e-mail announcements and news releases. For parties that are not already on the IRWM mailing list and wish to receive updates on the IRWM Grant Program, please visit the website listed in the Foreword to sign up.

Table 2 – IRWM Implementation Grants Proposal Solicitation Process and Schedule

Milestone or Activity	Schedule
Release Final Program 2014 Guidelines and PSP and on-line application available	June __, 2014
Applicant Workshops: Dates, times, and locations to be determined. Future notification will be provided on DWR's IRWM Grant Program Website: http://www.water.ca.gov/irwm/grants/	June __ 2014
Grant applications must be submitted via GRanTS and hardcopies to DWR by 5:00 p.m. Applications submitted after 5:00 p.m. on the due date will not be reviewed or considered for funding. Note for review draft - submittal will be 30 calendar days after the release of the final Guidelines and PSP.	July __ 2014
DWR announces conditional grant awards <i>Due to the expedited nature of this solicitation, DWR is suspending Section V.H, Applicant Notification and Public Meeting, of the 2014 IRWM Drought Guidelines.</i>	September 2014

V. APPLICATION INSTRUCTIONS

This section provides instructions for preparing and submitting an application. The Application Instructions section consists of two subsections: How to Submit and What to Submit. It is important that the applicants follow the Application Instructions to ensure their application will address all of the required elements. Applicants are reminded that once the application has been submitted to DWR, any privacy rights as well as other confidentiality protections afforded by law with respect to the application package will be waived.

A. How to Submit

Applicants must submit a complete application. The application can be provided electronically; however, various eligibility forms, listed in Attachment 1, must be signed and submitted hardcopy.

1. *Electronic Submittal*

Applicants must submit a complete application on-line using DWR's GRanTS. GRanTS can only be accessed with Internet Explorer. The on-line GRanTS application will be made available at the following link:

<http://www.water.ca.gov/grants/>

The on-line application will be available no later than **June __ 2014**.

Applicants are encouraged to review the GRanTS Public User Guide and Frequently Asked Questions, available at the above link, prior to completing the on-line application. If an applicant has questions as to the content or the information requested in the PSP or questions or problems with GRanTS, please refer to the phone number or e-mail listed in the Foreword.

The grant application in GRanTS consists of four sections or "tabs" outlined in Table 3. Within GRanTS, pull down menus, text boxes, or multiple-choice selections will be used to receive answers to the questions. GRanTS will allow applicants to type text or cut and paste information from other documents directly into a GRanTS submittal screen.

When uploading an attachment in GRanTS, the following attachment title naming convention must be used:

Att#_DG_AttachmentName_#ofTotal#

Where:

- a. "Att#" is the attachment number
- b. "DG" is the code of this solicitation
- c. "AttachmentName" is the name of the attachment as specified in Section V.B.2 – Attachment Instructions
- d. "#ofTotal#" identifies the number of files that make up an attachment, where "#" is the number of a file and "Total#" is the total number of files submitted in the attachment

For example, if the Attachment 3 – ProJust for the applicant is made up of three files, the second file in the set would be named "Att3_DG_ProJust_2of3".

File size for each attachment submitted via GRanTS is limited to 50 megabytes (MB). Breaking documents into components such as chapters or logical components so that files are less than 50 MB will aid in uploading files. Acceptable file formats are: MS Word, MS Excel, MS Project, or PDF. PDF files should be generated, if possible, from the original application file rather than scanned hard copy. All portions of the application, GRanTS submittal and hard copies, must be received by the application deadline. Late submittals will not be reviewed or considered for funding.

Applications may include attachments with supplemental to support the claims made in the application. Applicants are encouraged to submit attachments and supporting documentation in an electronic format.

2. *Hard Copy Submittal*

The addresses for mailing by U.S. mail, overnight courier, or hand delivery of hard copy application components are listed as follows:

By U.S. Mail:

California Department of Water Resources
 Division of Integrated Regional Water Management
 Financial Assistance Branch
 Post Office Box 942836
 Sacramento, CA 94236-0001
 Attn: Zaffar Eusuff

Or Overnight courier to:

California Department of Water Resources
 Division of Integrated Regional Water Management
 Financial Assistance Branch
 1416 9th Street, Room 338
 Sacramento, CA 95814
 Attn: Zaffar Eusuff

Or hand-deliver to:

901 P Street, Lobby
 Sacramento, CA 95814
 Attn: Zaffar Eusuff

B. What to Submit – Required Application Attachments

This section presents the required elements of an application for grants funded by the IRWM Implementation Grant Program. Applicants must submit a complete application by the deadline contained in the Schedule shown in Table 2. The grant application consists of four sections or “Tabs” as outlined in Table 3 (Grant Application Checklist), which is provided as a guide for the applicants to ensure that they have submitted the required information for a complete application. Applicants may use GRanTS to print out completed Table 3 for submittal with the hardcopy.

Failure to submit any required attachment will make the application incomplete, and it will not be reviewed or considered for funding. A discussion of each of these attachments is provided below and the attachments and associated exhibits are summarized in Table 3.

A complete application consists of all the following items:

- Electronic submittal of an application through the GRanTS
- **One** (1) signed hardcopy of the necessary forms, listed in Attachment 1, submitted to DWR.

1. Grant Application Checklist

Table 3 – Grant Application Checklist

APPLICANT INFORMATION TAB

The following information is general and applies to the applicant and the overall proposal. Specific project information should be detailed on separate project tabs provided in the GRanTS application.

APPLICANT INFORMATION

<input type="checkbox"/>	Organization Name: Provide the name of the Agency/Organization responsible for submitting the application. Should the Proposal be successful, this Agency/Organization will be the Grantee.
<input type="checkbox"/>	Tax ID: Tax ID is automatically displayed for registered organizations. Verify the applicant's federal tax ID number.
<input type="checkbox"/>	Point of Contact: <ul style="list-style-type: none"> Select "Existing Register Users" to select the registered user associated with the organization specified above. The rest of the contact information (Division, Address, e-mail, etc.) are auto populated once the above registered user is selected. Select "Add New User" to add an unregistered user. Please select Division (address will be auto populated) and type the First Name, Last Name, E-mail, and Phone (Direct) of the new user. Please note that the e-mail address will be the new user's login name.
<input type="checkbox"/>	Point of Contact: Position Title
<input type="checkbox"/>	Proposal Name: Provide the title of the Proposal; please include the IRWM region name as part of the Proposal Name. (Maximum Character Limit: 150)
<input type="checkbox"/>	Proposal Objective: Briefly describe the objectives(s)

PROPOSAL BUDGET

For the proposal, the following budget items should be taken from Table 8, where applicable.

<input type="checkbox"/>	Other Contribution: Provide the amount of other funds not included in the following four funding categories as listed below. If there is no other contribution, enter zero.
<input type="checkbox"/>	Local Contribution (Funding Match): Provide the total funding match that will be committed to the Proposal. The Implementation Grant Program requires a minimum local contribution of 25% of total proposal cost unless there is a DAC project included in the Proposal.
<input type="checkbox"/>	Federal Contribution: Enter Federal funds being used. If none, enter zeros.
<input type="checkbox"/>	In-kind Contribution: Provide the total amount of in-kind services in dollars. In-kind Contribution – refers to work performed by the grantee. The cost of which is considered funding match. If there is no in kind contribution, then enter zeroes in this field.
<input type="checkbox"/>	Amount Requested (Grant Funds Requested): Provide the amount of total grant funds requested.
<input type="checkbox"/>	Total Proposal Cost: Provide the total Proposal cost, in dollars. This amount must agree with the total proposal cost shown in Attachment 5. Total Proposal cost is automatically calculated based on the contribution amounts entered above.

GEOGRAPHIC INFORMATION

GRanTS requests latitude and longitude in degrees, minutes, and seconds. You may use converters on the web such as <http://transition.fcc.gov/mb/audio/bickel/DDDMSS-decimal.html>. X/Y center points for each IRWM region can be found here: <http://www.water.ca.gov/irwm/grants/resourceslinks.cfm>

<input type="checkbox"/>	Latitude: Enter the Latitude at the location that best represents the center of the IRWM Region.
<input type="checkbox"/>	Longitude: Enter the Longitude at the location that best represents the center of the IRWM Region.
<input type="checkbox"/>	Longitude/Latitude Clarification: Only use if necessary. (Maximum Character Limit: 250)
<input type="checkbox"/>	Location: Identify the approximate location that best represents the center of the IRWM Region. (Maximum Character Limit: 100)
<input type="checkbox"/>	County(ies): Provide the county in which the IRWM region is located. If the IRWM region covers multiple counties hold the control key down and select all that apply.
<input type="checkbox"/>	Groundwater Basins: Provide the groundwater basin(s) as listed in the current version of DWR Bulletin 118 (http://www.water.ca.gov/groundwater/bulletin118/gwbasin_maps_descriptions.cfm) in which your Project is located. For proposals covering multiple groundwater basins, hold the control key down and select all that apply.
<input type="checkbox"/>	Hydrologic Regions: Provide the hydrologic region in which your IRWM region is located. For proposals covering multiple hydrologic regions, hold down the control key and select all that apply.

Table 3 – Grant Application Checklist

<input type="checkbox"/>	Watershed(s): (Maximum Character Limit: 250) Provide the name of the watershed the region covers. A map of California watersheds can be found at the following link: http://www.conservation.ca.gov/dlrp/wp/Documents/CALFED_Watershed_Map[1].pdf If your Proposal covers multiple watersheds, you may only provide one “Unique Watershed Number” as listed on the watershed map.
<input type="checkbox"/>	Funding Areas: Provide the funding areas in which your IRWM region is located. For proposals covering multiple funding areas, hold down the control key and select all that apply.
LEGISLATIVE INFORMATION	
<input type="checkbox"/>	Enter the State Assembly, State Senate, and U.S. Congressional Districts in which the IRWM region is located (use district numbers only, not the name of the Legislator). For IRWM regions that include more than one district, Hold the control key down and select all that apply.
PROJECTS TAB	
<i>This section contains information about the projects contained in the Proposal. Each project in the Proposal should be detailed on a separate Project Tab. Applicants may generate as many Project Tabs as are necessary. The following questions will be used to gather information on each specific project.</i>	
PROJECT INFORMATION	
<input type="checkbox"/>	Project Name: Provide the project name. (Maximum Character Limit: 125 characters)
<input type="checkbox"/>	Implementing Organization: (Maximum Character Limit: 125 characters)
<input type="checkbox"/>	Secondary Implementing Organization: (Maximum Character Limit: 125 characters)
<input type="checkbox"/>	Proposed Start Date:
<input type="checkbox"/>	Proposed End Date:
<input type="checkbox"/>	Scope Of Work: (Maximum Character Limit: 500 characters)
<input type="checkbox"/>	Project Description: (Maximum Character Limit: 2000 characters)
<input type="checkbox"/>	Project Objective: (Maximum Character Limit: 500 characters)
PROJECT BENEFITS INFORMATION	
<i>Please do not enter any information into GRanTS for the following Project Benefits Questions. They are standard GRanTS questions and cannot be removed, but are unnecessary for Implementation Grant Applicants.</i>	
<input type="checkbox"/>	Benefit Level: Leave blank.
<input type="checkbox"/>	Benefit Type: Leave blank.
<input type="checkbox"/>	Description: Leave blank.
<input type="checkbox"/>	Measurement: Leave blank.
PROJECT BUDGET	
<i>For each project, the following budget items should be taken from Table 7, where applicable.</i>	
<input type="checkbox"/>	If only one project is being proposed, use the “Copy Budget data from Applicant Info” feature to populate previously entered data. Otherwise, enter individual budget items for each project in the same manner as described for the Applicant Information Tab. The sum of the budget items must agree with the total project budget.
GEOGRAPHIC INFORMATION	
<input type="checkbox"/>	Enter the geographical information for each project (latitude and longitude in degrees, minutes, and seconds).
LEGISLATIVE INFORMATION	
<input type="checkbox"/>	If only one project is being proposed, use the “Copy Legislative data from Applicant Info” feature to populate previously entered data. Otherwise, enter the legislative information for each project in the same manner as described for the Applicant Information Tab. For projects covering more than one district, hold the control key down and select all that applies.
APPLICANT INFORMATION AND QUESTIONS TAB	
<i>The answers to these questions will be used in processing the application and determining eligibility and completeness.</i>	

Table 3 – Grant Application Checklist

<input type="checkbox"/>	Q1. Project Director: Provide the name and details of the person responsible for executing the grant agreement for the applicant. Persons that are subcontractors to be paid by the grant cannot be listed as the Project Director.
<input type="checkbox"/>	Q2. Project Management: Provide the name and contact information of the Project Manager from the applicant agency or organization that will be the day-to-day contact on this application.
<input type="checkbox"/>	Q3. Applicant Information: Provide the agency name, address, city, state and zip code of the applicant submitting the application.
<input type="checkbox"/>	Q4. Additional Information: Provide the IRWM funding area(s) in which projects are located.
<input type="checkbox"/>	Q5. DAC Waiver Cost Share Request: Are you applying for a DAC cost share waiver? If yes, fill out Attachment 8.
<input type="checkbox"/>	Q6. Responsible Regional Water Quality Control Board(s) (RWQCB): List the name of the RWQCB in which your Proposal is located. For a region that extends beyond one RWQCB boundary, list the name of each Board.
<input type="checkbox"/>	Q7. Eligibility: The Implementation Grant Program requires a minimum funding match of 25% of total project cost unless there is a DAC project included in the proposal. Are your matching funds less than 25%? If so, please explain.
<input type="checkbox"/>	Q8. Eligibility: Does the application represent an IRWM Region approved in the RAP? To verify, see RAP website: http://www.water.ca.gov/irwm/grants/rap.cfm . If yes, include the name of the IRWM Region. If no, please explain.

APPLICATION ATTACHMENTS TAB

Provide the attachments listed below by attaching files to the GRanTS application. When attaching files, please use the naming convention found in Section V.A of this PSP. For instructions on attaching files, please refer to the GRanTS User Manual. Requirements for information to be included in these attachments are found in Section V.B.2 of this PSP.

Attachment #	Attachment Title
<input type="checkbox"/> Attachment 1	Authorization and Eligibility Requirements
<input type="checkbox"/> Attachment 2	Drought Impacts
<input type="checkbox"/> Attachment 3	Project Justification
<input type="checkbox"/> Attachment 4	Work Summary
<input type="checkbox"/> Attachment 5	Budget Summary
<input type="checkbox"/> Attachment 6	Schedule Summary
<input type="checkbox"/> Attachment 7	Program Preferences
<input type="checkbox"/> Attachment 8	Disadvantaged Community Assistance

2. Attachment Instructions

Applicants are required to submit Attachments 1 through 8 (as applicable) to complete the 2014 Drought Grant Solicitation grant application. A discussion of each of these attachments is provided below.

Attachments 2 – 7 are will be scored. Each project included in the proposal will be evaluated against a series of questions, as indicated in Table 9. The basis for each question included in Table 9 is explained below.

ATTACHMENT 1. AUTHORIZATION AND ELIGIBILITY REQUIREMENTS

For the “AttachmentName” in the naming convention of GRanTS, use “Eligible” for this attachment.

Attachment 1 is mandatory and consists of authorization and eligibility documentation including Urban Water Management Planning Act Compliance, CWC §525 compliance, AB 1420 compliance, GWMP Compliance, and IRWM Plan consistency. Self-certification documents must be completed and included in Attachment 1 (where applicable)

for CWC §525, AB 1420, and GWMP compliance. The Applicant will also be required to submit acknowledgment that, due to the expedited nature of this solicitation, any potential grant awards are conditional and will require the timely submittal of additional information. In Attachment 1, please provide the following items:

- Authorizing Documentation
- Eligible Applicant Documentation
- Acknowledgement Form – Submittal of Additional Information
- Adopted IRWM Plan and Proof of Formal Adoption
- Project Consistency with an adopted IRWM Plan
- Urban Water Management Compliance
- Agricultural Water Management Compliance
- Surface Water Diverter Compliance
- Groundwater Management Compliance
- CASGEM Compliance
- Water Conservation Programs and Measures

Authorizing Documentation – The applicant must provide a resolution adopted by the applicant’s governing body designating an authorized representative to submit the application and execute an agreement with the State of California for an IRWM Implementation Grant. The following text box provides an example resolution.

RESOLUTION NO. _____

Resolved by the <Insert name of governing body, city council, organization, or other> of the <Insert name of agency, city council, organization, or other>, that application be made to the California Department of Water Resources to obtain an Integrated Regional Water Management Implementation Grant pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Public Resource Code Section 75001 *et seq.*), and to enter into an agreement to receive a grant for the: <Insert name of Proposal>. The <Insert title – Presiding Officer, President, Agency Manager, or other officer> of the <Insert name of agency, city, county, organization, or other> is hereby authorized and directed to prepare the necessary data, conduct investigations, file such application, and execute a grant agreement with California Department of Water Resources.

Passed and adopted at a meeting of the <Insert name of agency, city, county, organization, or other> on <Insert date>.

Authorized Original Signature: _____

Printed Name: _____

Title: _____

Clerk/Secretary: _____

Eligible Applicant Documentation: Eligible applicants are local public agencies or non-profit organizations, as defined in Appendix B of the 2014 IRWM Drought Guidelines.

If DWR determines that the applicant does not have the authority to enter into a grant agreement with the State, the applicant will not be eligible for funding and the application will not be reviewed.

The applicant must provide a written statement (and additional information if noted) containing the appropriate information outlined below:

Local Public Agencies

- Is the applicant a local public agency as defined in Appendix B of the 2014 IRWM Drought Guidelines? Please explain.
- What is the statutory or other legal authority under which the applicant was formed and is authorized to operate?
- Does the applicant have legal authority to enter into a grant agreement with the State of California?
- Describe any legal agreements among partner agencies and/or organizations that ensure performance of the Proposal and tracking of funds.

Non-Profit Organizations

- Is the applicant a non-profit organization as defined in Appendix B of the 2014 IRWM Drought Guidelines? Please explain.
- Does the applicant have legal authority to enter into a grant agreement with the State of California?
- Describe any legal agreements among partner agencies and/or organizations that ensure performance of the Proposal and tracking of funds.
- Include a copy of the certificate of incorporation for the organization.

Acknowledgement Form – Submittal of Additional Information – The applicant must complete and sign the form below and **submit one (1) hard copy with wet signature.**

2014 IRWM Drought Grant Acknowledgement Form

Applicant Name: <Enter Name>

IRWM Region: <Enter Name>

RWMG: <Enter Name>

As the authorized representative of the above-referenced RWMG, I acknowledge and affirm that the RWMG understands that it must provide additional information to DWR in the event that the RWMG is conditionally selected to receive 2014 IRWM Drought grant funding.

I further acknowledge that the RWMG understands that its request for 2014 IRWM Drought grant funding is part of an expedited solicitation effort and agrees to the following items:

- If conditionally awarded funding, the applicant, on the behalf of the RWMG, will submit to DWR, within thirty (30) calendar days of written notification, which may include email or electronic notification, all of the following items:
 - A detailed Work Plan for each project contained in the Proposal
 - Documentation to support the Project Justification claims contained in the Proposal
 - Audited Financial Statements for the Grantee and the individual project proponents whose project(s) is/are about to begin construction/implementation
 - CEQA/NEPA documentation for those projects that are about to begin construction/implementation
 - Other materials that DWR deems necessary, which will be detailed in the award notification

I further acknowledge that the RWMG also understands that failure to submit the necessary information, within thirty (30) calendar days, may result in delayed execution of the grant agreement or revocation of the conditional award of funds.

Authorized Original Signature: _____

Printed Name: _____

Title: _____

Date: _____

Adopted Plan and Proof of Formal Adoption – The necessary documentation consists of proof of formal adoption (i.e. a signature page, with dates of signature) by all RWMG entities and project proponents adopting the IRWM Plan and other documentation that the IRWM Plan was adopted consistent with CWC §10543. The adopted IRWM Plan must be consistent with the 2012 IRWM Program Guideline Plan Standards.

DWR has established a Plan Review Process (PRP) designed to assess whether IRWM plans are consistent with the IRWM Plan Standards. The PRP is described in Appendix H of the 2014 IRWM Drought Guidelines. The plan submittal process discussed in the PSP will remain open throughout this solicitation. If proof of adoption is not available at the time of application provide a statement in this attachment that discusses whether the RWMG is currently developing its initial IRWM Plan or in the process of updating a prior IRWM Plan. Also list the anticipated date of plan adoption and the date that proof of adoption will be submitted to DWR.

In order to be considered eligible for the 2014 IRWM Drought funding, the adopted plan and proof of adoption must be submitted to DWR, at the address listed Section V.2 of the PSP, no later than **<insert date – Assume 45 calendar days after application due date>**.

Project Consistency with an adopted IRWM Plan –Provide a short statement (less than 250 words) of how the projects in the proposal are consistent with the IRWM plan. Demonstrate that the project is listed in the IRWM Plan project list or describe how any non-listed projects have been vetted through the IRWM project review.

Urban Water Management Compliance – List the urban water suppliers that will receive funding from the proposed grant. If there are none, so indicate.

Please provide the agency name, a contact phone number and e-mail address. For the listed urban water suppliers, include documentation, from DWR, that verifies that each supplier's 2010 Urban Water Management Plan (UWMP) addresses the requirements of the CWC. If an urban water supplier's 2010 UWMP has not been verified by DWR, explain and provide the anticipated date for having a 2010 UWMP that addresses the requirements of the CWC.

The listed urban water suppliers must self-certify their compliance with the requirements contained in AB 1420. The AB 1420 self-certification documentation and instructions found at the following link: <http://www.water.ca.gov/wateruseefficiency/finance/>. As DWR is both the funding agency and the approval agency, a single submittal to DWR is sufficient.

The listed urban water suppliers must self-certify their compliance with the water metering requirements contained in CWC §525 *et seq.* The Water Metering compliance self-certification form and instructions can be found at the following link: www.water.ca.gov/irwm/grants/resourceslinks.cfm. Each urban water supplier proposing wastewater projects, water use efficiency projects, or drinking water projects must complete the form. **Only one (1) hard copy (with wet signature) submittal per project is required for this attachment.** If any of the listed urban water suppliers have submitted AB 1420 compliance tables and supporting documentation to DWR on or after July 1, 2013, then please list the urban water supplier and the grant program, and do not include a new self-certification form.

Agricultural Water Management Compliance – List the agricultural water suppliers that will receive funding from the proposed grant. If there are none, please indicate so.

Please provide the agency/organization name, a contact phone number and e-mail address. For the listed agricultural water suppliers, include documentation, from DWR, that verifies that each supplier's Agricultural Water Management Plan addresses the requirements of the Water Code. If an agricultural water supplier's Agricultural Water Management Plan has not been verified by DWR, explain and provide the anticipated date for having an Agricultural Water Management Plan addresses the requirements of the Water Code.

Surface Water Diverter Compliance – List the surface water diverters that will receive funding from the proposed grant. If there are none, please indicate so.

Please provide the agency/organization name, a contact phone number and e-mail address. For the listed surface water diverters, state whether they have submitted to the State Water Resources Control Board surface water

diversion reports in compliance with requirements outlined in Part 5.1 (commencing with §5100) of Division 2 of the CWC. If a surface water diverter has not, explain and provide the anticipated date for meeting the requirements.

Groundwater Management Compliance – List the groundwater users that will receive funding from the proposed grant. If there are none, please indicate so.

Please provide the agency/organization name, a contact phone number and e-mail address. If the Proposal does not contain a groundwater project or other project that directly affect groundwater levels or quality, so indicate, and include in Attachment 1 the justification for such a conclusion. For groundwater projects or other projects that directly affect groundwater levels or quality, the applicant or the participating agency responsible for such projects must provide the following, as applicable:

- Identification of projects in the Proposal that involve any groundwater projects or other projects that directly affect groundwater levels or quality.
- The agency(ies) that will implement such project(s).
- Each listed agencies must submit self-certify compliance with CWC §10753 regarding Groundwater Management Plans (GWMPs). Prepare the GWMP self-certification documentation in accordance with the instructions found at: <http://www.water.ca.gov/irwm/grants/resourceslinks.cfm>. Only one (1) hard copy (with wet signature) submittal per project is required for this attachment.

CASGEM Compliance – DWR has prioritized the groundwater basins, as well as CASGEM monitoring entities. The CASGEM Program description can be found at the following link: <http://www.water.ca.gov/groundwater/casgem/>.

For the high and medium priority basins that do not have a CASGEM monitoring entity, the grant applicant and project proponent that match the list of potential monitoring entities identified in CWC §10927, along with the counties whose jurisdictions include unmonitored high and medium priority basins, will not be eligible to receive 2014 IRWM Drought grant funding (CWC §10933.7(a)). DWR will take into consideration whether a monitoring entity has already been proposed and is in process of being established for the relevant basin(s) when determining eligibility. Consistent with CWC §10933.7(b), if the entire service area of the grant applicant or the individual project proponent's service area is demonstrated to be a DAC, as defined in the 2014 IRWM Drought Guidelines, Appendix B, the project will be considered eligible for grant funding notwithstanding CASGEM compliance.

To demonstrate CASGEM eligibility, the following must be included for each project:

- Project location and implementing agency's service area boundary. Project latitude and longitude coordinates and a service area boundary GIS shape file must be provided.
- Groundwater basin that each project overlies. State the basin priority as determined by the CASGEM Program.
 - ◆ If the basin is a high or medium priority basin, please specify the name of the organization that has assumed the role of monitoring entity.
 - ◆ If there is no monitoring entity, please indicate whether the project proponent is an eligible monitoring entity per CWC §10927.

Water Conservation Programs and measures – Water conservation programs and measures must be not locally cost-effective to be eligible for the 2014 IRWM Drought funds. For the purposes of the 2014 IRWM Drought solicitation, "not locally cost-effective" means the present value of the local benefits of implementing a water conservation program or measure is less than the present value of the local costs of implementing that program or measure (CWC Section 10631.5 (a)(4)(B)).

Applicants must include documentation that confirms the proposed water conservation program or measure's total annualized cost (annualized capital costs plus annual operation and maintenance cost) exceeds its annualized local monetary benefits over the life of the project.

ATTACHMENT 2. DROUGHT IMPACTS

For the “AttachmentName” in the naming convention of GRanTS, use “Impact” for this attachment.

Attachment 2 is mandatory and should be presented in the following sub-sections:

- Drought Impacts and Funding Need
- Water Conservations Measures

The information contained in the sub-sections will be used by DWR reviewers to determine whether the questions contained in Table 9, regard drought impacts and related actions are satisfactorily answered by the applicant. The basis for this determination is explained below. Attachment 2 must include:

- A description of the regional water management impacts due to the 2014 Drought and any anticipated or projected impacts if drought or dry year conditions continue into 2015. The description must be not more than 500 words in length.
- A description of the water conservation measures/restrictions, mandatory or voluntary, that have been implemented as a result of the 2014 Drought. Include supporting documentation, such as copies of local drought declarations or conservations directives. Discuss any planned or anticipated actions if drought or dry year conditions continue into 2015. The description must be not more than 500 words in length.

ATTACHMENT 3. PROJECT JUSTIFICATION

For the “AttachmentName” in the naming convention of GRanTS, use “ProJust” for this attachment.

Attachment 3 is mandatory and includes a summary of the proposed project(s), including the purpose and how it meets the need(s) created by the drought. It also contains the estimated physical benefits of the project(s); justifies how the project is technically feasible; describes how the project can achieve the claimed level of benefits; explains whether the benefits will be attained through the least cost alternative; and identifies a plan to monitor project performance. Attachment 3 should be presented in the following sub-sections:

- Project Summary Table
- Project Description
- Regional Map and Project Map
- Project Physical benefits
- Technical Analysis of Physical Benefits Claimed
- Cost Effectiveness Analysis
- Monitoring of Project Performance

The information contained in the sub-sections will be used by DWR reviewers to determine whether the questions contained in Table 9 regarding the justification for the projects contained in the proposal are satisfactorily answered in the application. The basis for this determination is explained below.

PROJECT SUMMARY TABLE

Complete the following table by adding a column for each project contained in the Proposal and marking the applicable project element(s) from both the Drought Project Element and IRWM Project Element Sections of the table. Each project must match at least one project element in both sections. This information will be used by DWR in its assessment of project eligibility.

Table 4 – 2014 IRWM Drought Solicitation Project Summary Table

Drought Project Element		Project Name/ID Add 1 column per Project
D.1	Provide immediate regional drought preparedness	
D.2	Increase local water supply reliability and the delivery of safe drinking water	
D.3	Assist water suppliers and regions to implement conservation programs and measures that are not locally cost-effective	
D.4	Reduce water quality conflicts or ecosystem conflicts created by the drought	
IRWM Project Element		
IR.1	Water supply reliability, water conservation, and water use efficiency	
IR.2	Stormwater capture, storage, clean-up, treatment, and management	
IR.3	Removal of invasive non-native species, the creation and enhancement of wetlands, and the acquisition, protection, and restoration of open space and watershed lands	
IR.4	Non-point source pollution reduction, management, and monitoring	
IR.5	Groundwater recharge and management projects	
IR.6	Contaminant and salt removal through reclamation, desalting, and other treatment technologies and conveyance of reclaimed water for distribution to users	
IR.7	Water banking, exchange, reclamation, and improvement of water quality	
IR.8	Planning and implementation of multipurpose flood management programs	
IR.9	Watershed protection and management	
IR.10	Drinking water treatment and distribution	
IR.11	Ecosystem and fisheries restoration and protection	

PROJECT DESCRIPTION

The applicant must include a brief description of each project (25 words or less for each project) contained in the Proposal and the name of the respective implementing agency/organization.

- For each proposed project, discuss how the project will address the drought impact(s) presented above and how it can be considered as one or more of the four eligible project types (Section C), and why expedited funding is needed (no more than 500 words per project).

REGIONAL AND PROJECT MAP

A regional map should include the IRWM regional boundary and a marker identifying the location of each project contained in the proposal. If GIS software is utilized, please use the same project latitude and longitude locations provided in Attachment 1 (under CASGEM Compliance).

Also include a map for each project that shows, as applicable, the project's geographical location and the surrounding work boundaries, facilities of the project, the water resources (groundwater or surface water) that will be affected, DACs within the project service area, and proposed monitoring locations.

PROJECT PHYSICAL BENEFITS

Physical benefits are the expected measurable accomplishments of a project. To be eligible to receive IRWM Grant funding each project must have multiple benefits (§75026.(a)). Physical benefits should be based on estimated measures of project accomplishments over the period of analysis and consistent with the provided need described above. Physical benefits may include, but are not limited to, the following benefit types:

- Amount of water supply produced, saved, or recycled.
- Types (constituents) and amounts of water quality improvement provided, and the amount of water treated or improved.
- Types and amounts of environmental benefits provided, such as the types of species and their numbers benefited, acreage of habitat or floodplain improved, restored or protected, amount of flow provided, or habitat units restored or protected. If a Habitat Evaluation Procedure has been performed, provide information from that analysis.

- Amount of energy produced or saved, and amount of greenhouse gases that can be avoided.

Table 5 must be used to present physically quantifiable benefits. At a minimum, the applicant must complete one table for a claimed primary and secondary benefit for each project contained in the Proposal. To complete Table 5, the applicant should use the following steps:

- Format a table that will display one of the physical benefits that are claimed for the project.
- Once the table has been appropriately formatted, the provide the following information:
 - ◆ Row (1) Project name
 - ◆ Row (2) Identify the exact type of physical benefit being claimed
 - ◆ Row (3) Identify the units of the benefit claimed (e.g., acre-feet, mg/l, acres, average annual cubic feet per second (cfs))
 - ◆ Row (4) Additional information needed to explain this benefit
 - ◆ Column (b): This column should be completed if the project will increase physical benefits of an existing project, facility or program. Enter the level (units) of the physical benefit for the without-project condition.
 - ◆ Column (c): enter the total amount of the physical benefit provided in the without-project condition, plus the amount of benefit provided by the project. If the project will delay or replace some other project entirely or in part, do NOT reduce the physical benefits in Column (c) for the amount of replacement.
 - ◆ Column (d): enter the result of subtracting Column (b) from Column (c) to determine the change in the amount of physical benefit resulting from the project.
 - ◆ Comment Box: Enter any sources and references, including page numbers, supporting the numbers used in this table, or other information as needed to explain entries.

Generally, the quantities provided for each year should be an average from a representative hydrologic period that reflects the development condition in that year, future demands, and facilities in place. In some cases, quantities in the early years might reflect incomplete projects and starting conditions as of the end of 2014.

If the same level of physical benefit is expected in every year of the project life, a Table 5 showing every year is not required. Rather, provide a Table 5 with one row showing (1) the years of project life in column (a); (2) the without-project amount of benefit, if applicable; (3) the with-project amount of benefit; and (4) the difference.

Table 5 – Annual Project Physical Benefits			
Project Name: _____			
Type of Benefit Claimed: _____			
Units of the Benefit Claimed : _____			
Additional Information About this Benefit _____			
(a)	(b)	(c)	(d)
	Physical Benefits		
Year	Without Project	With Project	Change Resulting from Project (b) – (c)
2014			
2015			
2016			
Etc.			
Last Year of Project Life			
Comments:			

TECHNICAL ANALYSIS OF PHYSICAL BENEFITS CLAIMED

Applicant must provide the following information for each project:

- Narrative description of the primary and secondary expected physical benefits, which shall address the following items:
 - ◆ Technical basis of the project. If applicable, studies or documents supporting the projects must be clearly referenced (including specific page references). Documentation may include, but is not limited to: technical reports, feasibility studies, needs assessments, expert opinion or local knowledge, journals, etc.
 - ◆ Recent and historical conditions that provide background for benefits to be claimed; for example, recent water shortages, loss of habitat or ecosystem function, and water quality problems.
 - ◆ Estimates of without-project conditions (e.g., levels of the physical benefits in the future, without the project, but with other projects that might be planned).
 - ◆ Description of methods used to estimate physical benefits.
 - ◆ Acknowledgment of all new facilities, policies, and actions required to obtain the physical benefits.
 - ◆ Description of any potential adverse physical effects.

PROJECT ANALYSIS

Applicants must conduct an analysis of each of the proposed projects. This analysis evaluates whether the physical benefits provided by the project are provided at the least possible cost. Applicants will perform this analysis by using Table 6 for each project. The following bullets will assist applicants in populating Table 6. If a lower cost alternative exists and no other features of the proposed project justify its implementation over the alternative, then the proposed project is not cost-effective. If the lowest cost alternative costs more than the proposed project, then the cost savings from implementing the proposed project will be viewed as a project benefit.

Table 6 – Project Analysis

Project name: _____	
Question 1	Types of benefits provided as shown in Table 5
Question 2	Have alternative methods been considered to achieve the same types and amounts of physical benefits as the proposed project been identified?
	If no, why? If yes, list the methods (including the proposed project) and estimated costs.
Question 3	If the proposed project is not the least cost alternative, why is it the preferred alternative? Provide an explanation of any accomplishments of the proposed project that are different from the alternative project or methods.
Comments:	

Exhibit A contains guidance for describing all costs that will be incurred to implement and operate the project and to achieve benefits from the project over its expected life.

If conditionally awarded funding, applicant will be required to submit to DWR a Monitoring Plan consistent with Exhibit B.

ATTACHMENT 4. WORK SUMMARY

For the “AttachmentName” in the naming convention of GRanTS, use “WorkSummary” for this attachment.

Attachment 4 is mandatory and contains descriptive summaries of the tasks necessary to complete each project in the Proposal. The Work Summary discusses the deliverables that will be provided major tasks to be undertaken. Discuss the current status of the project, including permitting activities. The Work Summary is limited to 500 words per project contained in the Proposal. The information contained in the sub-section will be used by DWR

reviewers to determine whether the questions contained in Table 9 regarding the Work Summary are satisfactorily answered by the applicant.

If conditionally awarded funding, applicant will be required to submit to DWR a detailed Work Plan consistent with Exhibit C.

ATTACHMENT 5. BUDGET SUMMARY

For the “AttachmentName” in the naming convention of GRanTS, use “Budget” for this attachment.

Attachment 5 is mandatory and includes the estimated capital costs of each project in the application. Attachment 5 should be presented in the following sub-sections:

- Project Budget Summary
- Proposal Budget Summary

The information contained in the sub-sections will be used by DWR reviewers to determine whether the questions contained in Table 9, regarding the project and proposal budgets are satisfactorily answered by the applicant. The basis for this determination is explained below.

Project Budget

Table 7 must be completed for each project in the Proposal.

Table 7 – Project Budget					
Proposal Title: _____					
Project Title: _____					
Project serves a need of a DAC?: <input type="checkbox"/> Yes <input type="checkbox"/> No					
Funding Match Waiver request?: <input type="checkbox"/> Yes <input type="checkbox"/> No					
Category		(a)	(b)	(c)	(d)
		Requested Grant Amount	Cost Share: Non-State Fund Source* (Funding Match)	Cost Share: Other State Fund Source*	Total Cost
(a)	Direct Project Administration				
(b)	Land Purchase/Easement				
(c)	Planning/Design/Engineering/Environmental Documentation				
(d)	Construction/Implementation				
(e)	Grand Total (Sum rows (a) through (d) for each column)				

*List sources of funding: *Use as much space as required*

Proposal Budget

Table 8 must be completed as a summary or roll-up budget for the entire Proposal. The “Table 8 – Summary Budget” must be clearly marked as such.

Although the applicant should complete Table 8 column (e) for each individual project, for IRWM Implementation Grant funding, the minimum funding match requirement applies to the costs of the overall Proposal. Table 8 will be used to present the funding match for the Proposal, including documenting that the Proposal will meet the minimum requirement of at least 25% of the total costs. As discussed in the 2014 IRWM Drought Guidelines, the requirement for 25% funding match may be waived for projects that demonstrate they address a need of a DAC. See Attachment 8 for more information on how to present the budget and also, where relevant, requesting a funding match waiver.

Table 8 – Summary Budget

Proposal Title:		(a)	(b)	(c)	(d)	(e)
Individual Project Title		Requested Grant Amount	Cost Share: Non-State Fund Source (Funding Match)	Cost Share: Other State Funding Sources	Total Cost	% Funding Match (Col b/Col d)
(a)	Project 1	Grand Total From Table 11, row (e)	Grand Total From Table 11, row (e)	Grand Total From Table 11, row (e)	Grand Total From Table 11, row (e)	
(b)	Project 2					
(c)	Project 3...					
(d)	Project n					
(e)	Proposal Total <i>Sum rows (a)-(d) for each column</i>					
(f)	DAC Funding Match Waiver Total <i>Sum column (d) only for projects seeking DAC funding match waiver in rows (a)-(d)</i>					
(g)	Grand Total <i>Subtract row (e) from row (f) for column (d) and recalculate column (e)</i>					

If conditionally awarded funding, applicant will be required to submit to DWR a detailed Budget consistent with Exhibit D.

ATTACHMENT 6. SCHEDULE

For the “AttachmentName” in the naming convention of GRanTS, use “Schedule” for this attachment.

Attachment 6 is mandatory and includes a schedule for implementation of the Proposal showing the sequence and timing of each of the proposed projects. Attachment 6 should be presented in the following sub-sections:

- Project Schedule
- Proposal Schedule

The information contained in the sub-sections will be used by DWR reviewers to determine whether the questions contained in Table 9, for the project and proposal schedule are satisfactorily answered by the applicant. The basis for this determination is explained below.

PROJECT SCHEDULE

This solicitation is being expedited to assist RWMGs in addressing water management impacts resulting from the 2014 Drought and any anticipated or projected impacts if drought or dry year conditions continue into 2015, therefore DWR anticipate that projects being advanced will be ready to proceed as soon as possible. While not an eligibility requirement, Proposals that contain projects or programs which are not ready to proceed to construction/implementation on or before April 1, 2015, will not be able to achieve a perfect score for the Schedule Scoring Criterion. For construction projects, ready to proceed means that construction bids have been awarded by the specified date.

The schedule must show the start and end dates as well as milestones for each task contained in the Work Summary and should be in a horizontal bar or Gantt chart format. The Schedule must also be organized in a manner that is consistent with the Work Summary and Budget. The schedule should illustrate any dependencies or predecessors by showing links between tasks. An assumed end date of the grant agreement will not be established by DWR, instead applicants must include a reasonable estimate of the end date, based on their Proposal, including time for any final reports and invoicing. The schedule, Attachment 6 must be consistent with the Work Summary (Attachment 4) and the Budget (Attachment 5), and must use **<insert date in final>, 2014** as the assumed award date of the grant.

Also describe how the schedule shown is realistic, reasonable, and accomplishable based on the state of project development (such as design phase, status of permitting, and environmental documentation). The description must not exceed 500 words.

PROPOSAL SCHEDULE

The applicant must include a Schedule that briefly summarizes the Proposal's overall schedule.

ATTACHMENT 7. PROGRAM PREFERENCES

For the "AttachmentName" in the naming convention of GRanTS, use "Preference" for this attachment.

Attachment 7 is mandatory. Submit a discussion on how the Proposal assists in meeting the Program Preference(s) described in Section II.F of the 2014 IRMW Drought Guidelines. The discussion must identify the specific Program Preference(s) and the project that will meet the listed preference(s); also discuss the level of certainty that the project will meet the preference(s) the breadth and magnitude to which the preference(s) will be met. In particular, describe any issues related to the Human Right to Water Policy and how the proposal project(s) will assist in meeting the goals of the policy.

Attachment 7 will be scored for each application to determine whether the proposal assists in addressing the Human Right to Water Policy (CWC § 106.3). For those proposals that include projects that assist in meeting the Human Right to Water, one (1) point per such project for a maximum of three (3) points will be added to the base proposal score, as shown in Table 9 (Question 29).

Attachment 7 will also be scored for other Program Preferences, but the score will only be considered in the event of a tie. One half point will be awarded for each Program Preference including the Statewide Priorities, listed in Table 1 of the 2014 IRWM Drought Guidelines that will be met through the implementation of the Proposal. The maximum tiebreaker score for this criterion is four (4) points, as shown in Table 9.

The Attachment 7 discussion must be limited to not more than 250 words per project.

ATTACHMENT 8. DISADVANTAGED COMMUNITY ASSISTANCE

For the "AttachmentName" in the naming convention of GRanTS, use "DAC" for this attachment.

Attachment 8 is optional and is required only if the proposal includes a project that specifically addresses a need of a DAC. DWR will use the information in Attachment 8 to evaluate the application with regard to DAC program preference and waiver of funding match (if requested).

DOCUMENTATION OF THE PRESENCE AND NEEDS OF A DAC

DWR strongly recommends that applicants consult 2014 IRWM Drought Guidelines, Appendix G, to determine if the project area includes a DAC using the most recent data available. Applicants should ensure the description of the DAC is adequate for DWR to determine whether the communities meet the definitions.

- Include information that supports the determination of DACs in the region, such as a map or shapefile that shows the project service area is congruent with a DAC as shown using the MHI data.
- Where the lack of representative census data that adequately represents the community can be documented, income surveys may be substituted.
- In determining the MHI for DACs, applicants may use a single type of census geography or combinations of census geographies that best represent the DAC.
- For the applicants with GIS capability, the GIS data files used within the DAC mapping tool are available to download and use (Appendix A of 2014 IRWM Drought Guidelines). These GIS files will allow applicants to combine project area shape files with DAC data layers. This will help applicants show the extent of overlap or project areas with DACs.

- Describe the critical water supply and or water quality needs of the DACs you have identified. Please consult the 2014 IRWM Drought Guidelines to determine if the project qualifies. DWR will consider regional projects as meeting a need of DACs in proportion to the extent the project serves DACs and is verified to meet a critical water supply or water quality need as detailed in the 2014 IRWM Drought Guidelines. The intent of DAC assistance is to provide targeted benefits therefore, presenting the entire county as a DAC is discouraged. There may be census geographies (i.e., places, tracts, and block group) contained in areas of a county that have an MHI greater than the 80% of the statewide MHI and thus would not meet the definition of a DAC. It may also be difficult in demonstrating how a specific project would have targeted water supply and or water quality benefits on a county-wide scale.

VI. REVIEW AND SCORING CRITERIA

First, applications will be screened for eligibility and completeness in accordance with Section V of the 2014 IRWM Drought Guidelines and Section II of this PSP. The information provided by applicants in GRanTS, as well as Attachments 1 and 8 of the application, will be used in determining eligibility and completeness. All complete and eligible applications will then be evaluated as described below.

Applications that are complete and eligible will be scored based on the evaluation questions presented in Table 9. Each question will be evaluated by technical reviewers who will determine whether the question has been adequately addressed, by responding “yes” or “no”, for each project in the Proposal. Therefore, if the project adequately addressed the question, the technical reviewer will respond with a “yes” in the corresponding cell. A “yes” indicates the project should receive the available point(s) for the question. A “no” indicates that zero (0) points should be awarded to the project for the question. There are some questions that may not be applicable to certain types of projects. The applicant must explain in the attachments above how these questions are not pertinent to the project(s). If the technical reviewer agrees with this characterization, the response would be “N/A” which is equivalent to a “yes”, otherwise, the response would be “no.”

The Proposal score for each criterion will be determined by summing each individual project’s total score, dividing the summation by the number of projects, and then rounding up or down to the nearest whole number.

Table 9 – Scoring Criteria and Standards

Q#	Questions	Points Available	
Proposal Level Evaluation		Points Available	
1	Does the proposal clearly identify the regional water management impact(s) due to the 2014 drought or any anticipated impacts if the drought or dry year conditions continue into 2015?	5	
2	Did the Project Proponent identify the mandatory or voluntary water conservation measures/restrictions that have been implemented due to the 2104 drought or any planned or anticipated actions if drought or dry year conditions continue into 2015?	5	
3	Is there a map of the IRWM Region that shows the location of the project(s) included in the Proposal?	1	
4	Does the Budget contain a summary budget for the Proposal?	1	
5	Does the Schedule contain a summary schedule for the Proposal?	1	
6	Collectively, do the Work Summary, Budget, and Schedule demonstrate that a majority of the projects will be ready to start construction/implementation by April 1, 2015?	2	
7	Enter up to 3 points for proposals that address the Human Right to Water	3	
Total for Proposal Level		18	
Project Level Evaluation		Points Available	Project Name/ID Add 1 column/ Project
9	Is a brief description of the project included?	1	
10	Is there a project map that shows the location of the project and the areas affected by the project?	1	
11	Does the applicant clearly explain how the proposed project will help alleviate the identified drought impacts?	2	
12	Is the project proponent at risk of not meeting existing drinking water demands without the proposed project?	2	
13	Are the anticipated primary and secondary physical benefits of the project described and quantified?	1	
14	Is each physical benefit annualized over the lifecycle of the project?	1	
15	Is the technical analysis reasonable considering the size of the project and the type of physical benefit claimed?	1	
16	Does the technical analysis support the claimed physical benefits?	2	
17	Is the proposed project the least cost alternative? If not, does the applicant sufficiently explain why it was selected instead of the least cost alternative?	1	
18	Is an estimate of annual project costs provided and does the estimate demonstrate a source of funding that will allow the project proponent to successfully operate and maintain the project over its projected life-cycle?	2	
19	Does the applicant identify targets, and associated tools/methods, that will be used to monitor the project's ability to achieve the claimed benefits (project performance)?	1	
20	Does the application explain how the listed tools and methods will be used to effectively monitor project performance?	1	
21	Does the applicant discuss the necessary tasks that will result in a completed project?	1	
22	Do the tasks in the scope of work include appropriate deliverables (i.e., CEQA documents, plans and specifications, monitoring plans, progress reports, final report, etc.)?	1	
23	Does the Work Summary include a project status that indicates the current stage of each task (e.g., % complete)?	1	
24	If applicable, does the Work Summary include a listing of required permits and their status, and the appropriate environmental documentation for the proposed project? (N/A = Yes)	1	

Table 9 – Scoring Criteria and Standards

Q#	Questions		
25	Are the tasks shown in the Budget consistent with the tasks discussed in the Work Summary?	1	
26	Are the tasks in the schedule consistent with the tasks described in the Work Summary?	1	
27	Does the schedule demonstrate that it is reasonable to expect that the project will start construction/implementation by April 1, 2015?	1	
28	Does the application describe the step necessary to ensure that the proposed schedule can be met?	1	
Total Project Level Score for all projects		24	
Project Level Criterion Score			
Insert Average Total by Project = (Total Project Score/# of Projects); rounded to nearest whole number			
Total Proposal Score		Maximum Possible Score	
Enter Proposal Level Criterion Score		18	
Enter Project Level Criterion Score		24	
Grand Total (Sum Above Two Rows)		42	
Possible Additional Tie-Breaker Points		4	
Maximum possible points in the event of a tie		46	

EXHIBIT A Project Analysis

The following provides guidance for describing all costs that will be incurred to implement and operate the project and to achieve benefits from the project over its expected life. This includes costs funded by local, State, and federal agencies, non-profit organizations, and other entities. All costs, both initial investments and operational costs, associated with the project necessary to accomplish full implementation of the project and achievement of the stated benefits, must be included. All costs must be presented in Table A-1 and clearly documented to allow a reviewer to assess the accuracy and reasonableness of the analysis.

Applicant must also demonstrate a source of funding that will allow it to successfully operate and maintain the project over its projected life-cycle.

A separate Table A-1 must be completed for each project in the proposal. To complete Table A-1, the applicant should use the following steps:

- Modify the number of rows to match the estimated project life, i.e. how long are the projects intended to operate and provide benefits.
- Column (a) is the project costs that are consistent with the project budget
- Columns (a) through (f): Enter costs for each applicable cost category in each year of the project's lifecycle. Enter costs beginning in the first year of expenditure, not the first year of operation.
- Column (g): Enter the sum of all costs for the year (columns (a) through (f)).
- Column (h): Discount factors provided in Table A-2 – needed because costs must be discounted to reflect the value of money over time. All applicants must use a 6% discount rate.
- Column (i): Enter the result of multiplying Column (g) by the discount factor in Column (h) for each year (each row).
- Bottom of Column (i), Total Present Value of Discounted Costs: Enter the sum of the Column (i) entries in the last row at the bottom of the table. This is the total present value of all costs discounted at 6%.
- Comment Box: Enter any sources and references; include page numbers, supporting the numbers used.

Table A-1 – Annual Costs of Project
(All costs should be in 2014 Dollars)

Project: _____

	Initial Costs Grand Total Cost from Table 7 (row (e), column (d))	Annual Costs ⁽¹⁾						Discounting Calculations	
		Admin	Operation	Maintenance	Replacement	Other	Total Costs (a) + ... + (f)	Discount Factor	Discounted Project Costs (g) x (h)
Year	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)
2014								1.000	
2015								0.943	
2016								0.890	
2017								0.840	
...								...	
...								...	
Last Year of Project Life								...	
Total Present Value of Discounted Costs (Sum of column (i))									
Comments:									

(1) The incremental change in O&M costs attributable to the project.

Table A-2 – Discount Factors

Year	Discount Factor	Year	Discount Factor	Year	Discount Factor	Year	Discount Factor	Year	Discount Factor
2014	1.000	2024	0.558	2034	0.312	2044	0.174	2054	0.097
2015	0.943	2025	0.527	2035	0.294	2045	0.164	2055	0.092
2016	0.890	2026	0.497	2036	0.278	2046	0.155	2056	0.087
2017	0.840	2027	0.469	2037	0.262	2047	0.146	2057	0.082
2018	0.792	2028	0.442	2038	0.247	2048	0.138	2058	0.077
2019	0.747	2029	0.417	2039	0.233	2048	0.130	2059	0.073
2020	0.705	2030	0.394	2040	0.220	2050	0.123	2060	0.069
2021	0.665	2031	0.371	2041	0.207	2051	0.116	2061	0.065
2022	0.627	2032	0.350	2042	0.196	2052	0.109	2062	0.061
2023	0.592	2033	0.331	2043	0.185	2053	0.103	2063	0.058

EXHIBIT B Monitoring Plan

The following provides guidance for developing a Monitoring Plan to track performance of each project that received funding. The grant agreement will require development a Monitoring Plan(s). Grantees will be required to submit a Table B-1 for each project included in the Proposal. Project Monitoring Tables should include the following items:

- Proposed Physical Benefits
- Measurement tools and methods – to effectively track performance
- Targets – measurable targets that are feasible to meet during the life of the project(s)

Table B-1 – Project Monitoring		
Project: _____		
Proposed Physical Benefits	Measurement tools and methods	Targets

If the grant application is successful, upon implementation of the proposal, the Project Monitoring Tables will be used to develop the individual project monitoring plans. Monitoring plans will describe the tools that will be used to monitor project performance and set interim targets (or milestones) that will be used to track the projects pace in meeting the benefits claimed above; indicate where the data will be collected and the types of analyses to be used; explain how the monitoring tools and targets are appropriate for the benefits claimed; and include a discussion of how monitoring data will be used to measure performance.

EXHIBIT C

Work Plan

The exhibit provides guidance for developing the Work Plan that will be included in the grant agreement. The Work Plan must include the necessary tasks, and as necessary sub-task, for each project within the grant agreement. The Work Plan must be broken out by the following four categories: (1) Direct Project Administration, (2) Land Purchase/Easement, (3) Planning/Design/Engineering/Environmental Documentation, and (4) Construction/Implementation and must also contain the following items:

- For each project, a concise description of each task needed to complete the project and the current status of each task (including estimated % complete). Also include a brief overview of work already completed and work to be performed.
- Grant reporting tasks including the submittal of Quarterly Progress Reports, Invoices, and Final Reports.
- Procedures for coordinating with its partner agencies and organizations that may receive funding from the grant including any contracts, memorandums of understanding (MOUs), and other formal agreements.
- A brief overview of standards, such as construction standards, health and safety standards, laboratory analysis, or accepted classifications methods that will be used in implementation.
- A Project Performance Monitoring Plan for the project(s) listed in the Proposal.
- A discussion of the status of acquisition of land or rights-of-way. If a funded project requires land to be purchased and/or an easement to be acquired, include a list of needed parcels for each project and the status of the acquisition. If land and/or easement acquisition is not applicable, state as such.
- A listing of all necessary permits and the status of securing such permits.
- A plan for the preparation and completion of requirements to comply with the CEQA, NEPA, and other environmental laws. If environmental compliance efforts have not been completed, include tasks for environmental compliance. Include any environmental mitigation or enhancement actions or tasks necessary to comply with recommended mitigation measures.
- A description of the required tribal notification, if applicable, requirement (PRC §75102). If deemed not applicable, describe the basis for that conclusion. See Appendix D of the 2014 IRWM Drought Guidelines for further information.
- Submittal of the necessary plans and specifications.

Table C-1 provides an outline of a typical work plan that may be submitted for this grant program. Individual tasks may vary; however, ensure they are consistent with the budget and schedule that will also be incorporated into the grant agreement. Table C-1 is an example. It is not required to present tasks in a tabular format.

Table C-1 – Typical Scope of Work Outline

Category (a): Direct Project Administration

Task 1: Administration: [Description of work]

Deliverables: Preparation of invoices and other deliverables as required.

Task 2: Labor Compliance Program: [Description of work]

Deliverable: Submission of Labor Compliance Program

Task 3: Reporting: [Description of work]

Deliverables: Submission of quarterly and final reports as specified in the Grant Agreement.

Table C-1 – Typical Scope of Work Outline

Category (b): Land Purchase/Easement	
Task 4: Land Acquisition: [Description of work]	Deliverables: Proof of Title Transfer.
Category (c): Planning/Design/Engineering/Environmental Documentation	
Task 5: Assessment and Evaluation: [Description of work]	Deliverables: Technical studies
Task 6: Final Design: [Description of work]	Deliverables: Completion of project plans and specifications at the final level.
Task 7: Environmental Documentation: [Description of work]	Deliverable: Approved and adopted CEQA/NEPA documentation
Task 8: Permitting: [Description of work]	Deliverables: Section 1602, 401, 402, 404, etc.
Category (d): Construction/Implementation	
Task 9: Construction Contracting: [Description of work]	Deliverables: Advertisement for bids; pre-bid contractors meeting; evaluation of bids; award contract
Task 10: Construction: [Description of work]	Subtask 10.1 Mobilization and Site Preparation: [Description of work] Subtask 10.2 Project Construction: [Description of work] Subtask 10.3 Performance Testing and Demobilization: [Description of work] Deliverables: Site photos, Project Completion Certificate, etc.
Task 11: Environmental Compliance/Mitigation/Enhancement: [Description of work]	
Task 12: Construction Administration: [Description of work]	

EXHIBIT D Budget

The exhibit provides guidance for developing the supporting documentation for Table 7, Project Budget. The supporting documentation will be necessary for the development of the grant agreement. The costs shown in the budget must reflect the relevant labor code compliance requirements and the applicability of prevailing wage laws as explained in Section IV of the 2014 IRWM Drought Guidelines. The budget should also identify funding for the Data Management and Monitoring Deliverables identified in the Project Justification section of the Proposal, including any data sharing efforts with the applicable State databases.

Costs must be organized in a manner that is consistent with the Work Plan and Schedule that will be contained in the grant agreement. The estimate must at a minimum include the following for each individual project within the Proposal:

- Land costs, planning and design costs, environmental compliance and documentation costs; construction costs shown by project task, or phase; and the construction contingency amount for the Proposal.
- Funding match (i.e., Grantee's non-state cost share) can include, subject to DWR approval, eligible costs borne by the applicant or individual project proponent before January 17, 2014 but after January 1, 2010. A minimum funding match for each proposal is 25% of the total costs of the Proposal. Proposals that include one or more projects that meet the needs of a DAC, as described in the 2014 Guidelines, may request a reduction or waiver of the required funding match. The 25% minimum funding match is calculated based on the total proposal cost [column (d) from Table 8], less any total project costs for qualified DAC projects. For example, if the total proposal cost as shown in column (d), Table 8 is \$10,000,000 and the Proposal includes a DAC project cost of \$1,000,000, then the new total proposal cost for calculating the minimum 25% funding match is now \$9,000,000.
- Any other State funds being used that will not come from this grant should be entered in column (c) of Tables 7 and 8. State Revolving Funds (SRF) are considered State funds; therefore, cannot be used as funding match, and should be entered in column (c) of Tables 7 and 8. American Recovery and Reinvestment Act funds are not considered State funds and may be used as funding match (entered in column (b) of Tables 7 and 8).
- Tasks that are completely supported by funding match.

The detailed budget should be commensurate with the design stage that is being submitted and be broken out by task used in the Work Plan. Where applicable, documentation should be included to support the costs included in each budget category. The detailed budget should clearly identify a contingency amount (i.e. contingency percentage) applied to the project budget. Grantees must provide supplemental detailed costs for each project as follows:

Row (a) Direct Project Administration Costs

Detail shall include hourly wage paid by discipline; number of hours to be expended for administration; and costs shown for equipment or supplies, with back-up data provided. If project administrative costs are shown as a percentage of a cost, include both: a) the total on which the project administration is based (i.e., total project costs, total construction cost, etc.) and b) how the percentage was determined (i.e., flat rate, based on prior experience, etc.). This budget category includes all such costs for the grant recipient and any partner agencies or organizations. Grantees are encouraged to limit administrative costs proposed to be reimbursed by the grant to less than 5% of the total Proposal costs. Such administrative costs expenses are necessary costs incidentally, but directly related to the project including an appropriate pro-rata allocation of overhead and administrative expenses that are regularly assigned to all such projects in accordance with the standard accounting practices of the grantee.

Row (b) Land Purchase/Easement

Detail shall distinguish whether the cost is for purchase of land or an easement to use the land. If land purchase is to be included in the funding match, include whether it is a proposed acquisition or whether

the land is already owned by the applicant or partner agency/organization. If the land is already owned by the applicant or partner agency/organization, indicate when the land was purchased (to be an eligible cost it must be after January 1, 2010), the purchase price and what methodology was used to determine land value. The purchase price for that portion of the land that will be dedicated to the Proposal may, in certain circumstances, be included as funding match.

Row (c) Planning/Design/Engineering/Environmental Documentation

Detail shall include hourly wage paid by discipline, number of hours, and the total cost for the particular item (i.e., 60% design, final design (See below for discussion of design stages), engineering field investigations, preparation of CEQA documentation etc.). If any contingency amounts are used in the estimate, provide an explanation for the rationale used to determine the contingency percentage.

For purposes of this PSP, the following design stages are provided to assist applicants in determining their design percentage for projects under design:

- 10% (Conceptual) Design – The 10% design shows project siting and the layout of major facilities. No specifications are provided. Design analysis has been started and is nearing completion. Background geologic, seismic literature research has been performed. A listing of project objectives, environmental or infrastructure constraints is provided.
- 30 % (Concept) Design – The 30% design shows project siting and all project appurtenances. Some detail is provided for each of the disciplines (such as civil, structural, mechanical, and geology). Design analysis should be complete at this stage. A rough listing of specifications required for the project is provided. Preliminary geologic and foundation studies have been performed.
- 60% Design – The 60% design is the same as for the 30% design submittal, with more details provided for each design discipline, including electrical, and traffic control, if applicable. Standard details and outline specifications, including the front end and technical portion, are provided. Foundation studies completed, lab testing performed, structural analysis and/or modeling performed, permitting underway.
- 90% (Pre-final) Design – The 90% design is the final, un-stamped, submittal. Complete plans and specifications are prepared, and a detailed itemized cost estimate is included.
- 100% (Final) Design – The 100% design is the design package that will be advertised for project award for construction/implementation of project. The package consists of the complete, signed, and “As-Advertised” plans and specifications.

Row (d) Construction/Implementation

The estimate should include the quantity of materials used, unit cost, number of units, and, if possible, should have separate costs for labor, equipment, and materials. An estimate of all environmental compliance, mitigation, and enhancement costs should also be included.

The costs to administer and manage construction of the project must be presented. Provide a discussion of the method used to determine this cost. If a percentage of the construction costs is used here, indicate the percentage used and how the percentage was determined. If the estimate will be based on expected hours of effort, list the hours, by discipline, unit cost, equipment costs, and total cost.

Include detail for any legal services costs required to support the project. Include the costs associated with obtaining licenses and permits. Include any costs of monitoring and assessment required during the construction/initial implementation of the project. Do not include any monitoring and assessment costs for efforts required after project construction is complete as those costs are ineligible.

For any implementation costs, show as much detail as required to support the implementation costs shown in Row (d).

Row (e) Proposal Total (Sum rows (a) through (d) for each column)

Sum each of the columns in Table 7 to determine the total cost of the project.

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THE NATURAL RESOURCES AGENCY
DEPARTMENT OF WATER RESOURCES
DIVISION OF INTEGRATED REGIONAL WATER MANAGEMENT



County of Sonoma Agenda Item Summary Report

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

Agenda Item Number: 33
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: April 22, 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):

All

Title: New Bus Introduction – Sonoma County Transit

Recommended Actions:

The Board is invited to view a new Sonoma County Transit bus located in front of the Administration Building.

Executive Summary:

To coincide with Earth Day 2014, Sonoma County Transit is introducing a new fleet of low-floor transit coaches powered by clean natural gas.

The new coaches offer passenger amenities such as high-back reclining seats, parcel racks, reading lamps and free On-Board WiFi. The buses were built by Eldorado National in Riverside, California and funded by a combination of State Proposition 1B, Federal Transit Administration and local transit funds. The new buses were placed into service for the first time this morning and are operating on Sonoma County Transit's major intercity routes from Sonoma to Monte Rio and Petaluma to Cloverdale.

Sonoma County Transit has operated natural gas buses since 1996 and all of its heavy-duty transit buses have been powered by natural gas since 2006. The use of natural gas fuel saves Sonoma County Transit approximately \$1.1 million annually compared to a diesel powered fleet.

Prior Board Actions:

06/04/13 – Board approved agreement with Creative Bus Sales Inc., for the purchase of nine Eldorado National heavy-duty transit buses.

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

Introduction of new clean fuel transit coaches furthers the County's continuing efforts to improve public transit services, ADA accessibility and sustainability.

Fiscal Summary - FY 13-14

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

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):

None.

Attachments:

None.

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

None.



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 of Supervisors

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

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

Staff Name and Phone Number:

Cathy Patton 565-2073

Supervisorial District(s):

District 3

Title: Sonoma Academy Bond Financing

Recommended Actions:

Conduct a public hearing and adopt a resolution to approve a tax exempt bond financing to be issued by the California Statewide Communities Development Authority to benefit Sonoma Academy in a principal amount not to exceed \$10,000,000.

Executive Summary:

Sonoma Academy is a nonprofit 501(c)(3), co-educational college preparatory school for grades 9-12 located on Farmers Lane in Santa Rosa. They currently serve 268 students from four counties in the North Bay. Tuition is based on family circumstances, with 50% of families benefitting from awards over \$2 million in financial aid each year.

Sonoma Academy has requested that the California Statewide Communities Development Authority (CSCDA) participate in the issuance of the tax exempt bonds in a principal amount not to exceed \$10,000,000. The proceeds of the Bond will be used to pay off and refinance the existing tax-exempt fixed rate revenue bonds which were issued in 2007, pay and/or reimburse miscellaneous capital expenditures related to the acquisition, construction, improvement and equipping of the school's campus, and pay various costs of issuance and other related costs.

CSCDA is a statewide joint powers authority, sponsored by the California State Association of Counties and the League of California Cities, which provides financing to local agencies including nonprofit educational facilities. Sonoma County is a member of CSCDA and therefore required to hold the necessary public hearing.

The purpose of the public hearing is to satisfy Federal Internal Revenue Service requirement of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA), that as a condition to issuing bonds, the approval of the elected governmental offices of the jurisdiction where the facility is located be obtained following a public hearing. The hearing allows the public an opportunity to review and make comments regarding

the proposed tax exempt financing for the project.

The Board of Supervisors has been requested to hold the hearing for the Sonoma Academy located in the City of Santa Rosa. The Board has conducted similar hearings for entities in Sonoma County, with the most recent being for Windsor Mobile Country Club in September 2013.

The Board’s approval of the financing does not in any way pledge the credit or revenues of the County to the financing. County Counsel and Hawkins, Delafield & Wood (counsel for the Lender) have reviewed the financing and agree that it does not pledge County credit or revenues.

Related documents prepared by Sean Tierney & Ron Wolf of Hawkins, Delafield & Wood.

Prior Board Actions:

The Board of Supervisors held similar TEFRA hearings for other financings with the most recent being in September 2013. The Board has conducted many other TEFRA hearings in the past.

Strategic Plan Alignment Goal 3: Invest in the Future

Sonoma Academy is a college preparatory school that nurtures inspiring teachers and engages with the surrounding community, for students to communicate across cultures as they prepare to become leaders in a dynamic world.

Fiscal Summary - FY 13-14

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

Narrative Explanation of Fiscal Impacts (If Required):

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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 of the Board of Supervisors			
Related Items "On File" with the Clerk of the Board:			
<ul style="list-style-type: none"> 1) TEFRA Hearing Notice 2) Deed of Trust 3) Master Loan Agreement 			



County of Sonoma
State of California

Date: April 22, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Approving A Financing To Be Undertaken By The California Statewide Communities
Development Authority In An Aggregate Principal Amount Not To Exceed \$10,000,000 For The
Purpose Of Financing And Refinancing The Acquisition, Construction, Improvement And
Equipping Of The Campus Of Sonoma Academy, And Certain Other Matters Relating Thereto**

Whereas, Sonoma Academy, A California nonprofit public benefit corporation (the "School") has requested that the California Statewide Communities Development Authority (the "Authority") participate in issuing one or more tax-exempt obligations (the "Obligation") in an aggregate principal amount not to exceed \$10,000,000 for the purpose of financing and refinancing various facilities owned and operated by the School, as more fully described below;

Whereas, First Republic Bank (the "Lender"), the Authority and the School will enter into a master loan agreement (the "Master Loan Agreement") under which the Authority will loan the proceeds of the Obligation to the School pursuant to a plan of finance to: (1) refinance the California Infrastructure and Economic Development Bank Senior Fixed Rate Revenue Bonds 2007A (the "Series 2007 Bonds"), (2) pay and/or reimburse miscellaneous capital expenditures related to the acquisition, construction, improvement and equipping of the School's campus located at 2500 Farmers Lane, Santa Rosa, California 95404 (the "Campus"), and (3) pay various costs of issuance and other related costs, (collectively, the "Project");

Whereas, the interest on the Obligation may qualify for tax exemption under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") only if the Obligation is approved in accordance with Section 147(f) of the Code;

Whereas, the facilities financed as part of the Project are owned and operated by the School and are located within the County of Sonoma (the "County");

Whereas, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), the issuance of the Obligation by the Authority must be approved by the County because the Project is located within the territorial limits of the County;

Resolution #

Date:

Page 2

Whereas, the Board of Supervisors of the County of Sonoma (the "Board") is the elected legislative body of the County and is one of the applicable elected representatives required to approve the issuance of the Obligation under Section 147(f) of the Code;

Whereas, the School and the Authority have requested that the Board approve the issuance of the Obligation by the Authority for the purposes of financing and/or refinancing the Project in order to satisfy the public approval requirements of Section 147(f) of the Code and Section 9 of the Amended and Restated Joint Exercise of Powers Agreement, dated as of June 1, 1988 (the "Agreement"), among certain local agencies, including the County;

Whereas, pursuant to Section 147(f) of the Code, the Board has, following notice duly given, held a public hearing regarding the issuance of the Obligation, and now desires to approve the issuance of the Obligation by the Authority; and

Whereas, the Board understands that its actions in holding this public hearing and in approving this Resolution do not obligate the County in any manner for payment of the principal, interest, fees or any other costs associated with the issuance of the Obligation, and said Board expressly conditions its approval of this Resolution on that understanding.

Now, Therefore, Be It Resolved by the Board of the County of Sonoma, as follows:

Section 1. The Board hereby approves the issuance of the Obligation by the Authority for the purposes of financing and/or refinancing the Project. It is the purpose and intent of the Board that this resolution constitute approval of the issuance of the Obligation by the Authority, for the purposes of (a) Section 147(f) of the Code by the applicable elected representative of the issuer of the Obligation and the governmental unit having jurisdiction over the area in which the Project is located, in accordance with said Section 147(f), and (b) Section 9 of the Agreement.

Section 2. The members of the Board are hereby authorized and directed, jointly and severally, to do any and all things and execute and deliver any and all documents, certificates and other instruments which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this Resolution and the financing transaction approved hereby. Any actions heretofore taken by such officers are hereby ratified and approved.

Section 3. The Board expressly conditions its approval of this Resolution on its understanding that the County shall have no obligation whatsoever to pay any principal, interest, fees or any other costs associated with the Authority's issuance of the Obligation for the financing and/or refinancing of the Project to be located in the County.

Section 4. This Resolution shall take effect immediately upon its adoption.

Resolution #

Date:

Page 3

I, the undersigned, hereby certify that the forgoing Resolution was duly passed and adopted on the 22nd day of April, 2014 by the Board of Supervisors of the County of Sonoma by the following vote:

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma Agenda Item Summary Report

Agenda Item Number: 35

(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 22, 2014

Vote Requirement: 4/5

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

Staff Name and Phone Number:

Supervisory District(s):

Michael Gossman / 521-5207

All Districts

Title: Water Rates for Fiscal Year 2014/2015

Recommended Actions:

Adopt a Resolution establishing Wholesale Water Rates and Charges for the Sonoma County Water Agency's Water Transmission System for Fiscal Year 2014/2015.

Executive Summary:

The Restructured Agreement for Water Supply (Restructured Agreement) among the Sonoma County Water Agency (Water Agency) and its eight Water Contractors requires that the operation and maintenance and capital charges for the ensuing fiscal year be established on or before April 30 annually. The rates established must meet: (1) the projected operation and maintenance expenses; (2) debt service requirements for the ensuing fiscal year; and (3) all reserve requirements established by the various bond covenants.

Under Section 1.8 of the Restructured Agreement, the Water Agency is required to submit a preliminary water transmission system budget to its Water Contractors by February first of each year. The preliminary budget for Fiscal Year 2014/2015 was sent to Water Contractors on December 16, 2013 and January 6, 2014. The Water Agency met several times with Water Contractor staff to develop working drafts of the budget and on February 3, 2014, the Water Contractor's Technical Advisory Committee recommended approval of the draft budget. In February 2014, Water Agency staff made budget presentations and answered questions for several of the Water Contractor's elected bodies. On April 7, 2014, the Water Contractor's Water Advisory Committee unanimously recommended adoption of the proposed budget by the Water Agency's Board of Directors. An Executive Summary of the Water Transmission Budget, including projected revenues, expenses, rates and capital projects, is provided in Attachment A1 – 'Water Transmission Budget Executive Summary'.

The recommended budget represents a 3.19% to 3.60% (depending upon aqueduct) increase in total charges from the current fiscal year as indicated in Attachment A2. The rates will result in a 1 to 2 percent increase for households and businesses served by the Water Agency's contractors, equating to an average cost to households of 80 cents per day or \$.002 per gallon.

For purposes of establishing the charges for the next fiscal year, the Restructured Agreement for Water Supply

(Restructured Agreement) requires the Water Agency to assume that the quantity of water to be delivered from each aqueduct of the Water Transmission System will be the same amount of water delivered during the 12 months preceding establishment of rates, or the average annual amount of water delivered during the preceding 36 months, whichever is less. The proposed Fiscal Year 2014/2015 rates were prepared for two delivery scenarios, one with deliveries projected at 51,211 acre feet (reflecting the 3-year annual average) and another at 46,000 acre feet, in anticipation of voluntary reductions in response to the drought. Section 4.1(c) of the Restructured Agreement says that under conditions of drought or other water-supply reduction, the Water Agency may use a different amount with the prior approval of the Water Advisory Committee. The Water Advisory Committee approved the use of 46,000 acre feet as a Fiscal Year 2014/2015 delivery estimate. Reducing water deliveries to 46,000 acre feet would ordinarily increase rates by 12 to 13 percent but the Water Agency proposes to use \$6.6 million in fund reserves to avoid a rate spike. If actual deliveries in Fiscal Year 2014/2015 exceed 46,000 acre feet, the revenue collected will be used for future projects and to smooth rates in later years.

The Fiscal Year 2014/2015 proposed budget and budget justification statements have been submitted to the County Administrator's Office in accordance with the Sonoma County's budget review procedures. Budget summaries are attached including the projected Operations and Maintenance Fund revenues and expenses for Fiscal Year 2014/2015, and projected Fiscal Year 2014/2015 ending fund balances for various other funds ('Water Rate Calculations and Budget Summaries' - Attachment A3).

Attachment A4 – 'FISCAL YEAR 2014/2015 Revenue Summary Chart' delineates projected water use, rate changes and total revenues by Water Agency customer. The Water Transmission System Operation and Maintenance charge, the individual aqueduct charges and proposed rate increases are as follows:

Operation and Maintenance Charge

The Operations and Maintenance expenses of the Water Transmission System are the major cost components of the system. The Operations and Maintenance charge is the same for all the Water Agency's primary customers. The proposed O&M charge in Fiscal Year 2014/2015 is \$471.40 per acre-foot, a \$22.34 per acre-foot increase from Fiscal Year 2013/2014. The increase is due to operating transfers to fund capital projects and an increase in salaries and benefits costs.

Water Conservation Program Charge

The recommended charge for the Water Conservation Program for Fiscal Year 2014/2015 is \$39.35 per acre-foot rate. This rate represents a \$5.81 per acre-foot increase from Fiscal Year 2013/2014 and is due primarily to additional staff costs to manage Integrated Regional Water Management water use efficiency grant funds and drought related outreach and education. Funds collected from this charge are used primarily for the Water Education and Water Use Efficiency Programs.

Recycled Water & Local Supply Program Charge

The recommended charge for the Recycled Water & Local Supply Program for Fiscal Year 2014/2015 is \$24.23 per acre-foot, an increase of \$8.23 per acre-foot from Fiscal Year 2013/2014. Of the \$27.56, \$16 is for local water supply projects to be implemented by Marin Municipal Water District and the City of Sonoma under the water contractor's voluntary local recycled water tier 2 program. The remaining \$11.56 is for Sonoma Valley, Santa Rosa Plain, and Petaluma Groundwater Management Planning and projects proposed by the water contractors in the Water Supply Strategies Action Plan. Costs will be partially offset by partner contributions to groundwater management planning.

Water Management Planning Charge

The recommended charge for the Water Management Planning Program for Fiscal Year 2014/2015 is \$0.97 per acre-foot, which represents a \$0.04 per acre-foot increase from Fiscal Year 2013/2014. Funding requirements for this charge increased due to initiation of planning activities for the 2015 Urban Water Management Plan.

Watershed Planning and Restoration Charge

The recommended charge for the Watershed Planning and Restoration Program for Fiscal Year 2014/2015 is \$79.01 per acre-foot rate, a \$2.69 per acre-foot decrease over Fiscal Year 2013/2014. These funds are used to pay for a portion of the activities required of the Water Agency under the National Marine Fisheries Service’s Russian River Biological Opinion.

Aqueduct Capital Fund Charges

The Fiscal Year 2014/2015 rates include a \$19.50 per acre-foot aqueduct Capital Fund charge for all three aqueducts (Santa Rosa, Petaluma and Sonoma). The aqueduct capital charge is used to continue accumulating funds for carrying out large capital replacement projects on the respective aqueducts, pursuant to the terms of the Restructured Agreement. This charge was included at the request of the water contractors, was approved by the Water Advisory Committee, and will help minimize future rate spikes.

Debt Service Charges

The Water Agency issued Water Revenue Bonds 2003 Series A for \$15,700,000 in January 2003 to finance the construction of three projects – the Kawana Springs Tank #2, the Wohler-Forestville Pipeline, and the Eldridge-Madrone Pipeline. In Fiscal Year 2012/2013, the Water Agency refinanced \$12,275,000 of Water Revenue Bond Series 2003A (now Water Revenue Bonds 2012A), at 2.8 percent interest which resulted in \$2,120,000 in net present value savings or approximately \$135,000 per year over the life of the bonds through June 30, 2033. The Water Agency achieved an estimated 0.2% reduction in the interest rate as a result of a credit rating increase from Standard and Poor’s from AA- to AA and a stable credit rating from FitchRatings of AA+. Debt for construction of Collector 6 in 2006 was financed through a \$15,900,000 State Revolving Fund loan.

The Water Agency issued Water Revenue Bonds 2006 Series A for \$11,500,000 near the end of the Fiscal Year 2005/2006 to provide funds for the remaining construction and startup costs for Collector No. 6, the portion of the Kawana Springs Tank #2 that cannot be covered by the last series of revenue bonds, acquisition of capacity in the Oakmont Pipeline and various other projects and project-related studies within the Common and Storage Facilities Funds.

The Fiscal Year 2014/2015 bond and loan charges are summarized in Attachment 5.

Prior Board Actions:

04/16/2013: Board established water rates and charges for Water Agency’s water transmission system for Fiscal Year 2013/2014.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

This supports Goal 2 by responsibly managing Water Agency finances.

Water Agency Organizational Goals and Strategies, Goal 2: Responsibly manage Water Agency finances.

Fiscal Summary - FY 13-14

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

Narrative Explanation of Fiscal Impacts (If Required):

There is no fiscal impact on FISCAL YEAR 13/14 as the proposed rates become effective in FISCAL YEAR 14/15.

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:

Resolution; Attachments A1, A2, A3, A4, and A5

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

None.



County of Sonoma
State of California

Date: April 22, 2014

Santa Rosa, CA

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Directors Of The Sonoma County Water Agency, State Of California, Establishing Water Rates And Charges For The Water Agency's Water Transmission System For Fiscal Year 2014-2015. (All Districts).

Now, Therefore, Be It Resolved by the Board of Directors of the Sonoma County Water Agency that the following rates and charges be and they are hereby established as rates and charges for water service from the Sonoma County Water Agency's Water Transmission System for water delivered during Fiscal Year 2014 – 2015.

**CHARGES PER ACRE-FOOT FOR WATER USED FOR
MUNICIPAL PURPOSES BY WATER CONTRACTORS ***

	<u>Santa Rosa Aqueduct</u>	<u>Petaluma Aqueduct</u>	<u>Sonoma Aqueduct</u>
Operations & Maintenance Charge	\$471.40	\$471.40	\$471.40
Water Management Planning Sub-charge Watershed	\$0.97	\$0.97	\$0.97
Planning/Restoration Sub-charge	\$79.01	\$79.01	\$79.01
Recycled Water & Local Supply Sub-charge	27.56	27.56	27.56
Water Conservation Sub-charge	\$39.35	\$39.35	\$39.35
SUBTOTAL	\$618.29	\$618.29	\$618.29

Revenue Bonds Charges			
Aqueduct Rev. Bonds Charge	0.00	0.00	62.56
Storage Fac. Rev. Bonds Charge	26.31	26.31	26.31
Common Fac. Rev. Bonds Charge	66.58	66.58	66.58
Aqueduct Capital Charge	19.50	19.50	19.50
TOTAL	\$730.68	\$730.68	\$793.24

*Water Contractors are the cities of Cotati, Petaluma, Rohnert Park, Santa Rosa, Windsor, and Sonoma, and the North Marin and Valley of the Moon Water Districts. All water contractors with the exception of North Marin Water District utilize the Agency's storage facilities. North Marin Water District does not pay a charge for storage.

WATER CHARGES TO OTHER THAN WATER CONTRACTORS

Monthly Meter Charge

1" meter or smaller	\$24.00
1½" meter	25.00
2" meter	26.00
3" meter	28.00
4" meter	29.00
6" meter	180.00
8" meter	197.00
10" meter	\$220.00

WHOLESALE CHARGE FOR WATER USED FOR MUNICIPAL PURPOSES	\$951.88 / A.F.
---	------------------------

Water purchased by private parties and water companies engaged in retail sale of water to others and all tax-supported public agencies.

FORESTVILLE CHARGE	\$711.18 / A.F.
---------------------------	------------------------

Forestville's charge is the same as the total charge for Prime Contractors for water delivered from the Santa Rosa aqueduct except for the first ten years following the Restructured Agreement for Water Supply, Forestville shall not pay the Santa Rosa Aqueduct Capital Charge. Forestville to begin paying the Santa Rosa Aqueduct Capital Charge in FY 17/18.

WINDSOR CHARGE **\$876.81 / A.F.**

Town of Windsor is charged 120% of the highest charge for any other prime contractor on the Santa Rosa Aqueduct from FY 06/07 to FY 21/22. Town of Windsor pays all subcharges on all water they divert from the Russian River using their equipment.

CHARGE FOR SURPLUS WATER

Non-Municipal use (primarily for irrigation)	meter charge +	\$741.95 / A.F.
Municipal use (groundwater recharge/recreational lakes)		\$741.95 / A.F.

CHARGE FOR FIRE SERVICE

Annual charge of \$300.00

Annual inspection and certification for back-flow prevention.

CHARGE FOR HYDRANT

Annual charge of \$64.00

Unmetered hydrants for fire protection.

CHARGE FOR THIRD OFF-PEAK SURPLUS WATER

\$865.86 / A.F.

Marin Municipal Water District includes Russian River Conservation and Project Charges.

CHARGE FOR SUPPLEMENTAL WATER

\$786.91 / A.F.

Marin Municipal Water District includes Russian River Conservation and Project Charges.

RUSSIAN RIVER CONSERVATION CHARGE

\$63.90 / A.F.

Applicable to North Marin and Marin Municipal Water Districts.

RUSSIAN RIVER PROJECTS CHARGE

\$8.72 / A.F.

Applicable to North Marin and Marin Municipal Water Districts.

NORTH MARIN REVENUE BONDS CHARGE

\$50.87 / A.F.

Applicable to North Marin Water District.

WATER SERVICE INSTALLATION CHARGES

- (1) All new installations (hydrants and meters) will be quoted on a case-by-case basis by the Agency.
- (2) Price for meters and hydrant, includes piping for a maximum distance from aqueduct of 10 feet.
- (3) Temporary Meter Installation - To be installed and disassembled by Agency. The backflow device shall be specified by the Agency, but may be provided by the applicant. Meter may be provided by the applicant. Testing of the backflow device and accuracy testing of the meter will be accomplished by the Agency. The temporary meter installation charge will be quoted by the Agency.

Directors:

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

So Ordered.

FY 2014-2015 Water Transmission Budget

Overview

The proposed budget for FY 2014–2015 continues to be based on accomplishing a focused set of goals centered around the Water Agency’s Water Supply Strategy Action Plan, including the required elements of the Biological Opinion, continued implementation of hazard mitigation and reliability projects, and normal maintenance of facilities. Whenever possible, alternative sources of revenue such as federal and state grants, existing fund balances, and a loan from the aqueduct capital funds will be used to finance capital projects. In the case of a loan, the capital projects common facilities fund will pay principal and interest to the aqueduct capital funds thus postponing the expense of a large bond issuance until outside financing is required. Additionally, per agreement with the Water Advisory Committee, a discretionary aqueduct capital charge is included in the budget to build fund balance for future capital projects and avert rate spikes in subsequent years.

Deliveries

For purposes of establishing the budget and rates for the next fiscal year, the Restructured Agreement requires that the quantity of water delivered from the aqueducts of the Water Transmission System be the amount of water delivered during the 12 months preceding establishment of rates, or the average annual amount of water delivered during the preceding 36 months, whichever is less. The 12 month actual deliveries through December 2013 were 55,677 acre feet. The 3 year annual average was 51,211 acre feet. Accordingly, per the Restructured Agreement, the budget and rates would be based on 51,211 acre feet in deliveries. However, under Section 4.1(c) of the Restructured Agreement, under conditions of drought or other water supply reduction the Water Agency may use a different amount with the prior approval of the Water Advisory Committee.

The proposed FY 2014-2015 rates were prepared for two delivery scenarios, one with deliveries projected at 51,211 acre feet per the Restructured Agreement, and another at 46,000 acre feet commensurate with lower projected revenue resulting from water conservation efforts in response to the drought. Reducing water deliveries to 46,000 acre feet would ordinarily increase rates by 12 to 13 percent but the Water Agency proposes to use \$6.6 million in fund reserves to avoid a rate spike. If actual deliveries in FY 2014-2015 exceed 46,000 acre feet, the revenue collected will be used for future projects and to smooth rates in later years.

The difference between the 12 months of actual deliveries ending December 2013 (55,677 acre-feet) and the 46,000 acre feet in deliveries expected in FY14/15 is 17.4%. This is consistent with the Water Agency’s expectation that its contractors and other customers will take voluntary measures to reduce water use by 20 percent, per the Governor’s emergency drought declaration. The Water Advisory Committee approved the use of 46,000 acre feet for the FY 2014-2015 water delivery estimate.

Rates

The resulting rates for 46,000 acre-feet are shown below:

Charge / Aqueduct	Santa Rosa	Petaluma	Sonoma
O&M	\$471.40	\$471.40	\$471.40
Water Management Planning	\$0.97	\$0.97	\$0.97
Watershed Planning & Restoration	\$79.01	\$79.01	\$79.01
Recycled Water & Local Supply	\$11.56	\$11.56	\$11.56
Water Conservation	\$39.35	\$39.35	\$39.35
Total O&M	\$602.29	\$602.29	\$602.29
Storage and Common Bond and Loan Charges	\$92.89	\$92.89	\$92.89
Sonoma Aqueduct Bond Charge			62.56
Total Prime without Local Supply and Capital	\$695.18	\$695.18	\$757.74
<i>Contribution to Percent Change</i>	1.05%	1.05%	0.85%
Aqueduct Capital Charges (build fund balance for future projects)	19.50	19.50	19.50
Local Recycled Water Tier 2 Program	16.00	16.00	16.00
Prime Contractors	35.50	35.50	35.50
<i>Contribution to Percent Change</i>	2.55%	2.55%	2.34%
Total Prime Contractors	\$730.68	\$730.68	\$793.24
Total Percent Change from FY 13-14 Budget	3.60%	3.60%	3.19%

Water Transmission System Fund

Revenues

Total revenue of the Water Transmission System Agency Fund is budgeted to decrease by 2.69% or \$971,660 to \$35,214,388. This total revenue is comprised of numerous revenue categories, the biggest of which is water sales. Other revenue sources are grants, power sales, meter service installation charges, and interest on cash balances.

Water rates and therefore water revenues will not increase enough to pay for all of the budgeted capital expenses on a “pay-go” basis. Water Agency staff proposes to use \$6.6 million in reserve funds (in excess of the prudent reserve) to make up the difference.

Expenses

Expenses for operations and maintenance, capital improvement projects, and sub-funds are as follows:

	FY 13-14 Budget	FY 14-15 Requested	Change
Operations and Maintenance	\$19,049,500	\$21,048,500	\$1,999,000
Capital Projects	\$6,935,000	\$8,260,000	\$1,325,000
Water Management Planning	\$45,000	\$250,000	\$205,000
Watershed Planning and Restoration	\$3,947,000	\$3,969,500	22,500
Recycled Water and Local Supply	\$1,312,685	\$1,760,319	447,634
Water Conservation	\$2,270,000	\$2,020,000	(\$250,000)
Totals	\$33,559,185	\$37,308,319	\$3,749,134

Capital Projects

Project	FY14-15 Budget
Petaluma Aq Relocation – Kastania (Caltrans Project)	50,000
Ralphine Tanks Flow Thru Conversion	140,000
24" Oakmont Pipeline Replacement	100,000
Local Hazard Mitigation Program - Program Design (for Future FEMA Funds)	15,000
LHMP - Program Design (for Future FEMA Funds)	15,000
LHMP - Program Design (for Future FEMA Funds)	15,000
Condition Assessment Study	15,000
SBS Electrical Upgrade and Pumping Reliability	220,000
Isolation Valves (FEMA Funds - \$1.9M)	2,800,000
Mirabel Fish Screen/Fish Ladder (Dept of Fish and Wildlife Funds - \$1.18M)	775,000
RR Crossing (FEMA Funds - \$2.9M)	150,000
MW Creek Crossing (FEMA Funds - \$2.8M)	310,000
Collector 6 Liquefaction Mitigation (for Future FEMA Funds)	40,000
Collectors 3 and 5 Liquefaction Mitigation Predesign (for Future FEMA Funds)	200,000
Mirabel-River Road Fiber Optic Cable (Install with RR Crossing Project)	100,000
RDS Pump Replacement	350,000
Caisson 6 Vaults	150,000
Wohler Motor Replacements	350,000
pH Pump Replacement	100,000
Water Agency Westside Facility - offsetting revenue \$365,000	365,000
SCADA Software and Hardware	750,000
SCADA Upgrade	1,250,000

TOTAL 8,260,000

WATER TRANSMISSION SYSTEM
 FY 14-15 WATER CHARGES PER ACRE-FOOT
 FOR PRIME CONTRACTORS

	SANTA ROSA AQUEDUCT	% INCR. (DECR.)	PETALUMA AQUEDUCT	% INCR. (DECR.)	SONOMA AQUEDUCT	% INCR. (DECR.)
2014/15	730.68	3.60%	730.68	3.60%	793.24	3.19%
2013/14	705.30		705.30		768.75	
2012/13	672.03		672.03		740.34	
2011/12	634.11		634.11		703.33	
2010/11	603.92		603.92		674.47	
2009/10	564.78		564.78		622.11	
2008/09	471.13		511.13		486.22	
2007/08	441.70		461.70		453.49	
2006/07	431.29		451.29		442.60	
2005/06	412.68		432.68		424.53	
2004/05	402.51		422.51		414.42	
2003/04	393.89		413.89		407.95	
2002/03	387.49		397.90		387.43	
2001/02	383.29		384.02		373.38	
2000/01	330.76		331.61		320.74	

**Sonoma County Water Agency
FY14-15 Water Transmission Budget and Rates**

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FY 14-15 Prime Contractor Rates Summary

	CHARGE PER ACRE FOOT:					
	Santa Rosa Aqueduct	Petaluma Aqueduct	Sonoma Aqueduct	FY13-14 SR	Pet	Son
O&M Charge [4.2]	471.40	471.40	471.40			
Water Management Planning Sub-charge [4.13]	0.97	0.97	0.97	\$449.06	\$449.06	\$449.06
Watershed Planning/Restoration Sub-charge [4.14]	79.01	79.01	79.01	\$0.93	\$0.93	\$0.93
Recycled Water & Local Supply Sub-charge [4.15]	11.56	11.56	11.56	\$81.20	\$81.20	\$81.20
Water Conservation Sub-charge [4.16]	39.35	39.35	39.35	\$14.23	\$14.23	\$14.23
O&M Charge	602.29	602.29	602.29	\$33.53	\$33.53	\$33.53
Storage and Common Bond & Loan Charges	92.89	92.89	92.89	\$578.95	\$578.95	\$578.95
Sonoma Aqueduct Bond Charge			62.56	\$ 87.35	\$ 87.35	\$ 87.35
PRIME CONTRACTORS	\$695.18	\$695.18	\$757.74	\$ 666.30	\$ 666.30	\$729.75
Increase from FY 13-14	4.33%	4.33%	3.84%			
Capital Charges - to build fund balance for future pro	19.50	19.50	19.50	\$ 29.00	\$ 29.00	\$ 29.00
Local Recycled Water Tier 2 Program	16.00	16.00	16.00	\$10.00	\$ 10.00	\$ 10.00
PRIME CONTRACTORS	35.50	35.50	35.50	\$ 39.00	\$ 39.00	\$ 39.00
Increase over base rate from FY 13-14	-0.74%	-0.74%	-0.65%	2.56%	2.56%	2.31%
TOTAL PRIME CONTRACTORS	\$730.68	\$730.68	\$793.24	\$705.30	\$705.30	\$768.75
Increase from FY 13-14	3.60%	3.60%	3.19%	4.95%	4.95%	3.84%

WATER TRANSMISSION SYSTEM
 FY 14-15 WATER CHARGES PER ACRE-FOOT
 FOR PRIME CONTRACTORS

	SANTA ROSA AQUEDUCT	% INCR. (DECR.)	PETALUMA AQUEDUCT	% INCR. (DECR.)	SONOMA AQUEDUCT	% INCR. (DECR.)
2014/15	730.68	3.60%	730.68	3.60%	793.24	3.19%
2013/14	705.30		705.30		768.75	
2012/13	672.03		672.03		740.34	
2011/12	634.11		634.11		703.33	
2010/11	603.92		603.92		674.47	
2009/10	564.78		564.78		622.11	
2008/09	471.13		511.13		486.22	
2007/08	441.70		461.70		453.49	
2006/07	431.29		451.29		442.60	
2005/06	412.68		432.68		424.53	
2004/05	402.51		422.51		414.42	
2003/04	393.89		413.89		407.95	
2002/03	387.49		397.90		387.43	
2001/02	383.29		384.02		373.38	
2000/01	330.76		331.61		320.74	

**WATER TRANSMISSION SYSTEM
FY 14-15 REVENUE SUMMARY CHART**

WATER CUSTOMER	FY 14-15 Budgeted Water Use (Acre- Feet)	FY 13-14 Rate \$/Acre-Foot	FY 14-15 Proposed Rate \$/Acre-Foot	Dollar Change	Percent Change
Santa Rosa Aqueduct	17,580	\$705.30	\$730.68	\$25.38	3.6%
Petaluma Aqueduct	10,619	705.30	730.68	\$25.38	3.6%
Sonoma Aqueduct	4,193	768.75	793.24	\$24.49	3.2%
North Marin Water Dist.	6,401	717.27	741.78	\$24.51	3.4%
Marin Municipal – Third Off Peak	4,300	846.77	865.86	\$19.09	2.3%
Marin Municipal – Supplemental	961	762.97	786.91	\$23.94	3.1%
Forestville Aqueduct	374	676.30	711.18	\$34.88	5.2%
Wholesale/Municipal	957	922.49	951.88	\$29.39	3.2%
Surplus	105	706.74	741.95	\$35.21	5.0%
Windsor	508	846.35	876.81	\$30.46	3.6%
TOTAL	46,000				

SONOMA COUNTY WATER AGENCY RATES FOR WATER DELIVERIES IN FY 14-15

[X] ESTIMATED [] OFFICIAL
Approved by Board of Directors on _____

CHARGE PER ACRE FOOT:

	<u>Santa Rosa Aqueduct</u>	<u>Petaluma Aqueduct</u>	<u>Sonoma Aqueduct</u>
<u>PRIME CONTRACTORS</u>			
O&M Charge [4.2]	\$471.40	\$471.40	\$471.40
Water Management Planning Sub-charge [4.13]	\$0.97	\$0.97	\$0.97
Watershed Planning/Restoration Sub-charge [4.14]	\$79.01	\$79.01	\$79.01
Recycled Water & Local Supply Sub-charge [4.15]	\$27.56	27.56	27.56
Water Conservation Sub-charge [4.16]	\$39.35	39.35	39.35
O&M Charge	\$618.29	\$618.29	\$618.29
<u>Capital Charges - to build fund balance for future projects</u>			
Aqueduct Facilities Capital Charges [4.6 e]	\$19.50	\$19.50	\$19.50
<u>Bond & Loan Charges - to pay for existing debt service</u>			
Storage Facilities Capital Charge [4.7]	26.31	26.31	26.31
Common Facilities Capital Charge [4.8]	66.58	66.58	66.58
Aqueduct Facilities Capital Charges [4.6 b]			62.56
Total Capital Charges	\$92.89	\$92.89	155.45
TOTAL PRIME CONTRACTORS	\$730.68	\$730.68	\$793.24
Charge without LRT2 and voluntary AQ capital Charge	\$695.18	\$695.18	\$757.74
<u>OTHER AGENCY CUSTOMERS/WHOLESALE CHARGES</u>			
<u>(WATER CO'S & PUBLIC AGENCIES)</u>			
O&M Charge	\$618.29	\$618.29	\$618.29
Capital Charges	92.89	92.89	155.45
Aqueduct Facilities Capital Charge	\$240.70	\$240.70	\$178.14
TOTAL OTHER AGENCY CUSTOMERS/WHOLESALE CHARGES (4.12)	\$951.88	\$951.88	\$951.88
(120% OF HIGHEST PRIME)			
<u>FORESTVILLE</u>			
O&M Charge [4.2] *	\$471.40		
Water Management Planning Sub-charge [4.13]	0.97		
Watershed Planning/Restoration Sub-charge [4.14]	79.01		
Recycled Water & Local Supply Sub-charge [4.15]	27.56		
Water Conservation Sub-charge [4.16]	39.35		
O&M Charge	\$618.29		
<u>Bond & Loan Charges - to pay for existing debt service</u>			
Aqueduct Facilities Capital Charges [4.6]	0.00		
Storage Facilities Capital Charge [4.7]	26.31		
Common Facilities Capital Charge [4.8]	66.58		
Total Capital Charges	\$92.89		
TOTAL FORESTVILLE	\$711.18		
* Forestville Water District exempt from Santa Rosa Aqueduct sub-charge from FY 06/07 to FY 16/17 [4.12].			
<u>NORTH MARIN WATER DISTRICT</u>			
O&M Charge		\$618.29	Note: N. Marin does
North Marin Bond & Loan Charge [4.9]		50.87	not pay an Aq
Russian River Conservation Charge [4.18 (a)]		63.90	Capital Charge.
Russian River Projects Charge [4.18 (b)]		8.72	
TOTAL NORTH MARIN WATER DISTRICT		741.78	
<u>THIRD OFF-PEAK (MARIN MUNICIPAL)</u>			
Highest Prime		\$793.24	
Russian River Conservation Charge		63.90	
Russian River Projects Charge		8.72	
TOTAL THIRD OFF-PEAK		\$865.86	
<u>SUPPLEMENTAL (MARIN MUNICIPAL)</u>			
O&M Charge		\$618.29	
Capital Charge [4.11 (b)]		96.00	
Russian River Conservation Charge		63.90	
Russian River Projects Charge		8.72	
TOTAL SUPPLEMENTAL		\$786.91	
<u>SURPLUS</u>			
Non-Municipal / Municipal [4.11 (a)]	\$741.95	\$741.95	\$741.95
<i>(120% of O&M Charge)</i>			
<u>Town of Windsor</u>			
		\$876.81	
Town of Windsor is charged 120% of the highest charge for any other prime contractor on the Santa Rosa Aqueduct from FY 06/07 to FY 21/22 [4.17 (a)]. Town of Windsor pays all subcharges [4.13, 4.14, 4.15, and 4.16] on all water they divert from the Russian River using their equipment [4.17 (b)].			
	\$876.81		

The applicable section of the Restructured Agreement has been indicated in brackets.

FY 2014-15 BUDGET
SONOMA COUNTY WATER AGENCY
Operations and Maintenance Rate Computation

O & M REVENUE REQUIREMENT

FY 14-15	ESTIMATED FISCAL YEAR EXPENDITURES	\$40,432,392
LESS:		
	Depreciation Amortization	5,968,500
	Investment Income, Interest on Pooled Cash, Charges for Services	60,000
	Power Sales	800,000
	PWRPA Pre-paid Expense - FY 08/09 Rate Reduction- <i>One time only</i>	
	"Mandatory Prudent Reserve" charge	0
	Recycled Water funds (Sub-object 7277) taken from special reserve	0
	Transfers Out	11,124,573
		\$22,479,319
	REVENUE REQUIREMENT (Net Expenditures)	\$22,479,319

O & M ACRE FOOT BASE

AVERAGE DELIVERIES - PAST 36 MONTHS		46,000.0
LESS:		
	Marin Municipal Surplus (Irrigation)	5,261.4
		105.4
	TOTAL BASE DELIVERIES	40,633.1

O & M RATE COMPUTATION:

Rate = Revenue Requirement - (Marin Muni Off Peak Deliveries x Highest Prime Rate)
- (Marin Muni Surplus Deliveries x (O&M Charge + Capital Charge))
Total Deliveries - Surplus Deliveries - Marin Muni Past 36 Months Deliveries

= $\frac{22,479,319 - (4,300.00 \times 646.35) - (961.45 \times 567.40)}{46,000.0 - 105.4 - 5,261.4}$

* = **\$471.40**

FY 14-15
Proposed Water Rates

	<u>FY 13-14</u>	<u>FY 14-15</u>	
	(Actual)	(Proposed)	% Change
O&M Charge	449.06	471.40	4.98%
Water Management Planning Sub-Charge	0.93	0.97	4.02%
Watershed Planning/Restoration Sub-Charge	81.20	79.01	-2.69%
Recycled Water Sub-Charge	24.23	27.56	13.76%
Water Conservation Sub-Charge	33.53	39.35	17.34%
Total O&M Charge	588.95	618.29	4.98%

Santa Rosa Aqueduct Rate

O&M Charge	588.95	618.29	4.98%
Aqueduct Facilities Capital Charges [4.6 e]	29.00	19.50	-32.8%
Storage Facilities Capital Charge [4.7]	21.04	26.31	25.06%
Common Facilities Capital Charge [4.8]	66.31	66.58	0.40%
TOTAL	705.30	730.68	3.60%

Petaluma Aqueduct Rate

O&M Charge	588.95	618.29	4.98%
Aqueduct Facilities Capital Charges [4.6 e]	29.00	19.50	-32.8%
Storage Facilities Capital Charge [4.7]	21.04	26.31	25.06%
Common Facilities Capital Charge [4.8]	66.31	66.58	0.40%
TOTAL	705.30	730.68	3.60%

Sonoma Aqueduct Rate

O&M Charge	588.95	618.29	4.98%
Aqueduct Facilities Capital Charges [4.6 e]	29.00	19.50	-32.8%
Storage Facilities Capital Charge [4.7]	21.04	26.31	25.06%
Common Facilities Capital Charge [4.8]	66.31	66.58	0.40%
Aqueduct Facilities Capital Charges [4.6 b]	63.45	62.56	-1.40%
TOTAL	768.75	793.24	3.19%

SONOMA COUNTY WATER AGENCY
RUSSIAN RIVER CONSERVATION CHARGE COMPUTATION
FISCAL YEAR 2014-15

PROPERTY ASSESSMENT VALUES AS OF FY 13-14:

<u>TAX CODE</u>	<u>ENTITY</u>	<u>SECURED</u>	<u>UNSECURED</u>	<u>TOTAL VALUE</u>
14000	Forestville Co Water District	311,869,214	2,706,578	\$314,575,792
42800	City of Cotati	807,650,224	17,661,794	825,312,018
43500	City of Petaluma	7,226,144,010	341,622,830	7,567,766,840
43800	City of Rohnert Park	3,676,459,568	114,420,160	3,790,879,728
44500	City of Santa Rosa	17,326,665,145	646,818,391	17,973,483,536
45000	City of Sonoma	1,981,914,489	60,417,469	2,042,331,958
	Valley of the Moon Water District	2,487,518,372	19,400,544	2,506,918,916
	<i>TOTAL</i>	\$33,818,221,022	\$1,203,047,766	\$35,021,268,788

Notes:

- 1 Total value of secured and unsecured property in service areas of Prime Water Contractors of Sonoma County (see above) \$35,021,268,788
- 2 2011-12 Sonoma County tax rate per \$100 of full cash value assessed for payment of Warm Springs Dam Project Obligations 0.007
- 3 Total tax levied on citizens residing in service areas of Prime Water Contractors of Sonoma County, i.e., (Line 1/100) x Line 2 \$2,451,489
- 4 Total acre feet of water delivered to Prime Water Contractors of Sonoma County (excluding North Marin and Town of Windsor) plus deliveries to Forestville during the prior 12 month period ending March 31. 38,367.05
- 5 Total Russian River Conservation Charge per Acre Foot (Line 3 / Line 4) \$63.90

Russian River Projects Charge
Historical calculations

RR Conservation Charge
Historical calculations

For FY	Calculated	Actual Charge
05-06	24.23 \$	20.00 \$ 45.06
06-07	17.02 \$	17.02 \$ 48.33
07-08	21.4 \$	20.00 \$ 52.70
08-09	25.08 \$	20.00 \$ 58.44
09-10	24.68 \$	20.00 \$ 57.70
10-11	24.4 \$	20.00 \$ 74.62
11-12	23.44 \$	20.00 \$ 72.27
12-13	20.38 \$	20.00 \$ 72.08
13-14	14.72 \$	14.72 \$63.30
14-15	8.72 \$	8.72 \$63.90

FY0506 First FY with 10 full years of data.

**SCHEDULE OF WATER DELIVERIES BY AQUEDUCT
PAST 36 MONTHS / 12 MONTHS AVERAGE**

		DELIVERING AQUEDUCT				Monthly Total
		Santa Rosa	Petaluma	Forestville	Sonoma	
36	Jan-11	1,123.2	1,490.4	19.9	219.3	2,852.8
35	Feb-11	1,152.7	1,618.4	18.0	221.2	3,010.3
34	Mar-11	1,122.7	1,348.8	19.4	206.3	2,697.1
33	Apr-11	1,275.7	1,335.4	21.9	245.5	2,878.5
32	May-11	2,126.3	2,484.2	36.9	472.2	5,119.6
31	Jun-11	1,629.7	1,975.0	33.0	357.4	3,995.1
30	Jul-11	1,895.2	2,308.6	40.2	439.9	4,683.8
29	Aug-11	2,452.9	2,774.4	56.1	587.8	5,871.2
28	Sep-11	1,711.6	2,207.3	43.0	454.5	4,416.4
27	Oct-11	1,072.5	1,620.2	30.1	328.7	3,051.5
26	Nov-11	1,180.8	1,742.2	29.2	384.4	3,336.6
25	Dec-11	1,335.2	1,933.1	27.3	342.5	3,638.1
24	Jan-12	1,169.7	1,808.7	19.4	264.7	3,262.3
23	Feb-12	1,138.5	1,744.8	20.9	242.2	3,146.4
22	Mar-12	1,175.7	1,682.8	19.5	246.6	3,124.7
21	Apr-12	1,161.4	1,663.4	21.1	265.5	3,111.4
20	May-12	1,921.6	3,012.8	43.1	561.9	5,539.3
19	Jun-12	1,941.7	2,879.0	43.5	480.8	5,345.0
18	Jul-12	2,688.8	3,451.2	57.7	644.2	6,841.9
17	Aug-12	2,318.3	2,641.9	48.6	511.9	5,520.8
16	Sep-12	1,975.2	2,366.6	50.2	477.7	4,869.8
15	Oct-12	2,282.4	2,544.1	48.3	503.7	5,378.5
14	Nov-12	1,221.0	1,655.1	23.2	266.6	3,165.8
13	Dec-12	1,129.9	1,718.5	19.7	231.2	3,099.2
12	Jan-13	1,384.5	1,950.0	24.6	287.1	3,646.1
11	Feb-13	1,188.2	1,574.1	23.4	240.4	3,026.1
10	Mar-13	1,317.5	1,724.9	23.2	312.8	3,378.4
9	Apr-13	1,839.4	2,472.8	34.0	436.0	4,782.2
8	May-13	2,150.0	2,558.5	44.4	484.1	5,237.0
7	Jun-13	2,115.7	2,664.0	42.7	475.6	5,297.9
6	Jul-13	2,768.2	3,215.1	52.5	622.8	6,658.6
5	Aug-13	2,023.7	2,499.7	44.9	481.9	5,050.2
4	Sep-13	1,992.1	2,560.3	46.5	460.5	5,059.4
3	Oct-13	2,060.9	2,765.2	47.2	524.0	5,397.4
2	Nov-13	1,398.0	2,108.6	29.4	354.8	3,890.8
1	Dec-13	1,426.6	2,492.7	29.2	304.5	4,253.0
Total Deliveries		59,867.3	78,593.0	1,232.1	13,940.9	153,633.3
3-Year Annual Average		18,193.9	23,238.7	374.3	4,193.1	46,000.0
Past 12 Months		21,368.0	27,811.8	432.3	4,911.2	55,677.2
Total Deliveries		59,867.3	78,593.0	1,232.1	13,940.9	153,633.3
Less: North Marin			21,877.0			21,877.0
Marin Municipal			17,739.3			17,739.3
Sonoma Co. Deliveries		59,867.3	38,976.8	1,232.1	13,940.9	114,017.1
3-Year Annual Average		19,955.8	12,992.3	410.7	4,647.0	38,005.7

SONOMA COUNTY WATER AGENCY

SCHEDULE OF ACTUAL PRIOR 12 MONTHS WATER DELIVERIES IN ACRE FEET (BY CUSTOMER TYPE)

JANUARY 13 THROUGH DECEMBER 13 *(Applicable Years as Indicated)*

Aqueduct No.	JAN 13	FEB 13	MAR 13	APR 13	MAY 13	JUN 13	JUL 13	AUG 13	SEP 13	OCT 13	NOV 13	DEC 13	TOTAL
<u>PRIMES</u>													
1 City of Santa Rosa	1,346.2	1,152.6	1,266.6	1,766.8	2,050.9	2,012.2	2,652.7	1,924.3	1,891.1	1,978.1	1,290.1	1,360.8	20,692.5
2 City of Petaluma	585.0	510.1	565.3	824.8	899.3	922.0	1,183.5	910.8	893.6	908.3	631.6	658.4	9,492.8
2 North Marin Water Dist.	463.2	274.1	396.2	630.3	655.7	725.8	990.9	742.4	848.7	789.0	631.4	558.0	7,705.5
2 City of Rohnert Park	340.5	276.1	248.4	315.3	313.1	316.2	402.8	303.0	277.8	391.1	272.9	320.1	3,777.2
2 City of Cotati	32.0	25.8	32.0	47.8	59.2	56.2	66.5	59.2	63.2	69.1	45.8	54.7	611.4
1 Town of Windsor	25.8	31.9	37.8	48.1	48.8	52.0	52.0	51.8	49.4	34.1	75.0	32.0	538.8
4 City of Sonoma	116.4	96.9	140.3	184.6	205.9	205.8	263.8	201.6	201.9	245.7	150.4	73.7	2,087.0
4 Valley of the Moon Dist.	161.6	140.1	167.5	243.7	252.1	252.3	332.8	263.0	242.7	264.5	196.3	222.8	2,739.6
TOTAL PRIMES	3,070.8	2,507.6	2,854.1	4,061.3	4,485.0	4,542.5	5,945.0	4,456.1	4,468.4	4,679.9	3,293.6	3,280.4	47,644.7
<u>OTHER AGENCY CUSTOMERS</u>													
1 Larkfield Water Co	12.0	3.2	11.6	20.6	37.8	45.2	56.8	42.0	44.6	45.0	29.2	32.8	380.7
2 Penngrove Water Co	11.4	9.4	11.1	16.4	18.8	19.8	25.0	19.9	19.1	20.6	13.5	14.8	199.8
4 Lawndale Mutual	3.3	2.2	3.9	5.5	7.5	8.0	10.7	8.0	8.2	8.6	5.8	6.8	78.5
4 Kenwood Village Water Co	0.3	0.3	0.3	0.4	0.4	0.4	0.5	0.4	0.3	0.5	0.3	0.4	4.5
3 Forestville Co Water Dist.	24.6	23.4	23.2	34.0	44.4	42.7	52.5	44.9	46.5	47.2	29.4	29.2	441.8
1 Other Gov-Santa Rosa Aq	0.4	0.3	0.3	0.6	0.5	0.5	0.8	0.4	0.5	0.5	0.3	0.3	5.3
2 Other Gov-Petaluma Aq	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
4 Other Gov-Sonoma Aq	0.6	0.4	0.4	0.7	1.1	1.5	1.9	1.3	1.0	1.3	0.9	0.6	11.7
TOTAL OTHER AGY. CUST	52.5	39.2	50.9	78.3	110.4	118.1	148.0	116.9	120.2	123.7	79.3	84.9	1,122.3
<u>OFF-PEAK CUSTOMERS</u>													
2 Marin Municipal	517.9	478.5	471.9	638.4	612.5	624.0	546.4	464.5	457.9	587.2	513.4	886.8	6,799.3
<u>SURPLUS CUSTOMERS</u>													
1 Irrigation-Santa Rosa Aq	0.1	0.2	1.1	3.3	12.0	5.7	5.9	5.2	6.5	3.3	3.4	0.7	47.5
2 Irrigation-Petaluma Aq	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
4 Irrigation-Sonoma Aq	4.9	0.5	0.3	1.1	17.2	7.6	13.2	7.6	6.3	3.4	1.2	0.2	63.4
TOTAL SURPLUS CUST.	5.0	0.8	1.5	4.3	29.2	13.3	19.1	12.8	12.8	6.6	4.5	0.9	110.9
TOTAL DELIVERIES	3,646.1	3,026.1	3,378.4	4,782.2	5,237.0	5,297.9	6,658.6	5,050.2	5,059.4	5,397.4	3,890.8	4,253.0	55,677.2

FY 2014-15 BUDGET
Water Transmission System Agency Fund
ESTIMATED WATER DELIVERIES AND WATER SALES - O&M plus Surcharges
Sub-Object 4161

REVENUE CATEGORY	ESTIMATED ACRE FEET DELIVERED	ESTIMATED RATES	ESTIMATED REVENUE
<u>WATER SALES - O&M</u>			
1 PRIMES without Subcharges	39,675.8	471.40	18,703,223
2 OTHER AGENCY CUSTOMERS	957.3	804.99	770,611
3 MARIN MUNICIPAL (OFF-PEAK)	4,300.0	646.35	2,779,303
4 MARIN MUNICIPAL (SUPPLEMENTAL)	961.4	567.40	545,525
5 SURPLUS CUSTOMERS	105.4	595.06	62,734
TOTAL WATER SALES - O&M	46,000.0	N/A	\$22,861,396

Sub-Object 4175, 4176, 4177, and 4178

REVENUE CATEGORY	ESTIMATED ACRE FEET DELIVERED	ESTIMATED RATES	ESTIMATED REVENUE
<u>WATER SALES - Sub-charges</u>			
1a Water Management Planning Sub-charge [4.13]	46,000.0	0.97	44,500
1b Watershed Planning/Restoration Sub-charge [4.14]	46,000.0	79.01	3,634,500
1c Recycled Water & Local Supply Sub-charge [4.15]	46,000.0	27.56	1,267,819
1d Water Conservation Sub-charge [4.16]	46,000.0	39.35	1,810,000
TOTAL WATER SALES - Subcharges	46,000.0	N/A	\$6,756,819

FY 2014-15 BUDGET
Water Transmission System Agency Fund
SANTA ROSA AQUEDUCT ESTIMATED WATER DELIVERIES AND WATER SALES - O&M plus Surcharges
Sub-Object 4161

REVENUE CATEGORY	ESTIMATED ACRE FEET DELIVERED	ESTIMATED RATES	ESTIMATED REVENUE
<u>WATER SALES - O&M</u>			
1 SANTA ROSA AQUEDUCT	18,193.9	471.40	8,576,630

Sub-Object 4175, 4176, 4177, and 4178

REVENUE CATEGORY	ESTIMATED ACRE FEET DELIVERED	ESTIMATED RATES	ESTIMATED REVENUE
<u>WATER SALES - Sub-charges</u>			
1a Water Management Planning Sub-charge [4.13]	18,193.9	0.97	17,601
1b Watershed Planning/Restoration Sub-charge [4.14]	18,193.9	79.01	1,437,518
1c Recycled Water & Local Supply Sub-charge [4.15]	18,193.9	27.56	501,448
1d Water Conservation Sub-charge [4.16]	18,193.9	39.35	715,891
TOTAL WATER SALES - Subcharges	18,193.9	N/A	\$2,672,458

REVENUE CATEGORY	ESTIMATED ACRE FEET DELIVERED	ESTIMATED RATES	ESTIMATED REVENUE
<u>CAPITAL CHARGES</u>			
Aqueduct Facilities Capital Charges [4.6 e]	18,193.9	19.50	354,782
<u>BOND AND LOAN CAPITAL CHARGES</u>			
Storage Facilities Capital Charge [4.7]	18,193.9	26.31	478,708
Common Facilities Capital Charge [4.8]	18,193.9	66.58	1,211,317
Aqueduct Facilities Capital Charges [4.6 b]	18,193.9	0.00	0
TOTAL WATER SALES - Capital & Bond and Loan Charges	18,193.9	N/A	\$2,044,807

TOTAL ESTIMATED REVENUE

\$13,293,895

FY 2014-15 BUDGET

Water Transmission System Agency Fund

PETALUMA AQUEDUCT ESTIMATED WATER DELIVERIES AND WATER SALES - O&M plus Surcharges

Sub-Object 4161

REVENUE CATEGORY	ESTIMATED ACRE FEET DELIVERED	ESTIMATED RATES	ESTIMATED REVENUE
<u>WATER SALES - O&M</u>			
1 PETALUMA AQUEDUCT	23,238.7	471.40	10,954,745

Sub-Object 4175, 4176, 4177, and 4178

REVENUE CATEGORY	ESTIMATED ACRE FEET DELIVERED	ESTIMATED RATES	ESTIMATED REVENUE
<u>WATER SALES - Sub-charges</u>			
1a Water Management Planning Sub-charge [4.13]	23,238.7	0.97	22,481
1b Watershed Planning/Restoration Sub-charge [4.14]	23,238.7	79.01	1,836,110
1c Recycled Water & Local Supply Sub-charge [4.15]	23,238.7	27.56	640,489
1d Water Conservation Sub-charge [4.16]	23,238.7	39.35	914,393
TOTAL WATER SALES - Subcharges	23,238.7	N/A	\$3,413,473

REVENUE CATEGORY	ESTIMATED ACRE FEET DELIVERED	ESTIMATED RATES	ESTIMATED REVENUE
<u>CAPITAL CHARGES</u>			
Aqueduct Facilities Capital Charges [4.6 e]	23,238.7	19.50	453,155
<u>BOND AND LOAN CAPITAL CHARGES</u>			
Storage Facilities Capital Charge [4.7]	23,238.7	26.31	611,444
Common Facilities Capital Charge [4.8]	23,238.7	66.58	1,547,189
Aqueduct Facilities Capital Charges [4.6 b]	23,238.7	0.00	0
TOTAL WATER SALES - Capital & Bond and Loan Charges	23,238.7	N/A	\$2,611,788

TOTAL ESTIMATED REVENUE

\$16,980,006

FY 2014-15 BUDGET
Water Transmission System Agency Fund
SONOMA AQUEDUCT ESTIMATED WATER DELIVERIES AND WATER SALES - O&M plus Surcharges
Sub-Object 4161

REVENUE CATEGORY	ESTIMATED ACRE FEET DELIVERED	ESTIMATED RATES	ESTIMATED REVENUE
<u>WATER SALES - O&M</u>			
1 SONOMA AQUEDUCT	4,193.1	471.40	1,976,621

Sub-Object 4175, 4176, 4177, and 4178

REVENUE CATEGORY	ESTIMATED ACRE FEET DELIVERED	ESTIMATED RATES	ESTIMATED REVENUE
<u>WATER SALES - Sub-charges</u>			
1a Water Management Planning Sub-charge [4.13]	4,193.1	0.97	4,056
1b Watershed Planning/Restoration Sub-charge [4.14]	4,193.1	79.01	331,299
1c Recycled Water & Local Supply Sub-charge [4.15]	4,193.1	27.56	115,567
1d Water Conservation Sub-charge [4.16]	4,193.1	39.35	164,989
TOTAL WATER SALES - Subcharges	4,193.1	N/A	\$615,911

REVENUE CATEGORY	ESTIMATED ACRE FEET DELIVERED	ESTIMATED RATES	ESTIMATED REVENUE
<u>CAPITAL CHARGES</u>			
Aqueduct Facilities Capital Charges [4.6 e]	4,193.1	19.50	81,765
<u>BOND AND LOAN CAPITAL CHARGES</u>			
Storage Facilities Capital Charge [4.7]	4,193.1	26.31	110,326
Common Facilities Capital Charge [4.8]	4,193.1	66.58	279,167
Aqueduct Facilities Capital Charges [4.6 b]	4,193.1	62.56	262,316
TOTAL WATER SALES - Capital & Bond and Loan Charges	4,193.1	N/A	\$733,574

TOTAL ESTIMATED REVENUE

\$3,326,106

**FY 2014-15 BUDGET
BEGINNING AND ENDING CASH SUMMARY**

Section Title:

Water Transmission System Agency Fund

Section/Index No:

675108

Subsubject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
BEGINNING FUND BALANCE	8,887,458	12,438,164		6,684,780		
REVENUES						
<u>USE OF MONEY / PROPERTY</u>						
1700 Interest on Pooled Cash	137,000	149,882	65,000	60,000	(5,000)	(7.69%)
1801 Rent - Real Estate	0	450	0	0	0	N/A
SUBTOTAL	137,000	150,332	65,000	60,000	(5,000)	(7.69%)
<u>INTERGOVERNMENTAL REVENUES</u>						
2500 ST-Other	28,737	0	0	0	0	N/A
2780 Fed-Other	3,652	2,534	0	0	0	N/A
SUBTOTAL	32,388	2,534	0	0	0	N/A
<u>CHARGES FOR SERVICES</u>						
3145 Plans & Spec		20				
3666 Meter Service / Install	28,421	29,000	20,000	0	(20,000)	(100.00%)
3980 Revenue Applicable to PY	5,787	5,843	0	0	0	N/A
SUBTOTAL	34,208	34,863	20,000	0	(20,000)	(100.00%)
<u>MISCELLANEOUS REVENUES</u>						
4039 Sale - Power	835,759	800,000	800,000	800,000	0	0.00%
4040 Miscellaneous Revenues	14,928	15,000	0	0	0	N/A
4102 Donations/ Reimb.	(644)	0	2,000	0	(2,000)	(100.00%)
4109 Outdated Warrants	24,546	0	0	0	0	N/A
4116 Insurance Reimbursement	5,500					
4161 Water Sales - O&M	24,333,572	25,002,394	23,190,099	22,861,396	(328,703)	(1.42%)
4162 Comm. Rev. Bd. Charge	3,127,757	2,765,938	2,379,338	2,279,125	(100,213)	(4.21%)
4163 Storage Rev. Bd. Charge	958,394	877,558	754,889	900,703	145,814	19.32%
4164 Sonoma Aq. Rev. Charge	327,258	306,243	255,665	262,316	6,651	2.60%
4166 SR Aq. Capital Charge	151,920	422,548	530,275	433,516	(96,759)	(18.25%)
4167 Petaluma Aq. Cap. Chg.	127,067	451,541	789,750	453,155	(336,595)	(42.62%)
4168 Sonoma Aq. Cap. Charge	89,182	142,425	257,736	81,765	(175,971)	(68.28%)
4169 NM Revenue Bd. Charge	265,610	387,589	341,611	325,592	(16,019)	(4.69%)
4175 Water Mgmt Planning Sub-charge	61,500	51,780	45,000	44,500	(500)	(1.11%)
4176 Watershed Planning/Rest Sub-charge	4,573,599	4,520,942	3,947,000	3,634,500	(312,500)	(7.92%)
4177 Recycled Water & Local Supply Sub-charge	902,194	1,348,935	1,177,685	1,267,819	90,134	7.65%
4178 Water Conservation Sub-charge	1,853,476	1,867,022	1,630,000	1,810,000	180,000	11.04%
4304 Federal Grants	32,120	0	0	0	0	N/A
SUBTOTAL	37,683,737	38,959,915	36,101,048	35,154,388	(946,660)	(2.62%)
TOTAL REVENUES	37,887,333	39,147,644	36,186,048	35,214,388	(971,660)	(2.69%)

Section Title:

Water Transmission System Agency Fund

Section/Index No:

675108

Subsubject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
EXPENDITURES						
SERVICES AND SUPPLIES						
6020 Clothing / Personal	15,427	15,000	0	10,000	10,000	N/A
6040 Communications	61,798	70,000	75,000	70,000	(5,000)	(6.67%)
6060 Food	946	819	0	0	0	N/A
6140 Maintenance - Equipment	709,493	800,000	1,125,000	1,000,000	(125,000)	(11.11%)
6180 Maintenance - Buildings	238,403	0	0	0	0	N/A
6190 Landscaping Service	4,951	5,000	0	5,000	5,000	N/A
6262 Laboratory Supplies	22,503	24,000	25,000	35,000	10,000	40.00%
6280 Memberships	39,485	40,000	75,000	40,000	(35,000)	(46.67%)
6400 Office Expense	4,480	5,000	5,000	5,000	0	0.00%
6410 Postage	3,521	4,000	5,000	4,000	(1,000)	(20.00%)
6415 Books/Periodicals	2,069	1,500	2,000	0	(2,000)	(100.00%)
6430 Printing	948	2,500	2,000	3,000	1,000	50.00%
6461 Supplies / Expenses	26,831	30,000	50,000	30,000	(20,000)	(40.00%)
6510 Microfilm		54				
6512 Testing / Analysis	113,949	130,000	135,000	135,000	0	0.00%
6516 Data Processing Services	11,906	10,000	10,000	12,000	2,000	20.00%
6523 District Operations	10,729,450	10,500,000	9,800,000	11,500,000	1,700,000	17.35%
6540 Contract Services	174,555	200,000	215,000	890,000	675,000	313.95%
6553 Contract-Security Services	0	0	25,000	0	(25,000)	(100.00%)
6570 Consultant Services	343,219	345,000	985,000	986,000	1,000	0.10%
6589 Permits	35,608	40,000	10,000	40,000	30,000	300.00%
6610 Legal Services	29,487	30,000	50,000	30,000	(20,000)	(40.00%)
6800 Public/Legal Notices	0	1,000	5,000	2,000	(3,000)	(60.00%)
6820 Rents and Leases-Equip	141,285	150,000	85,000	150,000	65,000	76.47%
6840 Rents and Leases-Bldg/Imp	1,256	0	0	0	0	N/A
6880 Small Tools - Instruments	118,728	120,000	100,000	100,000	0	0.00%
6889 Software	29,095	30,000	0	10,000	10,000	N/A
6890 Computer Hardware	2,365	5,000	10,000	10,000	0	0.00%
7035 Signs	646	500		500	500	N/A
7120 Training-in-Service	11,484	10,000	15,000	15,000	0	0.00%
7201 Gas / Oil	56,283	5,000	5,000	6,000	1,000	20.00%
7206 Equipment Usage Charge	795,411	600,000	600,000	600,000	0	0.00%
7212 Chlorine Chem/Recorder	865,606	850,000	850,000	900,000	50,000	5.88%
7217 State Permits / Fees	0	0	30,000	0	(30,000)	(100.00%)
7250 Reimbursable Projects	0	0	2,000	0	(2,000)	(100.00%)
7296 FERC Fees / Costs	0	0	5,000	5,000	0	0.00%
7297 Riverfront Park Levee Maintenance	0	0	25,000	25,000	0	0.00%
7302 Travel Expense	14,027	14,000	20,000	15,000	(5,000)	(25.00%)
7303 Private Car Expense	1,466	2,000	2,500	2,000	(500)	(20.00%)
7320 Utilities	13,508	9,500	1,000	13,000	12,000	1200.00%
7394 Power	4,803,201	4,700,000	4,700,000	4,400,000	(300,000)	(6.38%)
SUBTOTAL	19,423,392	18,749,873	19,049,500	21,048,500	1,999,000	10.49%
OTHER CHARGES						
7920 Interest Expense	0	0	45,000	0	(45,000)	(100.00%)
7924 Interest-PY	(40)	(40)	0	0	0	N/A
7980 Depreciation	5,486,202	5,694,500	5,700,000	5,727,000	27,000	0.47%
7981 Amortization	27,110	159,625	129,000	241,500	112,500	87.21%
8090 Loss on Fixed Assets	264,205	0	0	0	0	N/A
SUBTOTAL	5,777,476	5,854,085	5,874,000	5,968,500	94,500	1.61%
FIXED ASSETS						
8510 Buildings / Improvements	0	(27)	70,000	0	(70,000)	(100.00%)
8533 SCWA-New Metered Ser	0	0	20,000	0	(20,000)	(100.00%)
8560 Equipment	104,163	10,114	75,000	60,000	(15,000)	(20.00%)
9480 Intangible Assets	19,377	36,000	0	0	0	N/A

Section Title:

Water Transmission System Agency Fund

Section/Index No:

675108

Subsubject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
9482 Amort WIP Outlay	142	150	0	0	0	N/A
SUBTOTAL	123,682	46,237	165,000	60,000	(105,000)	(63.64%)
<u>OTHER FINANCING USES</u>						
8625 OT - W/in Special Dist	14,134,472	25,293,147	16,370,530	13,355,392	(3,015,138)	(18.42%)
SUBTOTAL	14,134,472	25,293,147	16,370,530	13,355,392	(3,015,138)	(18.42%)
<u>APPROP. FOR CONTINGENCIES</u>						
9000 Approp. for Contingencies	0	0	140,000	0	(140,000)	(100.00%)
SUBTOTAL	0	0	140,000	0	(140,000)	(100.00%)
<u>ADMIN. CONTROL ACCOUNT</u>						
9200 Ent - Principal	0	0	282,562	282,562	0	0.00%
9209 Ent - Principal Clearing	0	0	(282,562)	(282,562)	0	0.00%
SUBTOTAL	0	0	0	0	0	N/A
<u>PRIOR YEAR ENCUMBRANCE EXPENSE</u>						
9614 PY Enc - Maintenance Equip	40,690	290,369	334,143	0	(334,143)	(100.00%)
9618 PY Enc - Maintenance Bldgs/Imp	16,448	68,265	68,265	0	(68,265)	(100.00%)
9640 PY Enc - Office Expense	0	0	0	0	0	N/A
9650 PY Enc - Profess / Special	353,697	448,504	448,504	0	(448,504)	(100.00%)
9688 PY Enc - Small Tools / Instruments	0	0	0	0	0	N/A
9700 PY Enc - Special Dept Exp	472	4,672	4,200	0	(4,200)	(100.00%)
9852 PY Enc - Bldg / Imp / Equip	0	0	0	0	0	N/A
9853 PY Enc - Equip	0	0	0	0	0	N/A
SUBTOTAL	411,307	811,810	855,112	0	(855,112)	(100.00%)
TOTAL EXPENDITURES	39,870,329	50,755,152	42,454,142	40,432,392	(2,021,751)	(4.76%)
Depreciation/Amortization	5,513,312	5,854,125		5,727,000		
Outstanding Encumbrances - (Decrease) Fund Balance	(15,002)	0		0		
Capitalized Interest	(40)	0		0		
Gain/Loss of Disposal of Fixed Asset	264,205	0				
Cash Movement from RESCO JV FYE 12-13	(228,773)					
ENDING FUND BALANCE	12,438,164	6,684,780		7,193,776		

Operations and Maintenance 675108 Fund Balance Reserve Goal
Over/(Under) Goal

5,337,500
1,856,276

Water Transmission System Agency Fund
Major Services & Supplies Expenditure Items

Sub-Object No. and Title	Actual FY 12-13	Adopted FY 13-14	Requested FY 14-15	Difference	Percent Change
<u>6140 Maintenance - Equipment</u> See Project List on page A-12 for detail.	709,493	1,125,000	1,000,000	(125,000)	-11.1%
<u>6180 Maintenance - Projects</u> Starting in Fy 2012/13 the costs to maintain the pumping, storage, pipeline and hydro-electric facilities will be budgeted in 6140.	238,403	0	0	0	#DIV/0!
<u>6280 Memberships</u> Reflects level of actual expenditures.	39,485	75,000	40,000	(35,000)	-46.7%
<u>6461 Supplies / Expenses</u> Reflects level of actual expenditures.	26,831	50,000	30,000	(20,000)	-40.0%
<u>6512 Testing / Analysis</u> Reflects level of expected expenditures.	113,949	135,000	135,000	0	0.0%
<u>6523 District Operations</u> Anticipated higher costs based on prior year actuals.	10,729,450	9,800,000	11,500,000	1,700,000	17.3%
<u>6570 Consultant Services</u> See Consultant Services Project List for detail on page A-13.	343,219	985,000	986,000	1,000	0.1%
<u>6610 Legal Services</u> Reflects level of actual expenditures.	29,487	50,000	30,000	(20,000)	-40.0%
<u>6880 Small Tools - Instruments</u> Reflects level of expected expenditures.	118,728	100,000	100,000	0	0.0%
<u>6889 Software</u> Reflects level of expected expenditures.	29,095	0	10,000	10,000	#DIV/0!
<u>7206 Equipment Usage Charge</u> Reflects level of actual expenditures.	795,411	600,000	600,000	0	0.0%
<u>7212 Chlorine Chemical / Recorder</u> Reflects level of actual expenditures.	865,606	850,000	900,000	50,000	5.9%
<u>7394 Power</u> Reflects level of expected expenditures.	4,803,201	4,700,000	4,400,000	(300,000)	-6.4%
<u>8560 Equipment</u> Reflects level of expected expenditures.	104,163	75,000	60,000	(15,000)	-20.0%

FY 2014-15 BUDGET

Water Transmission System Agency Fund

	DESCRIPTION - 6180 Maintenance Buildings	AMOUNT
1	Combined with 6140	
6180 Total		\$ <u> </u> -

	DESCRIPTION - 6140 Maintenance -Contracts and Equipment	AMOUNT
1	Petaluma Aqueduct cathodic protection upgrade	260,000
2	Santa Rosa Aqueduct Cathodic Protection Upgrade	120,000
3	RR-Cotati Intertie - Cathodic Protection Upgrade	25,000
4	Electrical Supplies and Maintenance Services	150,000
5	Pump and Pipeline Supplies and Maintenance Services	150,000
6	Hardware and Miscellaneous Supplies	120,000
7	Collector 6 Chlorine Lines Maintenance	80,000
8	Replace Turbidimeters	40,000
9	Grounds Maintenance	30,000
10	Safety Equipment and Safety Equipment Testing	25,000
6140 Total		\$ <u> </u> 1,000,000

**Water Transmission Agency Fund, #675108
Multi-Year Subobject Review
FY 2014-15 BUDGET**

Subobject Title	Subobject Number	Actual FY 06/07	Actual FY 07/08	Actual FY 08/09	Actual FY 09/10	Actual FY10/11	Actual FY 12-13	Estimate FY 13-14	Budget FY 14-15
Maintenance - Equipment	6140	1,777,109	1,036,922	927,294	865,722	695,787	709,493	800,000	1,000,000
Maintenance - Bldg/Imp	6180	1,949,875	1,880,212	495,840	272,670	75,853	238,403	0	0
District Operations	6523	8,931,495	10,597,113	10,829,182	10,068,704	9,160,367	10,729,450	10,500,000	11,500,000
Total of the Four Cost Categories		\$ 12,658,480	\$ 13,514,247	\$ 12,252,316	\$ 11,207,096	\$ 9,932,008	\$ 11,677,346	\$ 11,300,000	\$ 12,500,000

Percentage Change from Prior Year

Subobject Title	Subobject Number	Actual FY 06/07	Actual FY 07/08	Actual FY 08/09	Actual FY 09/10	Actual FY10/11	Actual FY 12-13	Estimate FY 13-14	Budget FY 14-15
Consulting Service	6570	\$ 693,373	\$ 712,593	\$ 860,688	\$ 653,985	\$ 290,581	\$ 343,219	\$ 345,000	\$ 986,000
<i>Percentage Change from Prior Year</i>			2.77%	20.78%	-24.02%	-55.57%	-47.52%	0.52%	185.80%

Itemized Detail for 6540 Contract Services and 6570 Consulting Services

DESCRIPTION	Budget FY 14-15
Recoat Kastania Tank	300,000
Forestville Tanks Recoat	500,000
Riverfront Park Maintenance	90,000
6540 Total	890,000
Aqueduct Condition Assessments	280,000
LHMP - program planning	15,000
AMI Flow Monitoring	60,000
LBNL Wohler Geophysics (phase 2 & 3)	85,000
USGS Water Quality (Diversion Facilities) and SW/GW Studies	125,000
As-Needed Dive Services	75,000
Groundwater Banking Feasibility - Pilot Studies	190,000
Multi-year Water Quality Study	0
Legislative Advocacy - Federal	70,000
Water Shortage Allocation Methodology	0
Mirabel Flow meters	0
BAIRWMP	30,000
NCIRWMP	26,000
Conservation strategy group	0
Natural Resource Results	0
Reports/Signs/Brochures	0
ACWA Meeting Sponsorships	0
Community Outreach Program	5,000
Legislative Advocacy - State	25,000
6570 Total	\$ 986,000

Subobject Title	Subobject Number	Actual FY 06/07	Actual FY 07/08	Actual FY 08/09	Actual FY 09/10	Actual FY10/11	Actual FY 12-13	Estimate FY 13-14	Budget FY 14-15
Power Usage Review	7394	\$ 3,237,565	\$ 5,930,313	\$ 4,928,287	\$ 3,739,841	\$ 4,475,440	\$ 4,803,201	\$ 4,700,000	\$ 4,400,000
<i>Percentage Change from Prior Year</i>			83.17%	-16.90%	-24.11%	19.67%	28%	-2%	-6%

FY 2014-15 BUDGET
BEGINNING AND ENDING CASH SUMMARY

Section Title: Common Facilities

Section/Index No: 675421

Subject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
BEGINNING FUND BALANCE	(875,006)	3,221,676		3,317,789		

REVENUES

USE OF MONEY / PROPERTY

1700 Interest on Pooled Cash	(10,385)	19,644	195	6,000	5,805	2976.92%
SUBTOTAL	(10,385)	19,644	195	6,000	5,805	2976.92%

Charges for Services

3980 Revenue Apply to PY	0	313	0	0	0	N/A
SUBTOTAL	0	313	0	0	0	N/A

Miscellaneous Revenues

4303 State Grants	70,537	0	0	0	0	N/A
4304 Federal Grants		0	0	1,930,181		
SUBTOTAL	70,537	0	0	2,295,181	2,295,181	N/A

ADMINISTRATIVE CONTROL

4210 Advances	0	4,100,000	400,000	0	(400,000)	(100.00%)
4219 Advances - Clearing	0	(4,100,000)	(400,000)	0	400,000	(100.00%)
SUBTOTAL	0	0	0	0	0	N/A

OTHER FINANCING SOURCES

4625 OT - W/in Special Dist	3,651,755	14,655,000	5,985,708	2,556,527	(3,429,181)	(57.29%)
SUBTOTAL	3,651,755	14,655,000	5,985,708	2,556,527	(3,429,181)	(57.29%)

TOTAL REVENUES

	3,711,906	14,674,957	5,985,903	4,857,708	(1,128,195)	(18.85%)
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EXPENDITURES

OTHER CHARGES

7920 Interest Payment	0	250,656	250,656	160,526	(90,130)	(35.96%)
7924 Capital Interest	(219,859)	0	0	0	0	N/A
SUBTOTAL	(219,859)	250,656	250,656	160,526	(90,130)	(35.96%)

FIXED ASSETS

8500 Land	0	1,062,378	0	0	0	N/A
8510 Buildings / Improvements	1,839,972	3,000,000	1,250,000	1,415,000	165,000	13.20%
8529 Isolation Valves & Meters	6,328	260,000	545,000	2,800,000	2,255,000	413.76%
9105 Mirabel Fish Screen Replacement	133,117	11,170,000	2,950,000	775,000	(2,175,000)	(73.73%)
9107 Air Valves	0	660,000	290,000	0	(290,000)	(100.00%)
9128 Local Hazard Mitigation	8,211	1,850,000	800,000	700,000	(100,000)	(12.50%)
9480 Intangible Assets	4,752	4,752	0	750,000	750,000	N/A
9482 Amort WIP Outlay	0	3,084	0	1,250,000	1,250,000	N/A
SUBTOTAL	2,024,740	18,010,548	5,835,000	7,690,000	1,855,000	31.79%

ADMIN. CONTROL ACCOUNT

9210 Advances	0	0	418,465	75,466	(342,999)	(81.97%)
9219 Advances - Clearing	0	0	(418,465)	(75,466)	342,999	(81.97%)
SUBTOTAL	0	0	0	0	0	N/A

Section Title:

Common Facilities

Section/Index No:

675421

Subobject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
<u>PRIOR YEAR ENCUMBRANCE EXPENSE</u>						
9852 PY Enc - Bldg / Imp	986,973	417,640	0	0	0	N/A
SUBTOTAL	986,973	417,640	0	0	0	N/A
TOTAL EXPENDITURES	2,791,854	18,678,844	6,085,656	7,850,526	1,764,870	29.00%
Loan	0	4,100,000		0		
Outstanding Encumbrances - Net Change	639,409	0		0		
Capitalized Interest	(219,859)	0		0		
Principal payment on Loan from AQ funds	0	0		(75,466)		
Change in Deposit with Others	2,757,080	0		0		
ENDING FUND BALANCE	3,221,676	3,317,789		249,505		

FY 2014-15 BUDGET
Common Facilities - Section 675421
Detailed Listing of Capital Projects

SUB-OBJECT DESCRIPTION	Project & Subobject	FY 2014-15 BUDGET
8510 Buildings and Improvements		
DESCRIPTION		
Mirabel-River Road Fiber Optic Cable		100,000
RDS Pump Replacement		350,000
Caisson 6 Vaults		150,000
Wohler Motor Replacements		350,000
pH Pump Replacement		100,000
Water Agency Westside Facility - see offsetting revenue		365,000
		1,415,000
8529 Isolation Valves and Meters		
DESCRIPTION		
Isolation Valves	7379, 7497	2,800,000
	8529 Total	2,800,000
9105 Mirabel Fish Screen Replacement		
DESCRIPTION		
Mirabel Fish Screen - Fish Ladder Project	7357, 7532	775,000
	9105 Total	775,000
9107 Air Valves		
DESCRIPTION		
Air Valves	7429	0
	9107 Total	0
9128 Local Hazard Mitigation Projects		
DESCRIPTION		
RR Crossing		150,000
MW Creek Crossing		310,000
Collector 6 Liquefaction Mitigation		40,000
Collectors 3 and 5 Liquefaction Mitigation Predesign		200,000
	9128 Total	700,000
9480 Intangible Asset		
DESCRIPTION		
SCADA Software and Hardware		750,000
	9480 Total	750,000
9482 Amort WIP outlay		
DESCRIPTION		
SCADA Upgrade		1,250,000
	9482 Total	1,250,000

Total Common Facilities \$ 7,690,000

**FY 2014-15 BUDGET
BEGINNING AND ENDING CASH SUMMARY**

Section Title:

Pipeline Facilities

Section/Index No:

675413

Subobject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
BEGINNING FUND BALANCE	557,911	(56,832)		132,761		
REVENUES						
<u>USE OF MONEY / PROPERTY</u>						
1700 Interest on Pooled Cash	1,044	(7,656)	2,730	90	(2,640)	-96.70%
SUBTOTAL	1,044	(7,656)	2,730	90	(2,640)	-96.70%
<u>INTERGOVERNMENTAL REVENUE</u>						
2852 Federal Grants	(217,379)	500,000	0	0	0	N/A
SUBTOTAL	(217,379)	500,000	0	0	0	N/A
<u>CHARGES FOR SERVICES</u>						
3145 Plans/Specs	260	0				N/A
SUBTOTAL	260	0	0	0	0	N/A
<u>MISCELLANEOUS REVENUE</u>						
4304 Fed Grants	1,297,473	50,612	0	0	0	N/A
SUBTOTAL	1,297,473	50,612	0	0	0	N/A
<u>OTHER FINANCING SOURCES</u>						
4625 OT - W/in Special Dist	2,603,041	1,095,000	260,000	151,000	(109,000)	(41.92%)
4625 OT - W/in Special Assessment	0					
SUBTOTAL	2,603,041	1,095,000	260,000	151,000	(109,000)	(41.92%)
TOTAL REVENUES	3,684,440	1,637,956	262,730	151,090	(111,640)	(42.49%)
EXPENDITURES						
<u>FIXED ASSETS</u>						
9106 Santa Rosa Aqueduct	0	0	0	15,000	15,000	N/A
9128 Local Hazard Mitigation	2,462,603	150,000	60,000	0	(60,000)	(100.00%)
9154 Petaluma Aqueduct	0	0	0	15,000	15,000	N/A
9192 Sonoma Aqueduct	4,000	420,000	350,000	250,000	(100,000)	(28.57%)
9482 Amort WIP Outlay	(2,419)	0	0	0	0	N/A
SUBTOTAL	3,161,940	570,000	410,000	280,000	(130,000)	(31.71%)
<u>OTHER CHARGES</u>						
7924 Interest - Prior Year	(60,928)	0	0	0	0	N/A
SUBTOTAL	(60,928)	0	0	0	0	N/A
<u>PRIOR YEAR ENCUMBRANCE EXPENSE</u>						
9852 PY Enc - Bldg / Imp	9,037	878,363	0	0	0	N/A
SUBTOTAL	9,037	878,363	0	0	0	N/A
TOTAL EXPENDITURES	3,110,049	1,448,363	410,000	280,000	(130,000)	(31.71%)
Outstanding Encumbrances - Net Change	(810,103)	0				
Capitalized Interest	(60,928)	0				
CIP Adjustment	(318,103)					
ENDING FUND BALANCE	(56,832)	132,761		3,851		

**FY 2014-15 BUDGET
BEGINNING AND ENDING CASH SUMMARY**

Section Title: Storage Facilities

Section/Index No: 675405

Subject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
BEGINNING FUND BALANCE	32,682	(1,688,286)		734,436		
REVENUES						
<u>USE OF MONEY / PROPERTY</u>						
1700 Interest on Pooled Cash	1,305	(12,941)	1,203	1,110	(93)	(7.73%)
SUBTOTAL	1,305	(12,941)	1,203	1,110	(93)	(7.73%)
<u>MISCELLANEOUS REVENUE</u>						
4102 Donations/Reimbursements	0	0	100,000	0	(100,000)	(100.00%)
4040 Miscellaneous		5,031				
4303 State Grant (Petaluma AQ - Caltrans Project)	276,092	0	0	0	0	N/A
SUBTOTAL	276,092	5,031	100,000	0	(100,000)	(100.00%)
<u>OTHER FINANCING SOURCES</u>						
4625 OT - W/in Special Dist	430,237	780,000	590,000	50,000	(540,000)	(91.53%)
SUBTOTAL	430,237	780,000	590,000	50,000	(540,000)	(91.53%)
TOTAL REVENUES	707,654	772,090	691,203	51,110	(640,093)	(92.61%)
EXPENDITURES						
<u>OTHER CHARGES</u>						
7920 Interest Payment				90,130	90,130	N/A
7924 Interest - Prior Year	(40,397)	(40,397)	0	0	0	N/A
SUBTOTAL	(40,397)	(40,397)	0	90,130	90,130	N/A
<u>FIXED ASSETS</u>						
8510 Buildings/Improvements	217,443	0	0	0	0	N/A
8543 Petaluma Aque Relocation	111	240,000	240,000	50,000	(190,000)	(79.17%)
9480 Intangible Asset	862	862	0	0	0	N/A
9162 Kawana to Ralphine Tanks	0	400,000	450,000	240,000	(210,000)	(46.67%)
SUBTOTAL	218,416	640,862	690,000	290,000	(400,000)	(57.97%)
<u>PRIOR YEAR ENCUMBRANCE EXPENSE</u>						
9852 PY Enc - Bldg / Imp / Equip	66,351	48,903	48,903	0	(48,903)	(100.00%)
SUBTOTAL	66,351	48,903	48,903	0	(48,903)	(100.00%)
TOTAL EXPENDITURES	244,370	649,368	738,903	380,130	(358,773)	(48.55%)
Advances from Aqueduct funds		2,300,000				
Principal payment on Loan from AQ funds				(42,297)		
Outstanding Encumbrances - Net C	66,351	0				
Capitalized Interest	(40,397)	0		0		
CIP Adjustment	(2,210,206)					
ENDING FUND BALANCE	(1,688,286)	734,436		363,119		

FY 14-15

Capital Improvement Projects

Project	Category	Amount
Petaluma Aq Relocation – Kastania (Caltrans Project)	Storage	50,000
Ralphine Tanks Flow Thru Conversion	Storage	140,000
24" Oakmont Pipeline Replacement	Storage	100,000
Local Hazard Mitigation Program - Program Design (for Future FEMA Funds)	Pipeline	15,000
LHMP - Program Design (for Future FEMA Funds)	Pipeline	15,000
LHMP - Program Design (for Future FEMA Funds)	Pipeline	15,000
Condition Assessment Study	Pipeline	15,000
SBS Electrical Upgrade and Pumping Reliability	Pipeline	220,000
Isolation Valves (FEMA Funds - \$1.9M)	Common	2,800,000
Mirabel Fish Screen/Fish Ladder (Dept of Fish and Wildlife Funds - \$1.18M)	Common	775,000
RR Crossing (FEMA Funds - \$2.9M)	Common	150,000
MW Creek Crossing (FEMA Funds - \$2.8M)	Common	310,000
Collector 6 Liquefaction Mitigation (for Future FEMA Funds)	Common	40,000
Collectors 3 and 5 Liquefaction Mitigation Predesign (for Future FEMA Funds)	Common	200,000
Mirabel-River Road Fiber Optic Cable (Install with RR Crossing Project)	Common	100,000
RDS Pump Replacement	Common	350,000
Caisson 6 Vaults	Common	150,000
Wohler Motor Replacements	Common	350,000
pH Pump Replacement	Common	100,000
Water Agency Westside Facility - offsetting revenue \$365,000	Common	365,000
SCADA Software and Hardware	Common	750,000
SCADA Upgrade	Common	1,250,000
		8,260,000
	Storage	290,000
	Pipeline	280,000
	Common	7,690,000

**FY 2014-15 BUDGET
BEGINNING AND ENDING CASH SUMMARY**

Section Title: North Marin Water Deposit

Section/Index No: 675512

Subobject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
BEGINNING FUND BALANCE	12,689	12,821		12,921		

REVENUES

USE OF MONEY / PROPERTY

1700 Interest on Pooled Cash	132	100	109	101	(8)	(7.52%)
SUBTOTAL	132	100	109	101	(8)	(7.52%)

Intergovernmental Revenue

2900 Other Government Agencies:	0	0	0	0	0	N/A
SUBTOTAL	0	0	0	0	0	N/A

MISCELLANEOUS REVENUES

4625 OT - W/in Special Dist	0	0	0	0	0	N/A
SUBTOTAL	0	0	0	0	0	N/A

TOTAL REVENUES	132	100	109	101	(8)	(7.52%)
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EXPENDITURES

OTHER CHARGES

8010 Contribution Non-Co Govt	0	0	0	0	0	N/A
SUBTOTAL	0	0	0	0	0	N/A

OTHER FINANCING USES

8625 OT - W/in Special Dist	0	0	0	0	0	N/A
SUBTOTAL	0	0	0	0	0	N/A

TOTAL EXPENDITURES	0	0	0	0	0	N/A
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ENDING FUND BALANCE	12,821	12,921		13,022		
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**FY 2014-15 BUDGET
BEGINNING AND ENDING CASH SUMMARY**

Section Title:
Section/Index No:

Santa Rosa Aqueduct Capital Fund
675207

Subobject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
BEGINNING FUND BALANCE	5,885,357	3,537,790		1,775,468		

REVENUES

USE OF MONEY / PROPERTY

1700 Interest on Pooled Cash	45,505	25,000	29,250	10,800	(18,450)	(63.08%)
1701 Interest Earned	0	90,130	90,130	90,130	0	0.00%
SUBTOTAL	45,505	115,130	119,380	100,930	(18,450)	(15.45%)

ADMINISTRATIVE CONTROL ACCOUNT

4210 Advances	0	0	0	42,297	42,297	N/A
4219 Advances - Clearing	0	0	0	(42,297)	(42,297)	N/A
SUBTOTAL	0	0	0	0	0	N/A

OTHER FINANCING SOURCES

4625 OT - W/in Special Dist	151,920	422,548	530,275	433,516	(96,759)	(18.25%)
SUBTOTAL	151,920	422,548	530,275	433,516	(96,759)	(18.25%)

TOTAL REVENUES	197,425	537,678	649,655	534,446	(115,209)	(17.73%)
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EXPENDITURES

OTHER FINANCING USES

8625 OT - W/in Special Dist	2,544,992	0	60,000	15,000	(45,000)	(75.00%)
SUBTOTAL	2,544,992	0	60,000	15,000	(45,000)	(75.00%)

TOTAL EXPENDITURES	2,544,992	0	60,000	15,000	(45,000)	(75.00%)
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Advances to Storage	(2,300,000)	0
Increase/(Decrease) in Loan Payable	0	0
Principal Receipt on Advance	42,297	42,297

ENDING FUND BALANCE	3,537,790	1,775,468	2,337,211
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**FY 2014-15 BUDGET
BEGINNING AND ENDING CASH SUMMARY**

Section Title: Petaluma Aqueduct Capital Fund
 Section/Index No: 675215

Subsubject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
BEGINNING FUND BALANCE	5,433,916	5,603,507		2,082,574		
REVENUES						
<u>USE OF MONEY / PROPERTY</u>						
1700 Interest on Pooled Cash	42,524	37,000	37,050	15,000	(22,050)	(59.51%)
1701 Interest Earned	0	160,526	160,526	160,526	0	0.00%
SUBTOTAL	42,524	197,526	197,576	175,526	(22,050)	(11.16%)
<u>ADMINISTRATIVE CONTROL ACCOUNT</u>						
4210 Advances	0	0	0	75,466	75,466	N/A
4219 Advances - Clearing	0	0	0	(75,466)	(75,466)	N/A
SUBTOTAL	0	0	0	0	0	N/A
<u>OTHER FINANCING SOURCES</u>						
4625 OT - W/in Special Dist	127,067	451,541	789,750	453,155	(336,595)	(42.62%)
SUBTOTAL	127,067	451,541	789,750	453,155	(336,595)	(42.62%)
TOTAL REVENUES	169,591	649,067	987,326	628,681	(358,645)	(36.32%)
EXPENDITURES						
<u>OTHER FINANCING USES</u>						
8625 OT - W/in Special Dist	0	70,000	0	15,000	15,000	N/A
SUBTOTAL	0	70,000	0	15,000	15,000	N/A
TOTAL EXPENDITURES	0	70,000	0	15,000	15,000	N/A
Advance to Common		(4,100,000)		0		
Increase/(Decrease) in Loan Payable				0		
Principal Receipt on Advance				75,466		
ENDING FUND BALANCE	5,603,507	2,082,574		2,771,721		

FY 2014-15 BUDGET
BEGINNING AND ENDING CASH SUMMARY

Section Title: Sonoma Aqueduct Capital Fund
 Section/Index No: 675231

Subobject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
BEGINNING FUND BALANCE	176,164	266,724		650		
REVENUES						
<u>USE OF MONEY / PROPERTY</u>						
1700 Interest on Pooled Cash	1,379	1,500	2,925	1,200	(1,725)	(58.97%)
1701 Interest Earned	0	0	0	0	0	N/A
SUBTOTAL	1,379	1,500	2,925	1,200	(1,725)	(58.97%)
<u>OTHER FINANCING SOURCES</u>						
4625 OT - W/in Special Dist	89,182	142,425	257,736	81,765	(175,971)	(68.28%)
SUBTOTAL	89,182	142,425	257,736	81,765	(175,971)	(68.28%)
TOTAL REVENUES	90,560	143,925	260,661	82,965	(177,696)	(68.17%)
EXPENDITURES						
<u>OTHER FINANCING USES</u>						
8625 OT - W/in Special Dist	0	410,000	0	80,000	80,000	N/A
SUBTOTAL	0	410,000	0	80,000	80,000	N/A
TOTAL EXPENDITURES	0	410,000	0	80,000	80,000	N/A
ENDING FUND BALANCE	266,724	650		3,615		

**FY 2014-15 BUDGET
BEGINNING AND ENDING CASH SUMMARY**

Section Title:

Water Management Planning

Section/Index No:

675710

Subobject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
BEGINNING FUND BALANCE	294,019	357,800		364,556		
REVENUES						
<u>USE OF MONEY / PROPERTY</u>						
1700 Interest on Pooled Cash	3,069	2,000	2,275	2,100	(175)	(7.69%)
SUBTOTAL	3,069	2,000	2,275	2,100	(175)	(7.69%)
<u>Intergovernmental Revenue</u>						
2912 Town of Windsor	3,866	2,976	2,962	3,096	134	4.51%
SUBTOTAL	3,866	2,976	2,962	3,096	134	4.51%
<u>OTHER FINANCING SOURCES</u>						
4625 OT - W/in Special Dist	61,500	51,780	45,000	44,500	(500)	(1.11%)
SUBTOTAL	61,500	51,780	45,000	44,500	(500)	(1.11%)
TOTAL REVENUES	68,435	56,756	50,237	49,696	(541)	(1.08%)
EXPENDITURES						
<u>Services and Supplies</u>						
6523 District Operations	4,654	25,000	25,000	50,000	25,000	100.00%
6570 Consultant Svs	(2,710)	0	20,000	200,000	180,000	900.00%
SUBTOTAL	1,944	25,000	45,000	250,000	205,000	455.56%
<u>PRIOR YEAR ENCUMBRANCE EXPENSE</u>						
9650 PY Enc - Profess/Special	35,704	25,000	55,236	0	(55,236)	(100.00%)
SUBTOTAL	35,704	25,000	55,236	0	(55,236)	(100.00%)
TOTAL EXPENDITURES	37,648	50,000	100,236	250,000	149,764	149.41%
Outstanding Encumbrances - Net Change	32,994					
ENDING FUND BALANCE	357,800	364,556		164,252		

FY 2014-15 BUDGET
BEGINNING AND ENDING CASH SUMMARY

Section Title:

Watershed Planning/Restoration

Section/Index No:

675728

Subobject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
BEGINNING FUND BALANCE	548,116	2,973,611		5,264,390		
REVENUES						
<u>USE OF MONEY / PROPERTY</u>						
1700 Interest on Pooled Cash	12,103	10,000	16,250	18,000	1,750	10.77%
SUBTOTAL	12,103	10,000	16,250	18,000	1,750	10.77%
<u>Intergovernmental Revenue</u>						
2912 Town of Windsor	287,469	259,837	259,837	252,835	(7,002)	(2.69%)
SUBTOTAL	287,469	259,837	259,837	252,835	(7,002)	(2.69%)
<u>OTHER FINANCING SOURCES</u>						
4625 OT - W/in Special Dist	4,573,599	4,520,942	3,947,000	3,634,500	(312,500)	(7.92%)
SUBTOTAL	4,573,599	4,520,942	3,947,000	3,634,500	(312,500)	(7.92%)
TOTAL REVENUES	4,873,207	4,790,779	4,223,087	3,905,335	(317,752)	(7.52%)
EXPENDITURES						
<u>Services and Supplies</u>						
6523 District Operations - RRIFR Program	1,566,141	2,000,000	2,507,000	2,693,500	186,500	7.44%
6540 Contract Services	27,702	500,000	0	0	0	N/A
6570 Consultant Services - RRIFR Program	98,012	0	1,060,000	1,276,000	216,000	20.38%
6800 Public/Legal Notices	92,547	0	30,000	0	(30,000)	(100.00%)
SUBTOTAL	1,965,760	2,500,000	3,597,000	3,969,500	372,500	10.36%
<u>Other Charges</u>						
7924 Interest PY	(6,942)	0	0	0	0	N/A
8010 Contribution Non-County Government	(6,942)	0	350,000	0	(350,000)	(100.00%)
SUBTOTAL	(6,942)	0	350,000	0	(350,000)	(1)
<u>FIXED ASSETS</u>						
9482 Amort WIP Outlay	164,677	0	0	0	0	N/A
SUBTOTAL	164,677	0	0	0	0	N/A
<u>PRIOR YEAR ENCUMBRANCE EXPENSE</u>						
9618 PY Enc-Maint Bldgs/Imp	0	0	10,712	0	(10,712)	(100.00%)
9650 PY Enc - Profess/Special	232,586	0	556,554	0	(556,554)	(100.00%)
SUBTOTAL	232,586	0	567,266	0	(567,266)	(100.00%)
TOTAL EXPENDITURES	2,356,080	2,500,000	4,514,266	3,969,500	(544,766)	(12.07%)
Outstanding Encumbrances - Net Change	(84,690)					
Capital Interest	(6,942)					
ENDING FUND BALANCE	2,973,611	5,264,390		5,200,224		

**FY 2014-15 BUDGET
BEGINNING AND ENDING CASH SUMMARY**

Section Title: Recycled Water and Local Supply
 Section/Index No: 675736

Subobject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
BEGINNING FUND BALANCE	969,504	958,788		812,860		
REVENUES						
<u>USE OF MONEY / PROPERTY</u>						
1700 Interest on Pooled Cash	11,777	6,500	6,500	4,500	(2,000)	(30.77%)
SUBTOTAL	11,777	6,500	6,500	4,500	(2,000)	(30.77%)
<u>Intergovernmental Revenue</u>						
2500 ST-Other	303,827	0	0	0	0	N/A
2912 Town of Windsor	56,706	77,529	77,529	88,196	10,667	13.76%
SUBTOTAL	360,533	77,529	77,529	88,196	10,667	13.76%
<u>MISCELLANEOUS REVENUE</u>						
4102 Donations/Reimbursements	58,760	135,000	135,000	170,000	35,000	25.93%
SUBTOTAL	58,760	135,000	135,000	170,000	35,000	25.93%
<u>OTHER FINANCING SOURCES</u>						
4625 OT - W/in Special Dist	929,694	1,348,935	1,177,685	1,267,819	90,134	7.65%
SUBTOTAL	929,694	1,348,935	1,177,685	1,267,819	90,134	7.65%
TOTAL REVENUES	1,360,764	1,567,964	1,396,714	1,530,515	133,801	9.58%
EXPENDITURES						
<u>Services and Supplies</u>						
6040 Communications	37	19	0	0	0	N/A
6060 Food	876	797	0	0	0	N/A
6140 Maint-Equipment	50	50	0	0	0	N/A
6180 Maint-Bldgs & Improvements	112	0	0	0	0	N/A
6400 Office Expense	203	203	0	0	0	N/A
6410 Postage	198	0	0	0	0	N/A
6430 Printing Supplies	417	1,344	0	0	0	N/A
6461 supplies/Expenses	979	1,143	0	0	0	N/A
6522 District Administration	0	0	0	0	0	N/A
6523 District Operations	423,739	500,597	296,000	455,000	159,000	53.72%
6540 Contract Services	39,271	80,000	0	0	0	N/A
6570 Consultant Services	25,063	0	530,000	490,000	(40,000)	(7.55%)
6610 Legal Services	1,669	1,793	4,731	1,883	(2,848)	(60.21%)
6630 Audit Services	0	0	0	0	0	N/A
6800 Public/Legal Notice	4,593	4,593	0	0	0	N/A
6820 Rents/Leases/Equipment	2,214	3,129	0	0	0	N/A
6840 Rents/Leases/Bldg/Imp	500	500	0	0	0	N/A
6880 Small Tools/Instruments	2,811	2,811	0	0	0	N/A
6889 Software	0	0	0	0	0	N/A
7022 Public Relations Exp	0	324	0	0	0	N/A
7201 Gas/Oil	0	0	0	0	0	N/A
7206 Equipment Usage	1,615	687	0	0	0	N/A
7217 State Permits/Fees	0	0	0	0	0	N/A
7277 Recycled Water Use	27,500	12,750	0	0	0	N/A
7302 Travel Expense	62	62	0	0	0	N/A
SUBTOTAL	531,910	610,802	830,731	946,883	116,152	13.98%

Section Title:
Section/Index No:

Recycled Water and Local Supply
675736

Subobject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
<u>Other Charges</u>						
8010 Contribution Non-County Government (LRT2)	325,000	325,000	481,954	813,437	331,483	68.78%
SUBTOTAL	325,000	325,000	481,954	813,437	331,483	68.78%
<u>PRIOR YEAR ENCUMBRANCE EXPENSE</u>						
9618 PY Enc-Maint Bldgs/Imp	12,810	0	0	0	0	N/A
9650 PY Enc - Profess/Special	207,598	190,227	190,228	0	(190,228)	(100.00%)
9700 PY Enc - Special Dept Exp	10,000	185,705	185,705	0	(185,705)	(100.00%)
9801 PY Enc-Contrib Govmt Agency	0	324,629	324,629	0	(324,629)	(100.00%)
SUBTOTAL	230,408	700,561	700,562	0	(700,562)	(100.00%)
TOTAL EXPENDITURES	1,087,317	1,636,363	2,013,247	1,760,319	(252,928)	(12.56%)
Outstanding Encumbrances - Net Change	(237,457)					
Change in Windsor Reserve	(46,706)	(77,529)		(88,196)		
ENDING FUND BALANCE	958,788	812,860		494,860		

Water Transmission System Agency Fund
Local Supply / Recycled Water / Tier 2 Programs
Balance as of November 14, 2013

<i>Contractor</i>	<i>10-Year</i>	<i>Amount</i>	<i>Amount</i>	<i>Balance</i>	
	<i>Allocation</i>	<i>Approved by</i> <i>WAC</i>	<i>Disbursed</i>	<i>Available</i> ¹	<i>Encumbered</i>
Santa Rosa	\$5,065,236	\$4,003,876	\$3,908,003	1,157,233	
Petaluma	2,197,913	2,197,913	2,197,913	0	
MMWD	1,724,026	1,000,000	1,000,000	724,026	
NMWD	1,846,726	1,846,726	1,846,726	0	
Rohnert Park	649,629	649,629	325,000	324,629	324,629
VOM WD	627,875	627,875	627,875	0	
Sonoma	539,411	450,000	264,294	275,117	185,706
Windsor	86,996	86,996	86,996	0	
Cotati	157,235	0	0	157,235	
Forestville	104,953	104,953	104,953	0	
TOTAL	\$13,000,000	\$10,967,968	\$10,361,760	\$2,638,240	

1. Balance Available based on 10-Year Allocation

Program started June 30, 2000 - No end date specified.

**FY 2014-15 BUDGET
BEGINNING AND ENDING CASH SUMMARY**

Section Title:

Water Conservation

Section/Index No:

675744

Subobject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
BEGINNING FUND BALANCE	17,394	(185,936)		103,987		
REVENUES						
USE OF MONEY / PROPERTY						
1700 Interest on Pooled Cash	2,013	4,917	1,365	600	(765)	(56.04%)
SUBTOTAL	2,013	4,917	1,365	600	(765)	(56.04%)
Intergovernmental Revenue						
2500 ST-Other	254,084	313,780	0	0	0	N/A
2900 Other Government Agencies	22,551	21,694	0	0	0	N/A
2911 City of Santa Rosa	0	0	0	0	0	N/A
2912 Town of Windsor	116,498	107,306	107,306	125,913	18,607	17.34%
SUBTOTAL	393,133	442,780	107,306	125,913	18,607	17.34%
Miscellaneous Revenue						
3980 Revenue Applicable to Prior Y	100	2,352	-	-	0	N/A
SUBTOTAL	100	2,352	0	0	0	N/A
OTHER FINANCING SOURCES						
4040 Miscellaneous Revenue	-	-	-	-	0	N/A
4102 Donations/Reimbursements	0	0	130,000	80,000	(50,000)	(38.46%)
4303 State Grants	0	0	510,000	130,000	(380,000)	(74.51%)
SUBTOTAL	0	0	640,000	210,000	(430,000)	(67.19%)
OTHER FINANCING SOURCES						
4625 OT - W/in Special Dist	1,923,183	1,867,022	1,730,000	1,810,000	80,000	4.62%
SUBTOTAL	1,923,183	1,867,022	1,730,000	1,810,000	80,000	4.62%
TOTAL REVENUES	2,318,428	2,317,070	2,478,671	2,146,513	(332,158)	(13.40%)
EXPENDITURES						
Services and Supplies						
6020 Clothing	235	235	0	0	0	N/A
6040 Communications	368	371	0	0	0	N/A
6060 Food	1,218	395	0	0	0	N/A
6140 Maint-Equipment	1,103	1,103	0	0	0	N/A
6180 Maint - Bldgs/Imp	9	9	0	0	0	N/A
6280 Memberships	1,444	(5,538)	0	0	0	N/A
6400 Office Supplies	3,028	2,798	0	0	0	N/A
6415 Books/Periodicals	907	1,196	0	0	0	N/A
6430 Printing Services	23,110	39,930	0	0	0	N/A
6461 Supplies/Expense	5,482	8,718	0	0	0	N/A
6516 Data Processing	3,269	3,269	0	0	0	N/A
6523 District Operations	1,251,558	720,069	1,070,000	1,070,000	0	0.00%
6536 Business Environmental Allia	14,859	14,860	0	0	0	N/A
6540 Contract Services	63,562	56,000	75,000	200,000	125,000	166.67%
6570 Consultant Services	729	0	0	0	0	N/A
6584 Trade Shows	0	0	20,000	20,000	0	0.00%
6610 Legal Services	2,356	2,245	0	0	0	N/A
6630 Audit/Accounting Services	0	0	0	0	0	N/A
6800 Public/Legal Notices	51,862	30,528	0	0	0	N/A
6820 Rents/Lease-Equipment	2,225	1,912	0	0	0	N/A
6840 Rents/Leases-Bldgs/Imp	200	200	0	0	0	N/A
6880 Small Tools/Instruments	8,546	8,442	0	0	0	N/A
6889 Software	0	3,000	0	0	0	N/A
6890 Computer Hardware	0	0	0	0	0	N/A
7022 Public Relations Expense	118,874	66,751	165,000	165,000	0	0.00%
7035 Signs	671	671	0	0	0	N/A
7120 Training-in-Service	4,800	350	0	0	0	N/A
7206 Equipment Usage Charge	10,984	5,000	0	0	0	N/A

Section Title:
Section/Index No:

Water Conservation
675744

Subsubject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
7212 Chlorine Chem/Recorder	69	69	0	0	0	N/A
7247 Water Conservation	2,667	0	430,000	565,000	135,000	31.40%
7302 Travel Expense	3,523	4,724	0	0	0	N/A
7303 Private Car Expense	1,050	883	0	0	0	N/A
SUBTOTAL	1,578,706	968,190	1,760,000	2,020,000	260,000	NA
Other Charges						
8010 Contribution to Non-County	310,037	313,780	510,000	0	(510,000)	(100.00%)
SUBTOTAL	310,037	313,780	510,000	0	(510,000)	(100.00%)
PRIOR YEAR ENCUMBRANCE EXPENSE						
9650 PY Enc - Profess/Special	26,803	17,326	17,326	0	(17,326)	(100.00%)
9700 PY Enc - Special Dept Exp	54,234	28,984	28,984	0	(28,984)	(100.00%)
9801 PY Enc-Contrib Govmt Agenc	0	589,125	589,125	0	(589,125)	(100.00%)
SUBTOTAL	81,037	635,435	635,435	0	(635,435)	(100.00%)
TOTAL EXPENDITURES	1,969,781	1,917,405	2,905,435	2,020,000	(885,435)	(30.48%)
Outstanding Encumbrances	(541,754)					
Change in Windsor Reserve	(10,224)	(109,742)		(125,913)		
ENDING FUND BALANCE	(185,936)	103,987		104,587		

**FY 2014-15 BUDGET
CHARACTER JUSTIFICATION**

Department - Division: Sonoma County Water Agency - Water Transmission

Section Title: Water Conservation

Character Title: Use of Money and Property Character No.: 675744-17

1700 Interest on Pooled Cash

This account records interest on pooled cash held for the Agency by the County Treasurer's office.

Estimated interest is projected based on cash on hand and current interest rate trends.

Estimated Average Cash Balance	100,000
Projected Interest Rate	0.60%
Projected/Planned Interest on Pooled Cash	\$600

Character Title: Intergovernmental Revenues Character No.: 675744-20

2912 Town of Windsor

This item records revenue earned from the Town of Windsor for water diverted from the Russian River using the Town's equipment. Restructured Agreement 4.17b

Character Title: Miscellaneous Revenues Character No.: 675744-40

4303 State Grants

This is for a grant from CA Water Foundation 130,000

Character Title: Other Financing Sources Character No.: 675744-46

4625 OT - W/in Special Dist - BOS

This item records transfers of funds from the O&M fund to provide for planned expenditures. \$1,810,000

Character Title: Services and Supplies Character No.: 675744-60

6523 District Operation

This item is requested to provide for the charging of salaries, benefits and overhead costs for staff assigned to projects budgeted within the Water Conservation Fund.

Water Conservation, Water Education and Public Affairs Staff	1,070,000
	\$ 1,070,000

6540 Contract Services	SAP Order No.		
West County Transportation	7188	25,000	
Economic Development Board & Green Business	7190	65,000	
Take it From the Tap! Regional Program		110,000	
		\$ 200,000	

6570 Consulting Services	SAP Order No.		
Sonoma County Fair	7189	20,000	
		\$ 20,000	

7022 Public Relations			
Partnership Outreach Campaign	7189	165,000	
		\$ 165,000	

7247 Water Conservation	SAP Order No.		
School Education Program		285,000	
Adult Ed Program (QWEL ESL Curriculum Program)	7188	35,000	
Seminars, Workshops, and Training	2319	35,000	
Saving Water Partnership Wholesaler Support		50,000	
Garden Sense Program	2319	10,000	
Outreach & Events (350 Home & Garden Challenge, Eco Friendly Garden, etc)		20,000	
California Water Foundation Grant		130,000	
		\$ 565,000	

Character Title: Other Charges Character No.: 675744-75

8010 Contribution Non-County Governments

This item is request to pass DWR grant monies through to other governments \$0

REVENUE BOND / STATE LOAN CHARGES - WATER RATES AND ESTIMATED REVENUES FOR FY 14-15

A. ANNUAL DEBT SERVICE REQUIREMENTS

	Common Facilities	Watershed Plan Restoration	Water Conservation	Storage Facilities	Sonoma Pipeline Facilities
2012 A Revenue Bond	675454	TBD	TBD	675462	675470
PRINCIPAL	\$206,388			\$147,393	\$121,221
INTEREST	169,205			120,804	99,193
FISCAL AGENT FEES	2,500			2,500	2,500
DEBT ISSUANCE COSTS	8,831			6,307	5,187
DISCOUNT/BONDS					
Total Individual Bond Payments	386,924	0		277,004	228,101
Bond Reserve	58,039	0		41,551	34,215
Total Individual Bond Debt Service	444,963	0		318,555	262,316
2006 A Revenue Bond	675496			675488	
PRINCIPAL	\$127,349			\$142,652	
INTEREST	215,446			241,334	
FISCAL AGENT FEES	2,500			2,500	
DEBT ISSUANCE COSTS	4,085			4,576	
DISCOUNT/BONDS					
Total Individual Bond Payments	349,380			391,062	0
Bond Reserve	52,407			58,659	0
Total Individual Bond Debt Service	401,787			449,721	0
2013 Capital Fund Loan Requirement					
PRINCIPAL	0				
INTEREST	0				
FISCAL AGENT FEES	0				
DEBT ISSUANCE COSTS	0				
DISCOUNT/BONDS	0				
Total Individual Loan Payments	0				
Loan Reserve					
Total Individual Loan Debt Service	0				
2013 Santa Rosa AQ Capital Fund Loan					
PRINCIPAL				42,297	
INTEREST				90,130	
FISCAL AGENT FEES				0	
DEBT ISSUANCE COSTS				0	
DISCOUNT/BONDS				0	
Total Individual Loan Payments				132,427	
Loan Reserve				0	
Total Individual Loan Debt Service	0			132,427	
2013 Petaluma AQ Capital Fund Loan					
PRINCIPAL	75,466				
INTEREST	160,526				
FISCAL AGENT FEES	0				
DEBT ISSUANCE COSTS	0				
DISCOUNT/BONDS	0				
Total Individual Loan Payments	235,992				
Loan Reserve					
Total Individual Loan Debt Service	235,992				
<u>1. 09/10 Financing Exp for Common Fac incl above until index established</u>	Mirabel Generators	TBD - RRIFR	TBD - Water Ed Bldg	TBD - Oakmont Pipeline	
PRINCIPAL	282,562				
INTEREST	43,146				
FISCAL AGENT FEES	0				
DEBT ISSUANCE COSTS	0				
Total Individual Bond Payments	325,708	0	0	0	0
Reserve	0	0	0	0	0
Total Individual Financing Debt Service	325,708	0	0	0	0

A. ANNUAL DEBT SERVICE REQUIREMENTS

	Common Facilities	Watershed Plan Restoration	Water Conservation	Storage Facilities	Sonoma Pipeline Facilities
SRF LOAN	675439				
PRINCIPAL	690,937			N.A	N.A
INTEREST	349,296			N.A	N.A
USE OF SRF LOAN FUND BALANCE - 675439					
Reserve Requirement	156,035				
Total SRF Debt Service	1,196,268				
SRF LOAN RESERVE	675447				
RESERVE				N.A	N.A
Total SRF Debt Service	1,196,268				
TOTAL DEBT SERVICE	\$2,604,718	\$0	\$0	\$900,703	\$262,316
LESS REV. FROM N. MARIN REV. BOND CHARGES	325,592				
REMAINING REVENUE REQUIREMENT	\$2,279,125	\$0	\$0	\$900,703	\$262,316

B. CALCULATIONS OF WATER RATES FOR FY 14-15

	Common Facilities Debt Service Charge	Watershed Plan Restoration Debt Service Charge	Water Conservation Debt Service Charge	Storage Facilities Revenue Bonds Charge	Sonoma Pipeline Facilities Revenue Bonds Charge
REVENUE REQUIREMENT	\$2,279,125.10	\$0	\$0	\$900,703	\$262,316
APPLICABLE BASE WATER DELIVERIES IN A.F.	34,232.36	55,571.8	55,571.8	34,232.36	4,193.1
CHARGES PER ACRE-FEET	\$66.58	\$0.00	\$0.00	\$26.31	\$62.56

C. CALCULATIONS OF NORTH MARIN REVENUE BONDS CHARGE

REVENUE REQUIREMENT FOR COMMON FACILITIES DEBT SERVICE (Remaining Facilities per RA 4.3a2)	2,368,726
N. MARIN'S SHARE (REV. REQMT. FOR COMMON FAC. DEBT SERVICE X (11.2/90.4))	293,470
ESTIMATED WATER DELIVERIES TO NORTH MARIN (IN A.F.)	6,401
NORTH MARIN REVENUE BONDS CHARGE	45.85

REVENUE REQUIREMENT FOR COMMON FACILITIES DEBT SERVICE (Additional Facilities per RA 4.3b9)	235,992
N. MARIN'S SHARE (REV. REQMT. FOR COMMON FAC. DEBT SERVICE X (19.9/146.2))	32,122
ESTIMATED WATER DELIVERIES TO NORTH MARIN (IN A.F.)	6,401
NORTH MARIN REVENUE BONDS CHARGE	5.02

<u>Common Facilities</u>			
Debt Service RA 4.3a2 (remaining facilities)	2,368,726		
N. Marin's Share (11.2/90.4)	293,470	Total Revenue Required	\$2,604,718
Estimated Water Deliveries to N. Marin	<u>6,400.8</u>	Debt service \$6.4M loan to Common	<u>(235,992)</u>
Applicable portion of the N. Marin R. Bonds Charge	\$45.85	Revenue base for NMWD	\$2,368,726
Debt Service RA 4.3b9 (additional facilities)	235,992	Per Agreement (Steve Shupe and Chris DeGabrielle - 3/2/12)	
N. Marin's Share (19.9/146.2)	32,122		
Estimated Water Deliveries to N. Marin	<u>6,401</u>	Update formula for the lesser of three years or 12 months average deliver	
Applicable portion of the N. Marin R. Bonds Charge	\$ 5.02		

**FY 2014-15 BUDGET
BEGINNING AND ENDING CASH SUMMARY**

Section Title: Common Facilities Revenue Bonds - 2012 A

Section/Index No: 675454

Subsubject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
BEG. FUND BALANCE	\$367,559	\$171,492		\$4,952		
REVENUES						
USE OF MONEY / PROPERTY						
1700 Interest on Pooled Cash	2,434	1,950	1,950	300	(1,650)	(84.62%)
SUBTOTAL	2,483	1,950	1,950	300	(1,650)	(84.62%)
OTHER FINANCING SOURCES						
4625 OT - W/in Special Dist	550,820	433,246	433,246	444,963	11,717	2.70%
SUBTOTAL	550,820	433,246	433,246	444,963	11,717	2.70%
TOTAL REVENUES	553,303	435,196	435,196	445,263	10,067	2.31%
EXPENDITURES						
SERVICES AND SUPPLIES						
6635 Fiscal Agent Fees	362	2,500	2,500	2,500	0	0.00%
6640 Debt Insurance Costs	8,830	8,831	0	8,831	8,831	N/A
SUBTOTAL	9,193	11,331	2,500	11,331	8,831	353.24%
OTHER CHARGES						
7920 Interest	166,110	170,021	170,021	169,205	(816)	(0.48%)
7922 Premium Call Bonds	(14,432)	0	0	0	0	N/A
SUBTOTAL	151,678	170,021	170,021	169,205	(816)	(0.48%)
OTHER FINANCING USES						
8625 OT - W/in Special Dist	400,000	225,000	470,000	0	(470,000)	(100.00%)
SUBTOTAL	400,000	225,000	470,000	0	(470,000)	(100.00%)
ADMIN. CONTROL ACCOUNT						
9200 Ent - Principal	204,215	204,215	204,215	206,388	2,173	1.06%
9209 Ent - Principal Clearing	(204,215)	(204,215)	(204,215)	(206,388)	(2,173)	1.06%
SUBTOTAL	0	0	0	0	0	N/A
TOTAL EXPENDITURES	560,870	406,352	642,521	180,536	(461,985)	(71.90%)
Proceeds from issuance	5,509,158					
2003A Bond Redemption	(5,334,446)					
2003A Deferred amount of refun	(155,738)					
Reclass of good faith on refundi	108,625					
Debt Issuance Costs	(176,609)					
Restricted cash with trustee (res	62,541					
Amortization of bond premium	(14,432)					
Amortization of deferred amount	7,787					
Amort. of Bond Issuance Costs	8,830	8,831		8,831		
Principal Payment	(204,215)	(204,215)		(206,388)		
ENDING FUND BALANCE	\$171,492	\$4,952		\$72,122		

**FY 2014-15 BUDGET
BEGINNING AND ENDING CASH SUMMARY**

Section Title: **Common Facilities Revenue Bonds 2006**

Section/Index No: **675496**

Subsubject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
BEG. FUND BALANCE	\$236,562	\$238,110		\$6,174		
REVENUES						
<u>USE OF MONEY / PROPERTY</u>						
1700 Interest on Pooled Cash	1,922	975	975	180	(795)	(81.54%)
1701 Interest Earned	35	0	0	0	0	N/A
SUBTOTAL	1,957	975	975	180	(795)	(81.54%)
<u>OTHER FINANCING SOURCES</u>						
4625 OT - W/in Special Dist	401,774	397,308	397,308	401,787	4,479	1.13%
SUBTOTAL	401,774	397,308	397,308	401,787	4,479	1.13%
TOTAL REVENUES	403,731	398,283	398,283	401,967	3,684	0.92%
EXPENDITURES						
<u>SERVICES AND SUPPLIES</u>						
6635 Fiscal Agent Fees	1,164	2,500	2,500	2,500	0	0.00%
6640 Debt Insurance Costs	4,085	4,085	0	4,085	4,085	N/A
SUBTOTAL	5,249	6,585	2,500	6,585	4,085	163.40%
<u>OTHER CHARGES</u>						
7920 Interest	225,067	220,352	220,352	215,446	(4,906)	(2.23%)
7922 Premium-Call Bonds	(1,984)	0	0	0	0	N/A
SUBTOTAL	223,083	220,352	220,352	215,446	(4,906)	(2.23%)
<u>OTHER FINANCING USES</u>						
8625 OT - W/in Special Dist	58,036	530,000	310,000	0	(310,000)	(100.00%)
SUBTOTAL	58,036	530,000	310,000	0	(310,000)	(100.00%)
<u>ADMIN. CONTROL ACCOUNT</u>						
9200 Ent - Principal	117,916	122,633	122,633	127,349	4,716	3.85%
9209 Ent - Principal Clearing	(117,916)	(122,633)	(122,633)	(127,349)	(4,716)	3.85%
SUBTOTAL	0	0	0	0	0	N/A
TOTAL EXPENDITURES	286,368	756,937	532,852	222,031	(310,821)	(58.33%)
Amort of Bond Premium	(1,984)	0		0		
Amort. of Bond Issuance Costs	4,085	4,085		4,085		
Principal Payment	(117,916)	122,633		(127,349)		
ENDING FUND BALANCE	\$238,110	\$6,174		\$62,846		

**FY 2014-15 BUDGET
BEGINNING AND ENDING CASH SUMMARY**

Section Title: Sonoma Aqueduct Revenue Bonds

Section/Index No: 675470

Subobject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
BEGINNING FUND BALANCE	\$466,504	\$530,927		\$767		
REVENUES						
<u>USE OF MONEY / PROPERTY</u>						
1700 Interest on Pooled Cash	3,924	913	1,625	1,200	(425)	(26.15%)
1701 Interest Earned	38	0	0	0	0	N/A
SUBTOTAL	3,961	913	1,625	1,200	(425)	(26.15%)
<u>OTHER FINANCING SOURCES</u>						
4625 OT - W/in Special Dist	323,784	306,243	255,665	262,316	6,651	2.60%
SUBTOTAL	323,784	306,243	255,665	262,316	6,651	2.60%
TOTAL REVENUES	327,745	307,156	257,290	263,516	6,226	2.42%
EXPENDITURES						
<u>SERVICES AND SUPPLIES</u>						
6635 Fiscal Agent Fees	269	2,500	2,500	2,500	0	0.00%
6640 Debt Insurance Costs	5,186	5,187	0	5,187	5,187	N/A
SUBTOTAL	5,455	7,687	2,500	7,687	5,187	207.48%
<u>OTHER CHARGES</u>						
7920 Interest	97,574	99,873	99,873	99,193	(680)	(0.68%)
7922 Premium Call Bonds	(8,477)	0	0	0	0	N/A
SUBTOTAL	89,097	99,873	99,873	99,193	(680)	(0.68%)
<u>OTHER FINANCING USES</u>						
8625 OT - W/in Special Dist	58,049	615,000	200,000	41,000	(159,000)	(79.50%)
SUBTOTAL	58,049	615,000	200,000	41,000	(159,000)	(79.50%)
<u>ADMIN. CONTROL ACCOUNT</u>						
9200 Ent - Principal	119,944	119,944	119,944	121,221	1,277	1.06%
9209 Ent - Principal Clearing	(119,944)	(119,944)	(119,944)	(121,221)	(1,277)	1.06%
SUBTOTAL	0	0	0	0	0	N/A
TOTAL EXPENDITURES	152,602	722,560	302,373	147,880	(154,493)	(51.09%)
Proceeds from issuance	3,235,758					
2003A Bond Redemption	(3,132,928)					
2003A Deferred amount of refunding	(91,686)					
Reclass of good faith on refunding t	63,800					
Debt Issuance Costs	(103,730)					
Restricted cash with trustee (reserv	36,716					
Amortization of Premium bond disc	(8,477)					
Amortization of deferred amount of i	4,584					
Amort. of Bond Issuance Costs	5,186	5,187		5,187		
Principal Payments on Bonds	(119,944)	(119,944)		(121,221)		
ENDING FUND BALANCE	\$530,927	\$767		\$369		

**FY 2014-15 BUDGET
BEGINNING AND ENDING CASH SUMMARY**

Section Title:

Storage Facilities Revenue Bond - 2012A

Section/Index No:

675462

Subobject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
BEGINNING FUND BALANCE	\$363,409	\$273,193		\$4,152		
REVENUES						
<u>USE OF MONEY / PROPERTY</u>						
1700 Interest on Pooled Cash	2,658	500	650	90	(560)	(86.15%)
1701 Interest Earned	4	0	0	0	0	N/A
SUBTOTAL	2,663	500	650	90	(560)	(86.15%)
<u>OTHER FINANCING SOURCES</u>						
4625 OT - W/in Special Dist	393,731	310,186	310,186	318,555	8,369	2.70%
SUBTOTAL	393,731	310,186	310,186	318,555	8,369	2.70%
TOTAL REVENUES	396,394	310,686	310,836	318,645	7,809	2.51%
EXPENDITURES						
<u>SERVICES AND SUPPLIES</u>						
6635 Fiscal Agent Fees	296	2,500	2,500	2,500	0	0.00%
6640 Debt Insurance Costs	6,306	6,307	0	6,307	6,307	N/A
SUBTOTAL	6,603	8,807	2,500	8,807	6,307	252.28%
<u>OTHER CHARGES</u>						
7920 Interest	118,593	121,386	121,386	120,804	(582)	(0.48%)
7922 Premium Call Bonds	(10,307)	0	0	0	0	N/A
SUBTOTAL	108,286	121,386	121,386	120,804	(582)	(0.48%)
<u>OTHER FINANCING USES</u>						
8625 OT - W/in Special Dist	237,125	310,000	290,000	50,000	(240,000)	(82.76%)
SUBTOTAL	237,125	310,000	290,000	50,000	(240,000)	(82.76%)
<u>ADMIN. CONTROL ACCOUNT</u>						
9200 Ent - Principal	145,841	145,841	145,841	147,393	1,552	1.06%
9209 Ent - Principal Clearing	(145,841)	(145,841)	(145,841)	(147,393)	(1,552)	1.06%
SUBTOTAL	0	0	0	0	0	N/A
TOTAL EXPENDITURES	352,014	440,193	413,886	179,611	(234,275)	(56.60%)
Increase in Bonds Payable	0	0		0		
Proceeds from issuance	3,934,388					
2003A Bond Redemption	(3,810,319)					
2003A Deferred amount of refunc	(110,519)					
Reclass of good faith on refundin	77,575					
Debt Issuance Costs	(126,126)					
Restricted cash with trustee (rese	44,721					
Amortization of Premium bond di	(10,307)					
Amortization of deferred amount	5,526					
Amort. of Bond Issuance Costs	6,306	6,307		6,307		
Principal Payment	(145,841)	(145,841)		(147,393)		
ENDING FUND BALANCE	\$273,193	\$4,152		\$2,099		

**FY 2014-15 BUDGET
BEGINNING AND ENDING CASH SUMMARY**

Section Title: **Storage Facilities Revenue Bonds 2006**

Section/Index No: **675488**

Subobject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
BEGINNING FUND BALANCE	\$535,892	\$411,211		\$711		
REVENUES						
<u>USE OF MONEY / PROPERTY</u>						
1700 Interest on Pooled Cash	3,903	1,495	1,495	180	(1,315)	(87.96%)
SUBTOTAL	3,943	1,495	1,495	180	(1,315)	(87.96%)
<u>OTHER FINANCING SOURCES</u>						
4625 OT - W/in Special Dist	449,964	444,703	444,703	449,721	5,018	1.13%
SUBTOTAL	449,964	444,703	444,703	449,721	5,018	1.13%
TOTAL REVENUES	453,907	446,198	446,198	449,901	3,703	0.83%
EXPENDITURES						
<u>SERVICES AND SUPPLIES</u>						
6635 Fiscal Agent Fees	1,278	2,500	2,500	2,500	0	0.00%
6640 Debt Insurance Costs	4,575	4,576	0	4,576	4,576	N/A
SUBTOTAL	5,854	7,076	2,500	7,076	4,576	183.04%
<u>OTHER CHARGES</u>						
7920 Interest	252,112	246,830	246,830	241,334	(5,496)	(2.23%)
7922 Premium-Call Bonds	(2,223)	0	0	0	0	N/A
SUBTOTAL	249,889	246,830	246,830	241,334	(5,496)	(2.23%)
<u>OTHER FINANCING USES</u>						
8625 OT - W/in Special Dist	193,112	470,000	300,000	0	(300,000)	(100.00%)
SUBTOTAL	193,112	470,000	300,000	0	(300,000)	(100.00%)
<u>ADMIN. CONTROL ACCOUNT</u>						
9200 Ent - Principal	132,084	137,368	137,368	142,652	5,284	3.85%
9209 Ent - Principal Clearing	(132,084)	(137,368)	(137,368)	(142,652)	(5,284)	3.85%
SUBTOTAL	0	0	0	0	0	N/A
TOTAL EXPENDITURES	448,855	723,906	549,330	248,410	(300,920)	(54.78%)
Amort. of Bond Issuance Costs	2,353	4,576		4,576		
Principal Payment	(132,085)	(137,368)		(142,652)		
ENDING FUND BALANCE	\$411,211	\$711		\$64,127		

**FY 2014-15 BUDGET
BEGINNING AND ENDING CASH SUMMARY**

Section Title: State Loan Debt Service Fund

Section/Index No: 675439

Subsubject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
BEGINNING FUND BALANCE	\$392,782	\$538,089		\$889,061		
REVENUES						
<u>USE OF MONEY / PROPERTY</u>						
1700 Interest on Pooled Cash	8,176	4,000	4,550	1,500	(3,050)	(67.03%)
1701 Interest Earned	0	0	0	0	0	N/A
SUBTOTAL	8,176	4,000	4,550	1,500	(3,050)	(67.03%)
<u>OTHER FINANCING SOURCES</u>						
4625 OT - W/in Special Dist	1,196,268	1,196,268	1,196,268	1,196,268	(0)	(0.00%)
SUBTOTAL	1,196,268	1,196,268	1,196,268	1,196,268	(0)	(0.00%)
TOTAL REVENUES	1,204,444	1,200,268	1,200,818	1,197,768	(3,050)	(0.25%)
EXPENDITURES						
<u>OTHER CHARGES</u>						
7930 Interest - LT Debt	368,199	349,296	349,296	349,296	0	0.00%
SUBTOTAL	368,199	349,296	349,296	349,296	0	0.00%
<u>OTHER FINANCING USES</u>						
8625 OT - W/in Special Dist	0	500,000	0	0	0	N/A
SUBTOTAL	0	500,000	0	0	0	N/A
<u>ADMIN. CONTROL ACCOUNT</u>						
9200 Ent - Principal	0	0	690,937	690,937	0	0.00%
9209 Ent - Principal Clearing	0	0	(690,937)	(690,937)	0	0.00%
SUBTOTAL	0	0	0	0	0	N/A
TOTAL EXPENDITURES	368,199	849,296	349,296	349,296	0	0.00%
Principal Payment	(672,033)	0		(690,937)		
Change in Due to Other Gov	(18,904)					
ENDING FUND BALANCE	\$538,089	\$889,061		\$1,046,596		

**FY 2014-15 BUDGET
BEGINNING AND ENDING CASH SUMMARY**

Section Title: State Loan Reserve Fund

Section/Index No: 675447

Subsubject Title	Actual 2012-13	Estimated 2013-14	Adopted 2013-14	Requested 2014-15	Difference	Percent Change
BEGINNING FUND BALANCE	\$0	\$0		\$0		

REVENUES

USE OF MONEY / PROPERTY

1700 Interest on Pooled Cash	8,917	3,000	6,500	0	(6,500)	(100.00%)
1701 Interest Earned	0	0	0	0	0	N/A
SUBTOTAL	8,917	3,000	6,500	0	(6,500)	(100.00%)

OTHER FINANCING SOURCES

4625 OT - W/in Special Dist	119,627	0	0	0	0	N/A
SUBTOTAL	119,627	0	0	0	0	N/A
TOTAL REVENUES	128,544	3,000	6,500	0	(6,500)	(100.00%)

EXPENDITURES

OTHER FINANCING USES

8625 OT - W/in Special Dist	0	0	0	0	0	N/A
SUBTOTAL	0	0	0	0	0	N/A
TOTAL EXPENDITURES	0	0	0	0	0	N/A
Reserve Unavail. for Budgeting	(128,544)	(3,000)		0		

ENDING FUND BALANCE	\$0	\$0	\$0
----------------------------	------------	------------	------------

**Fund Balance Components at
Beginning of FY**

Cash

\$41,091	\$41,456
\$1,111,730	\$1,240,274

FY 2014-15 BUDGET
Water Transmission System Operating Transfers

Fund	Index	OT Out (8625)	To	OT In (4625)	Beginning Fund Balance	Ending Fund Balance	Increase (Decrease)
Santa Rosa Aq. Capital Fund	675207	15,000	Pipeline Facilities	433,516	\$ 1,775,468	\$ 2,337,211	\$ 561,743
Petaluma Aq. Capital Fund	675215	15,000	Pipeline Facilities	453,155	\$ 2,082,574	\$ 2,771,721	\$ 689,147
Sonoma Aq. Capital Fund	675231	80,000		81,765	\$ 650	\$ 3,615	\$ 2,965
Sonoma Rev Bond 2012 Fund	675470	41,000	Pipeline Facilities	262,316	\$ 767	\$ 370	\$ (398)
Storage Rev Bond 2012 Fund	675462	50,000	Storage Facilities	318,555	\$ 4,152	\$ 2,100	\$ (2,052)
Storage Rev Bond 2006 Fund	675488	0	Storage Facilities	449,721	\$ 713	\$ 64,128	\$ 63,415
Common Rev Bond 2012 Fund	675454	0	Common Facilities	444,963	\$ 4,952	\$ 72,122	\$ 67,170
Common Rev Bond 2006 Fund	675496	0	Common Facilities	401,787	\$ 6,174	\$ 62,846	\$ 56,672
State Loan Debt Service	675439	0		1,196,268	\$ 889,063	\$ 1,046,598	\$ 157,535
State Loan Reserve	675447	0		0	\$ -	\$ -	\$ -
Capital Lease Financing	675371	0		0	\$ 32	\$ 32	\$ -
Agency Fund (Discretionary)	675108	2,230,819	Common Facilities	0	\$ 6,684,780	\$ 7,193,776	\$ 508,996
Agency Fund (Charges)	675108	11,124,573		0	\$ -	\$ -	\$ -
Pipeline Facilities	675413			151,000	\$ 132,761	\$ 3,851	\$ (128,910)
Storage Facilities	675405			50,000	\$ 734,436	\$ 363,119	\$ (371,317)
Common Facilities	675421	0		2,556,527	\$ 3,317,789	\$ 249,505	\$ (3,068,284)
North Marin	675512	0		0	\$ 12,922	\$ 13,023	\$ 101
Water Management Planning	675710			44,500	\$ 364,557	\$ 164,252	\$ (200,304)
Watershed Planning./Restoration	675728			3,634,500	\$ 5,264,390	\$ 5,200,225	\$ (64,165)
Recycled Water & Local Supply	675736			1,267,819	\$ 812,860	\$ 494,860	\$ (318,000)
Water Conservation	675744			1,810,000	\$ 103,988	\$ 104,588	\$ 600
Total		13,556,392		13,556,392	22,193,029	20,147,941	(2,045,087)

Common Facilities OT - in 4625 From

Water Transmission (discretionary)	2,230,819
Water Transmission (Charges)	325,708
North Marin	-
2012 Bond Fund	-
2006 Bond Fund	-
	<hr/> 2,556,527

Agency Fund (Charges) OT - Out

Santa Rosa Aq. Capital Fund	433,516.16
Petaluma Aq. Capital Fund	453,154.79
Sonoma Aq. Capital Fund	81,765.05
Sonoma Rev Bond 2012 Fund	262,316.15
Storage Rev Bond 2012 Fund	318,554.60
Storage Rev Bond 2006 Fund	449,721.30
Common Rev Bond 2012 Fund	444,962.60
Common Rev Bond 2006 Fund	401,787.00
State Loan Debt Service	1,196,267.95
State Loan Reserve	0.00
Common Facilities	325,708.00
Water Management Planning	44,500
Watershed Planning./Restoration	3,634,500
Recycled Water & Local Supply	1,267,819
Water Conservation	<hr/> 1,810,000
	11,124,573

**WATER TRANSMISSION SYSTEM
FY 14-15 REVENUE SUMMARY CHART**

WATER CUSTOMER	FY 14-15 Budgeted Water Use (Acre- Feet)	FY 13-14 Rate \$/Acre-Foot	FY 14-15 Proposed Rate \$/Acre-Foot	Dollar Change	Percent Change
Santa Rosa Aqueduct	17,580	\$705.30	\$730.68	\$25.38	3.6%
Petaluma Aqueduct	10,619	705.30	730.68	\$25.38	3.6%
Sonoma Aqueduct	4,193	768.75	793.24	\$24.49	3.2%
North Marin Water Dist.	6,401	717.27	741.78	\$24.51	3.4%
Marin Municipal – Third Off Peak	4,300	846.77	865.86	\$19.09	2.3%
Marin Municipal – Supplemental	961	762.97	786.91	\$23.94	3.1%
Forestville Aqueduct	374	676.30	711.18	\$34.88	5.2%
Wholesale/Municipal	957	922.49	951.88	\$29.39	3.2%
Surplus+A1	105	706.74	741.95	\$35.21	5.0%
Windsor	508	846.35	876.81	\$30.46	3.6%
TOTAL	46,000				

New Charges for Various Debt Service Payments

Name of the Revenue Bond Charge	Project Financed	FY 2013/2014 Debt Service/Per A.F.	FY 2014/2015 Debt Service/Per A.F.	Affected Customer Class
Storage Facilities Revenue Bond Charge	Kawana Springs Tank #2, Oakmont Pipeline, Kawana to Ralphine Pipeline, Kastania Tank #2	\$21.04	\$26.31	All Prime Contractors except North Marin
Common Facilities Revenue Bond Charge	Wohler-Forestville Pipeline, Collector #6	\$66.31	\$66.58	All Prime Contractors except North Marin
Sonoma Aqueduct Revenue Bond Charge	Eldridge-Madrone Pipeline	\$63.45	\$62.56	Sonoma Aqueduct customers
North Marin Revenue Bond Charge	Wohler-Forestville Pipeline, Collector #6	\$50.30	\$50.87	North Marin

FY 14-15 Water Transmission System Budget & Rates

Grant Davis

General Manager

grant.davis@scwa.ca.gov

707-547-1900

Lynne Rosselli

Finance & Accounting Mgr

lrosselli@scwa.ca.gov

707-524-3771

Michael Gossman

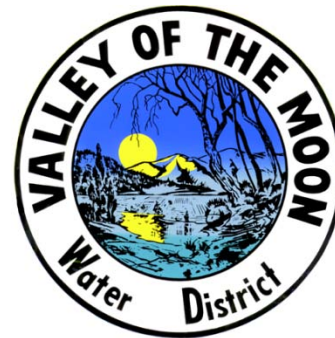
Division Manager - Finance and
Administration

mgossman@scwa.ca.gov

707-521-6207



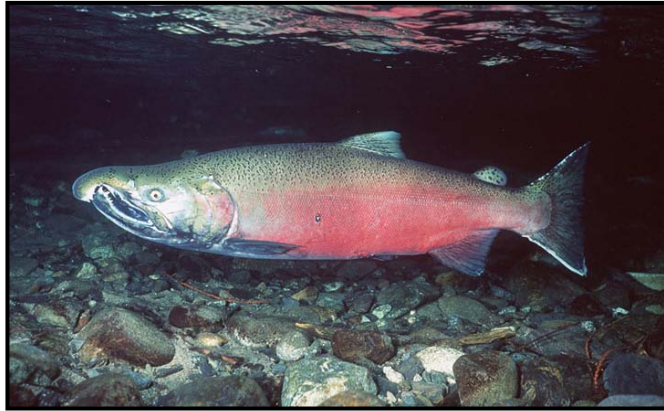
Collaborative Process



Water Agency Activities



Operations and Maintenance



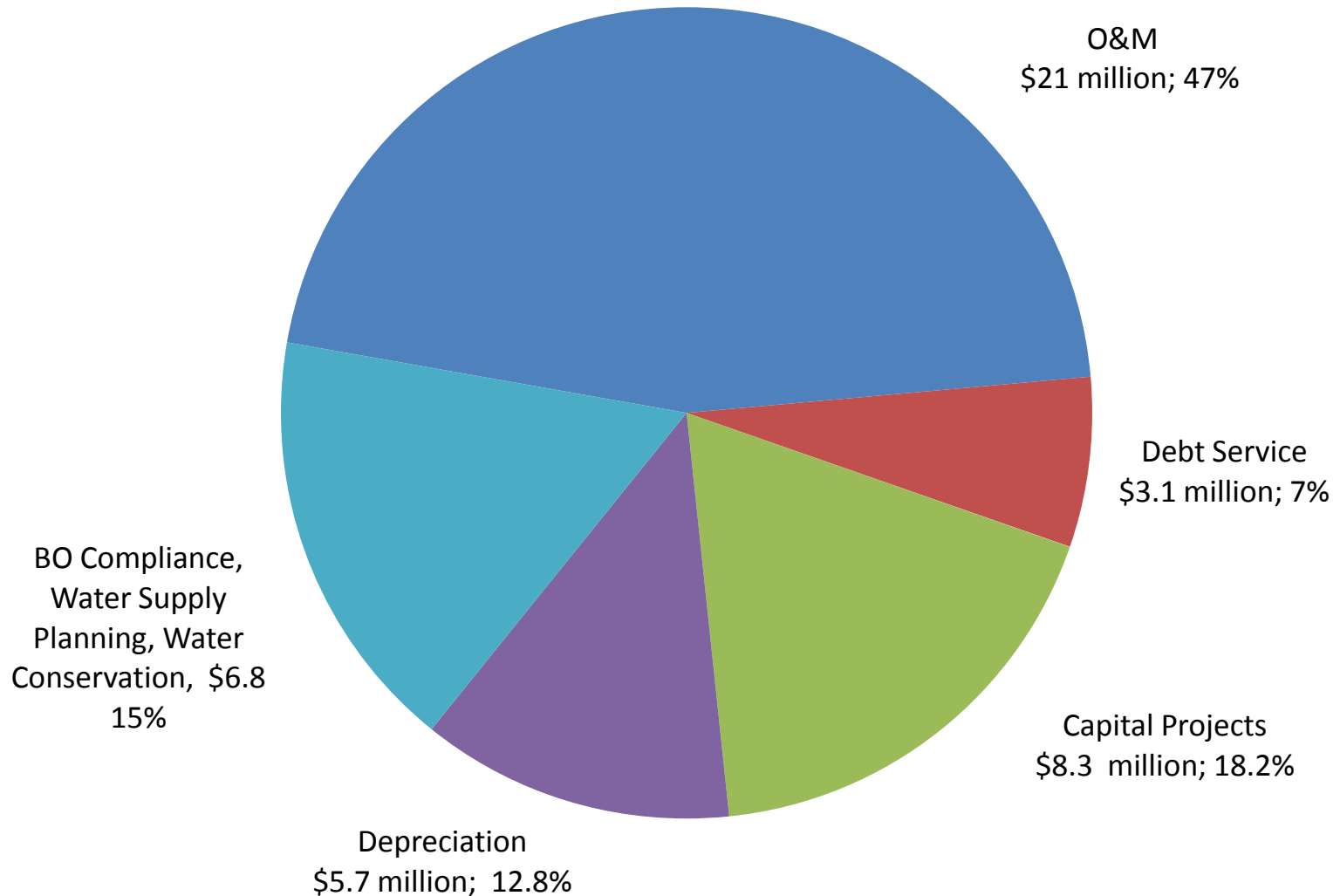
Biological Opinion



Capital Projects

FY 14-15 Budgeted Expenditures

\$44.9 million



Drought's Impact on Budget

Decreased Budgeted Water
Deliveries for FY 14-15: 17.4%

Requesting use of reserves to
avoid >13% rate hikes.



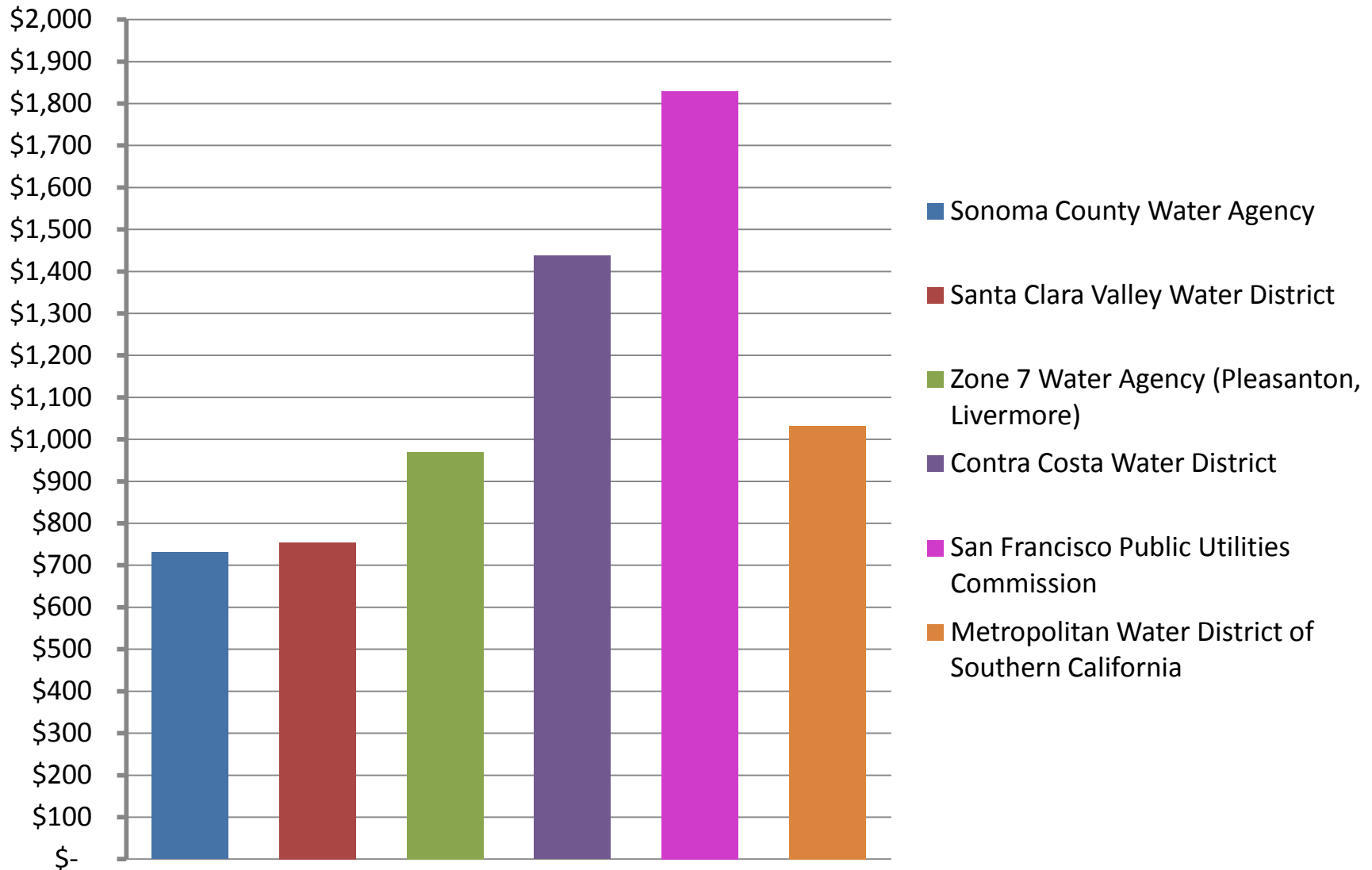
Proposed FY 14-15 Rate Changes

	Santa Rosa Aqueduct	Petaluma Aqueduct	Sonoma Aqueduct
Total O&M plus Bond and Loan Charges	1.05%	1.05%	0.85%
Aqueduct Capital Contributions to build fund balance for future projects & Local Recycled Water Tier 2 Program	2.55%	2.55%	2.34%
Total Rate Change	3.60%	3.60%	3.19%

Proposed Rates for FY 14-15

Charge / Aqueduct	Santa Rosa	Petaluma	Sonoma
Deliveries (Acre-Feet)	46,000	46,000	46,000
O&M	\$471.40	\$471.40	\$471.40
Water Management Planning	\$0.97	\$0.97	\$0.97
Watershed Planning & Restoration	\$79.01	\$79.01	\$79.01
Recycled Water	\$11.56	\$11.56	\$11.56
Water Conservation	\$39.35	\$39.35	\$39.35
Total O&M	\$602.29	\$602.29	\$602.29
Storage & Common Bond/Loan Charges	\$92.89	\$92.89	\$92.89
Sonoma Aqueduct Bond/Loan Charge			\$62.56
Prime Contractors	\$695.18	\$695.18	\$757.74
<u>Discretionary Charges</u>			
Capital Charges - <i>to build fund balance for future projects</i>	\$19.50	\$19.50	\$19.50
Local Recycled Water Tier 2 Program	\$16.00	\$16.00	\$16.00
Prime Contractors	\$35.50	\$35.50	\$35.50
Total Prime Contractors	\$730.68	\$730.68	\$793.24
Total Overall Increase:	3.60%	3.60%	3.19%

2014 Wholesale Water Rates Per Acre-Foot



Per gallon costs:



\$45.00



\$16.00



\$11.35



\$3.55



\$2.49



\$0.002

Summary

- Unanimously approved by Technical Advisory Committee: February 2014
- Unanimously approved by Water Advisory Committee: April 2014
- Staff recommends that the Board of Directors adopt the FY14-15 Water Transmission Budget and Rates

Budget information available at

www.sonomacountywater.org/finance

FY 14-15 Water Transmission System Budget & Rates

Grant Davis

General Manager

grant.davis@scwa.ca.gov

707-547-1900

Lynne Rosselli

Finance & Accounting Mgr

lrosselli@scwa.ca.gov

707-524-3771

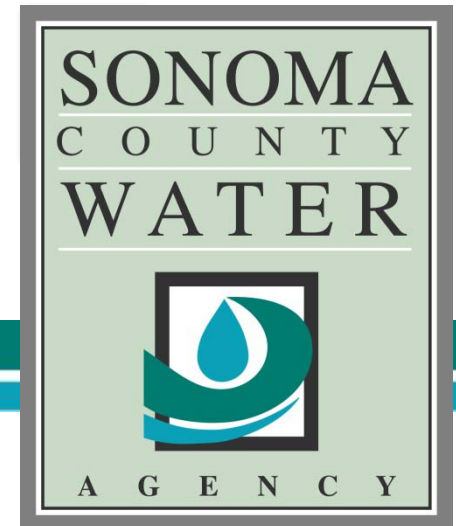
Michael Gossman

Division Manager - Finance and

Administration

mgossman@scwa.ca.gov

707-521-6207





County of Sonoma Agenda Item Summary Report

Agenda Item Number: 36
(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 22, 2014

Vote Requirement: Majority

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

Staff Name and Phone Number:

Keenan Foster / 547-1941

Supervisory District(s):

Second, Third, Fourth, and Fifth Districts

Title: Laguna de Santa Rosa Habitat Study and Enhancement Project

Recommended Actions:

Authorize Chair to execute an agreement with Laguna de Santa Rosa Foundation to provide a habitat study and enhancement in the Laguna de Santa Rosa (\$300,000; agreement terminates on June 30, 2017).

Executive Summary:

This item requests approval for the Chair to execute an agreement with the Laguna de Santa Rosa Foundation (Foundation) to evaluate debris blockages and sediment accumulations in the Laguna de Santa Rosa that are negatively affecting riparian and aquatic habitat conditions, define multi-stakeholder solutions, and develop a permitting and funding approach for restoration and enhancement (\$300,000; agreement terminates on June 30, 2017).

HISTORY OF ITEM/BACKGROUND

Since 1989 the Foundation has worked to restore and enhance natural function of the Laguna de Santa Rosa (Laguna), the second largest freshwater wetland in Northern California and one of Sonoma County's richest wildlife areas with over 200 species of birds along with many threatened and endangered species of plants and animals. The Foundation created a management plan, *Enhancing and Caring for the Laguna (2006)*, which compiles existing knowledge about the resource area and identifies specific and general restoration and management projects and needs. The proposed agreement furthers the Foundation's management plan by providing funding to evaluate potential solutions to chronically negative riparian and aquatic habitat conditions reoccurring in the Laguna related to water quality, sedimentation, trash and debris accumulations, drainage capacity, and weed colonization. The work involves evaluating debris and sediment accumulations in the Laguna that negatively affect riparian and aquatic habitat conditions, defining multi-stakeholder site specific solutions, and developing permitting and funding approaches for implementation.

SELECTION PROCESS

The Foundation was the only firm contacted and was selected to perform the work because the Foundation's team members have a great deal of experience managing various environmental projects

specifically on the Laguna, maintaining good contacts with landowners there, providing continuity with past research and on-going restoration efforts, and have performed well in the past. The Foundation is well positioned to conduct this work as it is currently implementing a Proposition 84 River and Parkway Grant Project on the Laguna in collaboration with the Water Agency to restore and enhance the flood plain between Stony Point Road and Llano Road. In addition, between 2012 and 2013 the Foundation coordinated the permitting and supported limited debris blockage removal actions at several locations on the Laguna below Occidental Road.

SERVICES TO BE PERFORMED

Under the proposed Agreement, the Foundation will review and synthesize existing information about areas that chronically accumulate sediment and debris in the Laguna main channel from Occidental Road to River Road. Information will be derived from existing reports, management plans, and restoration efforts, as well as, incorporated from landowners and other natural resource professionals. Foundation staff will identify, characterize and map geomorphic, and habitat conditions in the Laguna with specific focus on blockages and topographic high points (in-stream accumulations of debris and trash that back up summer flow and cause anoxia), weed infestation blockages, and sediment deposition.

Information will be used to support development of permits to conduct work that addresses mapped blockages. Foundation staff will work directly with key stakeholders and decision makers throughout the watershed to develop and implement plans for the sustainable management of flood waters and local groundwater resources, the protection and restoration of biotic resources within the basin, and integrate plan development with Total Maximum Daily Load pollutant limits. Foundation will provide data, informed feedback, and recommendations to generate broad-based support for mutually beneficial policy outcomes, and develop future projects (and funding strategies) to help streamline implementation of specific resource management plans for affected areas.

The cost of services will not exceed \$101,110 in fiscal year 2013/2014, \$102,010 in fiscal year 2014/2015, and \$96,880 in fiscal year 2015/2016; the term end date is June 30, 2017.

Prior Board Actions:

09/25/2012: Approved amended agreement the between Water Agency and Laguna de Santa Rosa Foundation to include pilot study of the Laguna and a Ludwigia monitoring plan to the scope. Cost: added \$58,552 for new total of \$271,052; term end June 30, 2014

03/15/2011: Approved agreement between Water Agency and Laguna de Santa Rosa Foundation for Laguna Watershed Management. Cost \$212,500; term end February 1, 2013.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

This Agreement supports Goal #2 by addressing chronic problems in the Laguna contributing to pervasive, poor quality riparian and aquatic habitat conditions in the watershed. The project supports sustainable management of flood water and associated riparian and aquatic resources, as well as, supporting the viability of continued farming in the watershed.

Water Agency Flood Control Goals and Strategies, Goal 1: Maintain, operate, and modify flood protection facilities to meet current and future public needs.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ -0-	Water Agency Gen Fund	\$ -0-
Add Appropriations Req'd.	\$ 101,110	State/Federal	\$ -0-
	\$	Zone 1A Laguna Mark West Fund - Fees/Other	\$ 101,110
	\$	Use of Fund Balance	\$ -0-
	\$	Contingencies	\$ -0-
	\$		\$
Total Expenditure	\$ 101,110	Total Sources	\$ 101,110

Narrative Explanation of Fiscal Impacts (If Required):

Fiscal year 2013/2014 appropriation of \$101,110 is from the Zone 1A Laguna Mark West fund. Fiscal year 2014/2015 appropriation of \$102,010 will be budgeted in that fiscal year. Fiscal year 2015/2016 appropriation of \$96,880 will be budgeted in that fiscal year.

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)



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

Board Agenda Date: April 22, 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):

Fifth

Title: Fifth Street (#80077) and Mill Street (#80079) Parking Restrictions – First Read.

Recommended Actions:

Adopt a resolution introducing and waiving first reading of an ordinance establishing a No Parking Zone on Fifth Street (#80077) and Mill Street (#80079).

Executive Summary:

The conditions of approval for the project entitled “Fife Creek Commons” (File No. PLP 08-0088 APN 070-020-022 & 037), located in the Town of Guerneville at 14119 Mill Street and 16312 Fifth Street, call for the prohibition of parking along portions of both the Mill Street and Fifth Street frontage.

In order to comply with this condition of approval, it is recommended that parking be prohibited in the areas shown on the plans for the above mentioned project. (Field conditions required slight modifications to the locations shown on the plans). There is no cost to the County as the developer is responsible for the purchase and installation of the signs.

Prior Board Actions:

No prior Board Actions

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

Restricting parking along these roadways will satisfy the conditions of approval.

Fiscal Summary - FY 13-14

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

Narrative Explanation of Fiscal Impacts (If Required):

No fiscal impact to the County, costs for installation of signs to be paid by developer.

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:

Location Map; Ordinance; Resolution.

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

None.



County of Sonoma
State of California

Date: April 22, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

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 PORTIONS OF FIFTH STREET (#80077) AND MILL STREET (#80079).

Whereas, a proposed ordinance establishing parking restrictions along portions of Fifth Street (#80077) and Mill Street (#80079) 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.

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, ESTABLISHING PARKING RESTRICTIONS ON PORTIONS OF FIFTH STREET AND MILL STREET.

THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, ORDAINS AS FOLLOWS:

SECTION I:

Subsection 551 is hereby added to Section VII of Sonoma County Ordinance No. 2300 (said Section establishes No Parking zones) to read:

Fifth Street (#80077) beginning one hundred and seventy-three (173) feet easterly of its intersection with Mill Street (#80079) and continuing in an easterly direction along the northerly side of the road, for a distance of ninety-three (93) feet. Postmiles 10.033 to 10.050.

Subsection 552 is hereby added to Section VII of Sonoma County Ordinance No. 2300 (said Section establishes No Parking zones) to read:

Mill Street (#80079) beginning thirty-eight (38) feet northerly from its intersection with Fifth Street (#80077) then continuing in a northerly direction along the easterly side of the road, for a distance of one hundred and fifty-eight (158) feet. Postmiles 10.187 to 10.217.

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 ____, 201_, and finally passed and adopted this ___ day of ____, 201_, 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

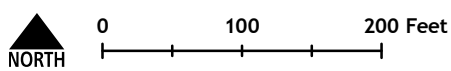
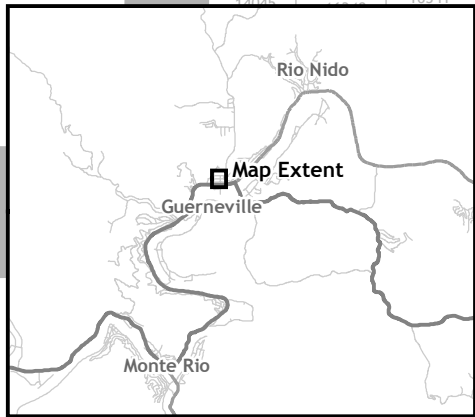
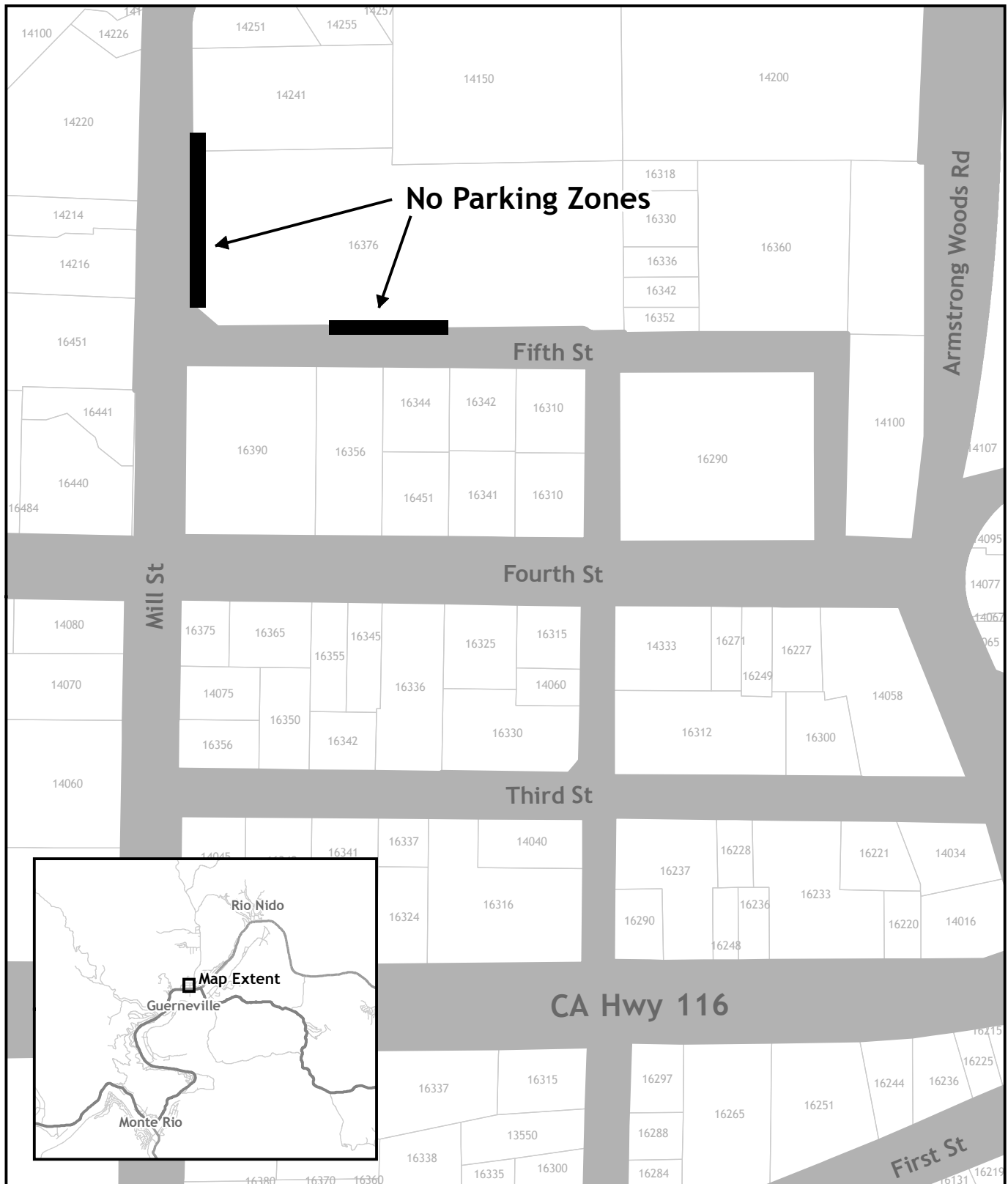
ATTEST:

By: _____
County Clerk and Ex-officio Clerk of the
Board of Supervisors of said County

Location Map

Fifth Street and Mill Street No Parking Zones

March, 2014





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 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): BOS

Staff Name and Phone Number:

Supervisorial District(s):

Supervisor Efren Carrillo

Fifth District

Title: Fee Waiver

Recommended Actions:

Approve fee waiver in the amount of \$1136 to Regional Parks to cover permit, day use and parking fees at Westside Park for the Bodega Bay 4th of July Celebration Fireworks. (Fifth District)

Executive Summary:

The Bodega Bay 4th of July is held each year on the Coast. The fees are for the use of a portion of the regional parks in preparation for and during the Fireworks display. Due to the topography of the region, the display is available to anyone who camps, plays, or lives along the Bay. No admission fees are charged and no revenues are generated. The Board has sponsored this event for many years.

Prior Board Actions:

Fee waivers have been granted

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 0	County General Fund	\$ 0
Add Appropriations Req'd.	\$ 1136	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$ 1136
	\$		\$
Total Expenditure	\$ 1136	Total Sources	\$ 1136

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):			
Fee Waiver application from Bodega Bay Chamber			
Attachments:			
n/a			
Related Items “On File” with the Clerk of the Board:			
n/a			

RECEIVED

FEB 14 2014

BOARD OF SUPERVISORS
COUNTY OF SONOMA

*4/18/14
NS 4/22*

Fax Cover Sheet

Date 2/14/14

TO Susan Upchurch
District 5

Fax # 565-3778

FROM Martha Ruddell

BBACC Fireworks Committee

TELEPHONE 707.875.2420 FAX 707.875.8876

MESSAGE

Susan - Here's the fireworks fee-waiver application for this year. Please let me know the date it makes the BOS agenda.

Thanks -

Marthy

PAGES INCLUDING COVER SHEET 5

P.S. Note the new permits chair for next year -

February 14,, 2014

Supervisor Efren Carrillo
Sonoma County Board of Supervisors
575 Administration Blvd., Room 100A
Santa Rosa, CA 95403

RE: Fireworks Event in Bodega Bay

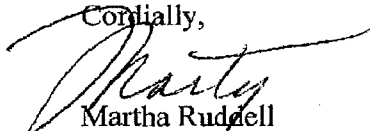
Dear Supervisor Carrillo:

The Bodega Bay Area Chamber of Commerce is once again planning a 4th of July fireworks celebration, this year scheduled for July 5, 2014. Our intention is to have a fireworks display, as in years past, at Westside Park and invite the public to come to Bodega Bay with their families to enjoy our beautiful area. We are not planning to have food/beverage concessions, entertainment other than the fireworks display itself, or admissions fees for this event.

We are requesting a fee waiver to include permit, day use, and parking fees at Westside Park for the evening of July 5, 2014. The fireworks will start at 9:30 p.m. and should be complete by 11:00 p.m. We are in the process of securing insurance, permits from all governing agencies, and arranging for clean-up and security for this event.

Please notify me by email at skookie@comcast.net when this item is scheduled on your meeting agenda. We thank you in advance for your consideration.

Cordially,



Martha Ruddell
Permits Chair

cc: Kathy Duran, Permits Chair 2015

SUBMIT TO:
 Board of Supervisors
 575 Administration Dr, Ste 100A
 Santa Rosa, CA 95403

COUNTY OF SONOMA

For Board of Supervisors Use Only

Fee Waiver/Board Sponsorship Request Form

1. Contact information for individual requesting fee waiver/sponsorship:

Name: Martha Rapp Ruddell
First Middle Last

Mailing Address: PO box 787 Bodega Bay CA 94923
Number, Street, Apt/Suite City State Zip

Phone: (707) 875 - 2420 Email: skookie@comcast.net
Area Code, Number

2. Name of Community Based Organization, Non-Profit, or Government Agency for which fee waiver/sponsorship is requested:

Name: Bodega Bay Area Chamber of Commerce 4th of July Fireworks

Mailing Address: PO Box 787 Bodega Bay CA 94923
Number, Street, Apt/Suite City State Zip

Phone: (707) 875 - 2420 Email: skookie@comcast.net
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	Valerie Brown 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

Bodega Bay Area Chamber of Commerce Fireworks Event

5. The Bodega Bay Fireworks is a yearly event sponsored by the Bodega Bay Area Chamber of Commerce. Its main purpose is to provide the coastal community and the public at large an approximately 20-minute fireworks display for their pleasure. The event is free to the public, and include no other components (e.g., food/drink sales, activities, etc.). BBACC volunteers provide security around the staging area and direct automobile parking; disability parking is available. The public generally begin arriving around 7:30 p.m. and leave immediately following the event. Fire trucks and personnel from the Bodega Bay Fire Protection District are on hand during the event and the county Fire and Emergency Services inspect the fireworks set-up prior to the event. The Fire Protection District, the CHP and the County Sheriff's Department are all notified of the event and provide written approval; these letters are submitted to Regional Parks for final approval of the event. Liability insurance is obtained by the pyrotechnic company and by the BBACC (documentation submitted to Regional Parks).

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
Regional Parks	Parking/Use Permit	\$1,136.00

8. If your Community Based Organization, Non-Profit, or Governmental Agency has received a fee waiver/sponsorship for a similar project/activity/event in the past, please list below:

Date of Fee Waiver	Department Assessing Fee	Type of Fee	Amount of Fee
6 / / 2013	Regional Parks	Parking/User Permit	\$1,125.00
6 / / 2012	Regional Parks	Parking/User Permit	\$1,125.00
2 / / 2011	Regional Parks	Parking/Use Permit	\$985.00
3 / / 2010	Regional Parks	Parking/Use Permit	\$975.00

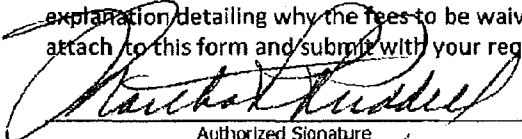
9. Does the organization or agency for which the fee waiver/sponsorship is requested receive funding from any of the following sources? If so, please specify:

- 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
 2 / 14 / 14

 Date

Permits Chair

 Title



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: 49
(This Section for use by Clerk of the Board Only.)

To:

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

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

Staff Name and Phone Number:

Mary Booher 565-3779

Supervisorial District(s):

ALL

Title: Booking Fee effective July 1, 2014

Recommended Actions:

Approve resolution setting the Criminal Justice Administrative Fee (Jail Booking Fee) at \$168 per applicable, effective July 1, 2014, in accordance with Government Code.

Executive Summary:

The County anticipates that the State booking fee allocation for FY 14/15 will be the full \$35 million. However, based on Government Code 29551, if state revenues fall short of the full \$35 Million, approving this fee would allow the county to bill the difference based on the percent of the shortfall. Consequently, the Board of Supervisors is requested to increase the Jail Booking Fee from \$164 to \$168 (an increase of \$4 or 2.3% over FY 13/14). The source of the booking fee subvention as determined by the legislature is a portion of Vehicle License Fees (VLF) received by counties.

Booking Fee Adjustment Calculation

The Jail Booking Fee is statutorily set with annual increases limited to the Consumer Price Index (CPI) plus 1%. This methodology has been in place since 2006, and is established in Government Code 29550. For administrative ease the fee is included with the consolidated fee hearing. October 2013 was the last time the fee was adjusted, and this adjustment was based on the February 2013 CPI. The Bureau of Labor Statistics (BLS) San Francisco-Oakland-San Jose CPI change from March through December 2013, was 1.3%. Plus, the 1% allowed results in a 2.3% increase to \$168.

AB 1805, amended Government Code (GC) Section 29550, and added GC Sections 29551 and 29552 to address the costs associated with booking arrestees of other agencies into county jails. Pursuant to this new legislation, if the state appropriates (in FY 07-08 and annually thereafter) \$35 million to directly fund counties for the cost of jail bookings, a county may not levy a booking fee. However, if in subsequent years less than the full \$35 million is allocated in the state budget, arresting agencies would be required to pay the portion of the booking fee equal to the proportion that the appropriated amount is less than \$35 million, as long as the Board maintains and updates this fee.

Prior Board Actions:			
Each year since FY 90-91 the Board has set the Jail Booking Fee.			
Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community			
These fees helps achieve a safer community by assisting in providing space in the detention facilities for serious offenders.			
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	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$
Narrative Explanation of Fiscal Impacts (If Required):			
This fee is only billable if the state does not fully fund the \$35 million backfill. It is anticipated that the state will fund this in FY 14/15			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (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

Date: April 22, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, 1) Setting A Contingent Criminal Justice Administrative Fee (Jail Booking Fee) At \$168 Per Applicable Booking To Be Effective July 1, 2014.

Whereas, in 1990, the Board of Supervisors established a Criminal Justice Administrative Fee (Jail Booking Fee) to provide for the reimbursement of County expenses incurred with respect to booking or other processing of arrested persons, to the extent authorized by law; and

Whereas, AB1805, a State general government trailer bill adopted in 2006, amended Government Code (GC) Sections 29550 and added GC Sections 29551 and 29552, to address costs associated with booking arrestees of other agencies into county jails; and

Whereas, should the State appropriate less than the full \$35 million for this purpose, agencies will be required to pay to the County all or a portion of the booking fee equal to the proportion that the appropriated amount is less than \$35 million; and

Whereas, the proposed Jail Booking Fee is calculated to be \$168 based on the formula mandated by State law; and

Whereas, the Board of Supervisors desires to recover the allowable portion of the actual costs of booking and processing persons arrested by other agencies.

Now, Therefore, Be It Resolved, that the Board of Supervisors of the County of Sonoma, State of California, hereby sets the Criminal Justice Administrative Fee at \$168 per applicable booking effective July 1, 2014, contingent on the State not appropriating \$35 million to counties to fund the cost of jail bookings, and

Be It Further Resolved should the State appropriate less than the full \$35 million to fund the cost of jail bookings, that the Board of Supervisors authorizes the Jail Booking Fee to be billed effective July 1, 2014, to local agencies at a rate determined to be that portion of the booking fee equal to

Resolution #

Date:

Page 2

the proportion that the appropriated amount is less than \$35 million; and

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: 50
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Fire & Emergency Services Department

Staff Name and Phone Number:

Al Terrell – (707) 565-1157

Supervisorial District(s):

Title: Fire & Emergency Services Department Fee Schedules

Recommended Actions:

- 1) Approve a resolution adopting Schedule A – Permits and Fees for the Fire & Emergency Services Department for Certified Unified Program Agency Hazardous Materials
- 2) Approve a resolution adopting Schedule A – Permits and Fees for the Fire & Emergency Services Department – Fire Prevention

Executive Summary:

The Fire & Emergency Services Department's budget is predicated on new fees in the attached fee schedules becoming effective July 1, 2014.

The Fire & Emergency Services Department ("County Fire") proposes changes for the Certified Unified Program Agency (C.U.P.A.) Hazardous Materials that increase fees a total of \$13,944, with changes varying from -6.5% to 3%, or 0.9% total. The Department also proposes changes for Fire Prevention fees that increase fees a total of \$30,776, with changes varying from 3.23% to 3.47%, or 3.46% total.

Certified Unified Program Agency (C.U.P.A) Hazardous Materials

County Fire, as the lead Certified Unified Program Agency ("C.U.P.A."), is submitting this fee schedule. The C.U.P.A. comprises two agencies: the Fire and Emergency Services Department, Hazardous Materials Division, and the Agricultural Commissioner's Office. The Fee and Revenue Summary Chart includes only data from County Fire. The Agricultural Commissioner's fees remain unchanged.

The average change across all C.U.P.A. fees is an increase of 0.9%, which equates to \$13,944. The division experienced an increase in interdepartmental cost allocations and new costs associated with the new financial system. The three-year plan to align expenses with cost recovery fees concluded in fiscal year (F.Y.) 13/14. The proposed fee schedule is designed to recover all of the costs of implementing the C.U.P.A. program.

Service Improvement Plan – C.U.P.A. Programs

Productivity, Efficiency and Customer Service Improvement Measures

- Continue to assist the business community in completing the transition to electronically listing their hazardous chemicals through the California Environmental Reporting System (“C.E.R.S.”), a web-based reporting tool. Although the use of C.E.R.S. was required by State law as of January 1, 2013, County Fire expects that small businesses will continue to require assistance and training to complete the transition. Business are inspected every three years and the Hazmat Division provides education and encouragement towards compliance, but the smaller and less technologically skilled businesses will require additional time to become compliant.
- Fully implement the use of online database software to replace the current outdated chemical safety information database.
- Continue to assist public safety organizations throughout Sonoma County in gaining access to the hazardous materials information available through C.E.R.S. for the businesses within their jurisdictions.
- Complete the 3-year update of the Sonoma County Hazardous Materials Incident Response (Area) Plan during the second half of 2014.

Summary of Expected Results

- By assisting businesses in the use of C.E.R.S., County Fire will expedite the process of converting to this system of environmental reporting. In addition to allowing businesses to more quickly and easily file reports and comply with State laws, C.E.R.S. will help first responders gain immediate access to vital site information in the event of an emergency.
- The new software will improve collection of hazmat data from businesses, allow real-time reporting of inspection findings and provide a link with C.E.R.S.
- Public safety will be improved through C.E.R.S. by providing first responders with access to the most up-to-date information about the hazardous chemicals stored in their jurisdictions and after-hours telephone numbers for these businesses.
- The Sonoma County Hazardous Materials Incident Response (Area) Plan is required by law to be reviewed and updated every three years. Its last update was completed in September 2011. The Area Plan assists government agencies in pre-emergency planning activities and emergency response roles in the event of an actual or threatened release of hazardous chemicals.

County Fire fields a hazardous materials response team staffed by both paid employees and volunteers. The team is trained and prepared to respond to virtually any type of hazardous materials incident that might occur in Sonoma County.

Summary of Prior Year Plan Results

- County Fire assisted the business community in using C.E.R.S., a web-based reporting tool, to electronically update their hazmat information. The use of C.E.R.S. was mandated by the State of California as of January 1, 2013. 717 businesses (approximately 47% of those required by law to do so) have now submitted information through C.E.R.S.
- County Fire worked with the private contractor it selected through an open bidding process to provide an online database to replace its existing, outdated chemical safety information database.
- County Fire worked with public safety organizations throughout Sonoma County to provide them with access to C.E.R.S. so they can readily review the hazardous materials information for the businesses in their jurisdictions.

- County Fire began the process of updating the Sonoma County Hazardous Materials Incident Response (Area) Plan.

Fire Prevention

County Fire also proposes changes for Fire Prevention that increase fees a total of \$30,776, with changes varying from 3.23% to 3.47%, or 3.46% total.

The Sonoma County Fire and Emergency Services Department – Fire Prevention Program is a unique resource that fulfills key objectives described in the Public Safety Element of the Sonoma County General plan. The division is primarily responsible for programs, procedures, and projects for preventing the outbreak of fires within the unincorporated areas of the county and for minimizing the danger to persons and damage to property caused by fires that do occur.

County Fire is responsible for ensuring that permit applications received meet fire code compliance standards. This service is provided for all development within the unincorporated County area.

County Fire is also responsible for the routine enforcement of the building standards and other regulations of the State Fire Marshal within the unincorporated areas of the county outside of most fire districts. The responsibility includes annual inspections of every jail or place of detention; every building used as a public or private school; all hotels, motels, lodging houses, apartment houses, and buildings and structures accessory thereto for. This responsibility also includes the administering of required operational permits and conducting inspections of businesses to ensure the facilities are safe for the public to occupy. The Department through contractual agreements provides these services to five fire protection districts within the county.

The Fire Prevention Fee Schedule addresses the three functions– new development permits, Fire Code operational permits, and fees for services such as consultation fees and inspection fees. New development permit fees are related to plan check and inspection services provided to applicants when a development permit is applied for. Fire Code Operational Permits are permits required by the Fire Code for business that pose inherent fire and safety hazards. Fire inspection fees for services are fees charged to recover the cost of services provided.

In fiscal year 13-14, the Fire Prevention program absorbed operational cost increases without raising fees for services. The proposed F.Y. 14-15 fee schedule reflects an approximately 3.47% increase in fees which are necessary to accurately capture the time and costs associated with providing baseline fire prevention functions. The division experienced an increase in interdepartmental cost allocations, costs associated with the new financial system and an increase in usage of a Fire Inspector II position.

Productivity, Efficiency, and Customer Service Improvement Measures

- Continue to work with other fire agencies within the county to maintain consistency in the application and enforcement of the codes and regulations associated with fire and life safety.
- Continue to enforce building standards relating to fire and panic safety and other regulations that have been formally adopted by the State Fire Marshal for the prevention of fire or for the protection of life and property against fire or panic.

Summary of Expected Results

- Present results of Fitch Mountain pilot program and draft weed abatement program for Board approval to be implemented within densely populated areas of unincorporated Sonoma County, which will enhance current vegetation management efforts and help to reduce the threat of wildland fires. (*Ref General Plan Policy PS-3f*)

- Continue working with PRMD to develop a program to improve countywide street addressing in order to reduce emergency response times (*Ref General Plan Policy PS-3h*).
- Create Informational Guides, which will encourage and promote fire safe practices, and make them available to the general public, permit applicants, and the Permit and Resource Management Department. (*Ref General Plan Policy PS-3i*).

Summary of Results of Prior Year Plan

- Provided leadership to all fire agencies within Sonoma County in the tri-annual adoption of the California Fire Code, California Building Code the California Residential Code and the County Fire Safe Regulations. (*Ref General Plan Policy PS-3c & PS-3e*)
- Drafted a weed abatement program and implemented a pilot program within the Fitch Mountain area. (*Ref General Plan Policy PS-3f*)

Prior Board Actions:

- 1) Hazardous Materials fees adopted by Resolution #13-0157 on April 23, 2013,
- 2) Fire Prevention Fees adopted by Resolution #12-0203 on April 24, 2012

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

The Fire and Emergency Services Department is able to support hazardous materials and fire prevention programs that protect the health and safety of the 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	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

All changes will affect the 2014-2015 fiscal year. The increase to revenue from CUPA fee increases is \$13,944. The increase to revenue from Fire Prevention is \$30,776.

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):
Attachments:
<ol style="list-style-type: none">1) Permits and Fees Resolution – CUPA Hazardous Materials2) Permits and Fees Resolution – Fire Prevention3) Proposed Fee Schedule - CUPA Hazardous Materials4) Proposed Fee Schedule – Fire Prevention5) CUPA Hazardous Materials Attachment A – Fee Schedule6) Fire Prevention Attachment A – Fee Schedule
Related Items “On File” with the Clerk of the Board:



County of Sonoma
State of California

Date: April 22, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Adopting Schedule A – Permits and Fees for the Fire & Emergency
Services Department for Certified Unified Program Agency Hazardous Materials**

Whereas, section 29-7 and section 13-81 of the Sonoma County Code authorizes the Board to require that permits be obtained from the Fire & Emergency Services Department and the Agricultural Commissioner's Office for businesses regulated under the six environmental, hazardous materials programs and for the operations, practices and functions covered by the Uniform Fire Code as adopted by the county,

Whereas, section 29-9 of the Sonoma County Code authorizes the Board to adopt a schedule of fees and charges for services provided and permits issued pursuant to Chapter 29 of the Sonoma County Code to recover the reasonable cost of providing such services and issuing such permits,

Whereas, the Health and Safety Code Chapter 6.95, Section 25513 authorizes the Board to adopt a schedule of fees to recover the costs incurred by the County in carrying out the provisions of Chapter 6.95 of Division 20 of the Health and Safety Code,

Whereas, the Board has considered a new schedule of permits and fees as recommended by the Fire & Emergency Services Department,

Now, Therefore, Be It Resolved that the Board of Supervisors of Sonoma County hereby finds, declares, resolves, and orders that the following permits shall be obtained from and fees paid to the Fire & Emergency Services Department.

Be It Further Resolved that the foregoing attachment A schedule of permits and fees shall become effective July 1, 2014.

Resolution #

Date:

Page 2

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma
State of California

Date: April 22, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Adopting Schedule A – Permits and Fees for the Fire & Emergency
Services Department – Fire Prevention**

Whereas, section 29-9 of the Sonoma County Code authorizes the Board to adopt a schedule of fees and charges for services provided and permits issued pursuant to Chapter 29 of the Sonoma County Code to recover the reasonable cost of providing such services and issuing such permits,

Whereas, the Board has considered a new schedule of permits and fees as recommended by the Fire & Emergency Services Department,

Now, Therefore, Be It Resolved that the Board of Supervisors of Sonoma County hereby finds, declares, resolves, and orders that the following permits shall be obtained from and fees paid to the Fire & Emergency Services Department.

Be It Further Resolved that the foregoing attachment A schedule of permits and fees shall become effective July 1, 2014.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.

HAZARDOUS MATERIALS
CUPA PROPOSED FEE AND REVENUE SUMMARY CHART
 (Department of Fire and Emergency Services and Agricultural Commissioner's Office)
 Effective July 1, 2014

TYPE OF FEE	14-15 Units of Service	13-14 Fee	14-15 Proposed Fee	Rate Dollar Change	Rate % Change	14-15 Increase/ (Decrease) Due to Rate Change	14-15 Revenue
Small Quantity Generator Permits							
Hourly Rate (as applicable)	0	\$100	\$101	\$1	1.0%	\$0	\$0
>325 gal/yr to <5 tons/yr w/srce red./recycl.	182	\$242	\$244	\$2	1.0%	\$364	\$44,408
>325 gal/yr to <5 tons/yr w/o srce red./recycl.	21	\$301	\$304	\$3	1.0%	\$63	\$6,384
<325 gal/yr Recyclable	207	\$155	\$157	\$2	1.0%	\$414	\$32,499
<5 gal/Mo	220	\$113	\$114	\$1	1.0%	\$220	\$25,080
Treatment Permits	8	\$283	\$286	\$3	1.0%	\$24	\$2,288
Large Quantity Generator Permits							
Hourly Rate (as applicable)		\$100	\$101	\$1	1.0%	\$0	\$0
5 to <25 tons/yr	28	\$849	\$857	\$8	1.0%	\$224	\$23,996
25 to 250 tons/yr	8	\$1,278	\$1,291	\$13	1.0%	\$104	\$10,328
250 to <500 tons/yr	0	\$2,529	\$2,554	\$25	1.0%	\$0	\$0
>500 tons/yr	1	\$6,977	\$7,047	\$70	1.0%	\$70	\$7,047
Waste Oil Only							
> 5 tons/yr	61	\$810	\$818	\$8	1.0%	\$488	\$49,898
Hazmat Business Plans							
Range 1	142	\$100	\$101	\$1	1.0%	\$142	\$14,342
Range 2	326	\$466	\$471	\$5	1.0%	\$1,630	\$153,546
Range 3	254	\$677	\$684	\$7	1.0%	\$1,778	\$173,736
Range 4	119	\$1,066	\$1,077	\$11	1.0%	\$1,309	\$128,163
Range 5	227	\$1,391	\$1,405	\$14	1.0%	\$3,178	\$318,935
Remote, Unstaffed Sites - One Time Fee	2	\$249	\$251	\$2	1.0%	\$4	\$502
Restaurants >1000 SCF CO₂	69	\$313	\$316	\$3	1.0%	\$207	\$21,804
Accidental Release Plan -	20	\$677	\$684	\$7	1.0%	\$140	\$13,680
Aboveground Petroleum Storage Tanks							
Hourly Rate							
Tier 1 Facility	72	\$208	\$210	\$2	1.0%	\$144	\$15,120
Tier 2 Facility	15	\$418	\$422	\$4	1.0%	\$60	\$6,330
Tier 3 Facility	30	\$835	\$843	\$8	1.0%	\$240	\$25,290
Tank Closure Permit	3	\$390	\$394	\$4	1.0%	\$12	\$1,182
Each addn'l tank	3	\$100	\$101	\$1	1.0%	\$3	\$303
Technology Fee (New Database) Agricultural Facilities	1,357	\$25	\$25	\$0	1.0%	\$339	\$33,925

HAZARDOUS MATERIALS
CUPA PROPOSED FEE AND REVENUE SUMMARY CHART
(Department of Fire and Emergency Services and Agricultural Commissioner's Office)
Effective July 1, 2014

TYPE OF FEE	14-15	13-14	14-15	Rate	Rate %	14-15	14-15
	Units of Service	Fee	Proposed Fee	Dollar Change	Change	Increase/ (Decrease) Due to Rate Change	Revenue
HazMat Business Plan Program (Range 6)	26	\$126	\$126	\$0	0.0%	\$0	\$3,276
HazMat Business Plan Program > 1,210 gal (Rg.7)	6	\$201	\$201	\$0	0.0%	\$0	\$1,206
Hazwst>325 gal/yr to <5 tons/yr w/ source reduction/recycl.	0	\$182	\$182	\$0	0.0%	\$0	\$0
Hazwst <325 gal/yr	0	\$118	\$118	\$0	0.0%	\$0	\$0
Hazwst Recyclable: < 5 gal/mo, exempt	0	\$0	\$0	\$0	0.0%	\$0	\$0
Underground Storage Tank Fees:							
Hourly Rate		\$100	\$101	\$1	1.0%	\$0	\$0
UST Facility	85	\$1,318	\$1,331	\$13	1.0%	\$1,105	\$113,135
Each Additional UST	158	\$770	\$778	\$8	1.0%	\$1,264	\$122,924
Plan Check and New Inspection	6	\$1,512	\$1,527	\$15	1.0%	\$90	\$9,162
Ea.additional tank	11	\$213	\$215	\$2	1.0%	\$22	\$2,365
Repair Permit	25	\$503	\$508	\$5	1.0%	\$125	\$12,700
Ea.additional tank	45	\$132	\$133	\$1	1.0%	\$45	\$5,985
Cold Start Permit	6	\$195	\$197	\$2	1.0%	\$12	\$1,182
Tank Closure Permit	6	\$1,143	\$1,154	\$11	1.0%	\$66	\$6,924
Ea.additional tank	11	\$357	\$361	\$4	1.0%	\$44	\$3,971
Plan check resubmittal-Hourly rate	3	\$100	\$101	\$1	1.0%	\$3	\$303
Temporary closure (per site)	0	\$565	\$571	\$6	1.0%	\$0	\$0
Violation Reinspection	3	\$100	\$101	\$1	1.0%	\$3	\$303
Transfer of Ownership/Permit Alteration	0	\$100	\$101	\$1	1.0%	\$0	\$0
Precision Tank Test Permit (per facility)	0	\$100	\$101	\$1	1.0%	\$0	\$0
ELD Test Permit	0	\$476	\$481	\$5	1.0%	\$0	\$0
Ea. Additional UST	0	\$100	\$101	\$1	1.0%	\$0	\$0
Emergency Response							
Emergency Responder, Hourly Rate	6	\$100	\$101	\$1	1.0%	\$6	\$606
Emergency Responder, After Hours Rate	0	\$147	\$152	\$5	3.0%	\$0	\$0
Hazmat Response Vehicle, Hourly Rate	0	\$144	\$145	\$1	1.0%	\$0	\$0
Hazmat Response Truck, Hourly Rate	6	\$26	\$26	\$0	1.0%	\$2	\$156
Hazmat Response Trailer, Hourly Rate	0	\$15	\$15	\$0	1.0%	\$0	\$0
(2 Hour Minimums on Emergency Response)							
Administrative							
Photocopies per copy	200	\$0.32	\$0.32	\$0	0.0%	\$0	\$64
File Search Fees Hourly Rate	0	\$100	\$101	\$1	1.0%	\$0	\$0
Quarter-hr minimum	0	\$27	\$25	-\$2	-6.5%	\$0	\$0
Computer printouts per page	0	\$0.32	\$0.32	\$0	1.0%	\$0	\$0
Total Increase due to Rate Changes					0.9%	\$13,944	\$1,393,048

**DEPARTMENT OF FIRE AND EMERGENCY SERVICES
FIRE PREVENTION PROPOSED FEE AND REVENUE SUMMARY CHART**

Department of Fire and Emergency Services
Effective July 1, 2014

	13-14 units of service (hours)	13-14 hrly fee	14-15 proposed hrly fee	rate dollar change	rate % change	14-15 incr. due to rate change	14-15 revenue
Plan Review/Inspection (all 2hr min)							
Hourly Rate (misc)	11	\$173	\$179	\$6	3.47%	\$65	\$1,933
Parcel Maps/Use Permits, 2hr min +hrly rate	26	\$173	\$179	\$6	3.47%	\$156	\$4,640
Minor Subdivision	26	\$173	\$179	\$6	3.47%	\$156	\$4,640
Major Subdivision	4	\$173	\$179	\$6	3.47%	\$26	\$773
Commercial Building Permit	531	\$173	\$179	\$6	3.47%	\$3,188	\$95,113
Other Building Permit	22	\$173	\$179	\$6	3.47%	\$130	\$3,866
NFPA 13D Sprinklers (residential)	918	\$173	\$179	\$6	3.47%	\$5,508	\$164,322
NFPA 13/13R Sprinklers (commercial)	324	\$173	\$179	\$6	3.47%	\$1,944	\$57,996
Fire Alarm System	103	\$173	\$179	\$6	3.47%	\$616	\$18,365
High Haz/Vegetation Mgmt./ Misc	25	\$173	\$179	\$6	3.47%	\$150	\$4,475
** Fire Safe Standards (0120)	1250	\$173	\$179	\$6	3.47%	\$7,500	\$223,750
** Fire Safe Standards (0121) /Referral Fee	1300	\$173	\$179	\$6	3.47%	\$7,800	\$232,700
Pre-application Meeting Consultation	24	\$173	\$179	\$6	3.47%	\$144	\$4,296

Justification:

The fire districts that contract with the County will be consistent with this fee schedule.

** These fees are for costs associated with Fire Services Positions assigned to PRMD.

A minimum of two hours is required for Plan Check and a minimum of two hours is required to perform each requested field inspection.

New Subdivision inspections: Fees may be reduced for multiple similar fire inspections conducted at the same inspection visit. Contact Fire Marshal for additional information.

Special On-Site Inspection	0	\$173	\$179	\$6	3.47%	\$0	\$0
On-Site Inspection (after hours)	0	\$260	\$269	\$9	3.27%	\$0	\$0
Project Consultation/Mitigations	45	\$173	\$179	\$6	3.47%	\$270	\$8,055
Title 19 SFM Clearance (day care, hospital, etc.)	5	\$145	\$150	\$5	3.47%	\$25	\$750
Fire Inspections to Contract Fire Districts	130	\$145	\$150	\$5	3.47%	\$654	\$19,500
Fire Investigations to Contract Fire Districts*	4	\$145	\$150	\$5	3.47%	\$20	\$600
Fire Investigations (after hours)*	6	\$218	\$225	\$7	3.23%	\$42	\$1,350

Fire Protection Engineer Services

Actual Cost of Contractor

Outside Consulting Services

Actual Cost of Contractor

*Note: Failure to secure a required Fire Services permit before starting work shall increase the cost of said permit to twice its original fee

Fire Code Operational Permits* (flat rate, annual, or one-time hourly)

Amusement Building		\$145	\$150	\$5	3.47%	\$0	\$0
Apartment, Hotel or Motel	27	\$145	\$150	\$5	3.47%	\$136	\$4,050
Aviation Facility		\$145	\$150	\$5	3.47%	\$0	\$0
Bonfire or Rubbish Fires		\$145	\$150	\$5	3.47%	\$0	\$0
Carnivals, Fairs or similar special events	11	\$145	\$150	\$5	3.47%	\$55	\$1,650
Cellulose Nitrate Film		\$145	\$150	\$5	3.47%	\$0	\$0
Combustible Dust-producing Operations		\$145	\$150	\$5	3.47%	\$0	\$0
Combustible Fibers		\$145	\$150	\$5	3.47%	\$0	\$0
Compressed Gasses		\$145	\$150	\$5	3.47%	\$0	\$0
Covered Mall Buildings		\$145	\$150	\$5	3.47%	\$0	\$0
Cryogenic Fluids		\$145	\$150	\$5	3.47%	\$0	\$0
Cutting and Welding		\$145	\$150	\$5	3.47%	\$0	\$0
Dry Cleaning Plants		\$145	\$150	\$5	3.47%	\$0	\$0

**DEPARTMENT OF FIRE AND EMERGENCY SERVICES
FIRE PREVENTION PROPOSED FEE AND REVENUE SUMMARY CHART**

Department of Fire and Emergency Services

Effective July 1, 2014

Fire Code Operational Permits Continued* (flat rate, annual, or one-time hourly)

Excavation Near Flammable or Combustible Liquid Pipelin		\$145	\$150	\$5	3.47%	\$0	\$0
Exhibits and Trade Shows	125	\$145	\$150	\$5	3.47%	\$629	\$18,750
Explosives		\$145	\$150	\$5	3.47%	\$0	\$0
Fire Protection Systems		\$145	\$150	\$5	3.47%	\$0	\$0
Flammable and Combustible Liquids		\$145	\$150	\$5	3.47%	\$0	\$0
Floor Finishing		\$145	\$150	\$5	3.47%	\$0	\$0
Fruit and Crop Ripening		\$145	\$150	\$5	3.47%	\$0	\$0
Fumigation and Thermal Insecticidal Fogging		\$145	\$150	\$5	3.47%	\$0	\$0
Hazardous Materials		\$145	\$150	\$5	3.47%	\$0	\$0
High-piled Storage		\$145	\$150	\$5	3.47%	\$0	\$0
Hi-Rise Building		\$145	\$150	\$5	3.47%	\$0	\$0
Hot Work Operations		\$145	\$150	\$5	3.47%	\$0	\$0
HPM Facilities		\$145	\$150	\$5	3.47%	\$0	\$0
Industrial Oven		\$145	\$150	\$5	3.47%	\$0	\$0
Institutional or Residential-Occupancy-Large	44	\$145	\$150	\$5	3.47%	\$221	\$6,600
Institutional or Residential-Occupancy-Small	32	\$145	\$150	\$5	3.47%	\$161	\$4,800
Large Family Daycare	39	\$145	\$150	\$5	3.47%	\$196	\$5,850
Liquid or Gas Fueled Vehicles or Equipment in Assemb		\$145	\$150	\$5	3.47%	\$0	\$0
Live Audiences (Theatrical)	21	\$145	\$150	\$5	3.47%	\$106	\$3,150
LP-Gas		\$145	\$150	\$5	3.47%	\$0	\$0
Lumber Yards and Wood Working Plants		\$145	\$150	\$5	3.47%	\$0	\$0
Magnesium		\$145	\$150	\$5	3.47%	\$0	\$0
Occupancy Permit	18	\$145	\$150	\$5	3.47%	\$91	\$2,700
Oil or Natural Gas Well		\$145	\$150	\$5	3.47%	\$0	\$0
Open Burning		\$145	\$150	\$5	3.47%	\$0	\$0
Open Flame Devices	19	\$145	\$150	\$5	3.47%	\$96	\$2,850
Open Flames and Candles		\$145	\$150	\$5	3.47%	\$0	\$0
Open Flames and Torches		\$145	\$150	\$5	3.47%	\$0	\$0
Organic Coatings		\$145	\$150	\$5	3.47%	\$0	\$0
Places of Assembly	32	\$145	\$150	\$5	3.47%	\$161	\$4,800
Private Fire Hydrants		\$145	\$150	\$5	3.47%	\$0	\$0
Production Facilities (Theatrical)		\$145	\$150	\$5	3.47%	\$0	\$0
Pyrotechnics Special Effects Material	7	\$145	\$150	\$5	3.47%	\$35	\$1,050
Pyrotechnics and Special Effects (Theatrical)		\$145	\$150	\$5	3.47%	\$0	\$0
Pyroxylin Plastics		\$145	\$150	\$5	3.47%	\$0	\$0
Refrigeration Equipment		\$145	\$150	\$5	3.47%	\$0	\$0
Repair Garages	1	\$145	\$150	\$5	3.47%	\$5	\$150
Rooftop Heliport		\$145	\$150	\$5	3.47%	\$0	\$0
Spraying or Dipping		\$145	\$150	\$5	3.47%	\$0	\$0
Storage of Scrap Tires and Tire Bi-products		\$145	\$150	\$5	3.47%	\$0	\$0
Temporary Membrane Structures and Tents	98	\$145	\$150	\$5	3.47%	\$493	\$14,700
Tire-rebuilding Plants		\$145	\$150	\$5	3.47%	\$0	\$0
Waste Handling		\$145	\$150	\$5	3.47%	\$0	\$0
Wood Products		\$145	\$150	\$5	3.47%	\$0	\$0

**DEPARTMENT OF FIRE AND EMERGENCY SERVICES
FIRE PREVENTION PROPOSED FEE AND REVENUE SUMMARY CHART**

Department of Fire and Emergency Services

Effective July 1, 2014

Administrative - Fire Prevention

Photocopies per copy	0	\$0.32	\$0.32	\$0	0.00%	\$0	\$0
Incident report	0	\$8	\$8	\$0	0.00%	\$0	\$0
Photo (3X5)		\$6	\$6	\$0	0.00%	\$0	\$0
Photo (8X10)		\$11	\$11	\$0	0.00%	\$0	\$0
File Search Fees Hourly Rate		\$95	\$95	\$0	0.00%	\$0	\$0
Quarter-hour minimum		\$24	\$24	\$0	0.00%	\$0	\$0
Other - weighted rate as billed							

Training

NFA Courses - weighted cost of instructor
SFM Courses - weighted cost of instructor
Other Courses/training - weighted cost of instructor

Equipment

Communications Vehicle- \$250.00/ day

Emergency Response

Miscellaneous - State OES rate
Contract aid (CDF, NPS, BLM, USFS, OES) - State OES rate

Total Increase Due to Rate Increases

\$30,776 \$918,225

**HAZARDOUS MATERIALS
CUPA FEE AND REVENUE SUMMARY CHART
(Department of Fire and Emergency Services and Agricultural Commissioner's Office)
Effective July 1, 2014**

TYPE OF FEE**Small Quantity Generator Permits**

Hourly Rate (as applicable)	\$101
>325 gal/yr to <5 tons/yr w/srce red./recycl.	\$244
>325 gal/yr to <5 tons/yr w/o srce red./recycl.	\$304
<325 gal/yr	\$157
Recyclable	
<5 gal/Mo	\$114

Treatment Permits \$286

Large Quantity Generator Permits

Hourly Rate (as applicable)	\$101
5 to <25 tons/yr	\$857
25 to 250 tons/yr	\$1,291
250 to <500 tons/yr	\$2,554
>500 tons/yr	\$7,047

Waste Oil Only

> 5 tons/yr	\$818
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Hazmat Business Plans

Range 1	\$101
Range 2	\$471
Range 3	\$684
Range 4	\$1,077
Range 5	\$1,405

Remote, Unstaffed Sites - One Time Fee \$251

Restaurants >1000 SCF CO₂ \$316

Accidental Release Plan - \$684

Aboveground Petroleum Storage Tanks

Hourly Rate	
Tier 1 Facility	\$210
Tier 2 Facility	\$422
Tier 3 Facility	\$843
Tank Closure Permit	\$394
Each addn'l tank	\$101

Technology Fee \$25

**HAZARDOUS MATERIALS
CUPA FEE AND REVENUE SUMMARY CHART**

(Department of Fire and Emergency Services and Agricultural Commissioner's Office)

Effective July 1, 2014

TYPE OF FEE**Agricultural Facilities**

HazMat Business Plan Program (Range 6)	\$126
HazMat Business Plan Program > 1,210 gal (Rg.7)	\$201
Hawst>325 gal/yr to <5 tons/yr w/ source reduction/recycl.	\$182
Hawst <325 gal/yr	\$118
Hawst Recyclable: < 5 gal/mo, exempt	\$0

Underground Storage Tank Fees:

Hourly Rate	\$101
UST Facility	\$1,331
Each Additional UST	\$778
Plan Check and New Inspection	\$1,527
Ea.additional tank	\$215
Repair Permit	\$508
Ea.additional tank	\$133
Cold Start Permit	\$197
Tank Closure Permit	\$1,154
Ea.additional tank	\$361
Plan check resubmittal-Hourly rate	\$101
Temporary closure (per site)	\$571
Violation Reinspection	\$101
Transfer of Ownership/Permit Alteration	\$101
Precision Tank Test Permit (per facility)	\$101
ELD Test Permit	\$481
Ea. Additional UST	\$101

Emergency Response

Emergency Responder, Hourly Rate	\$101
Emergency Responder, After Hours Rate	\$152
Hazmat Response Vehicle, Hourly Rate	\$145
Hazmat Response Truck, Hourly Rate	\$26
Hazmat Response Trailer, Hourly Rate	\$15

(2 Hour Minimums on Emergency Response)**Administrative**

Photocopies per copy	\$0.32
File Search Fees Hourly Rate	\$101
Quarter-hr minimum	\$25
Computer printouts per page	\$0.32

**DEPARTMENT OF FIRE AND EMERGENCY SERVICES
FIRE PREVENTION FEE AND REVENUE SUMMARY CHART**

Department of Fire and Emergency Services

Effective July 1, 2014

Plan Review/Inspection (all 2hr min)

Hourly Rate (misc)	\$179
Parcel Maps/Use Permits, 2hr min +hrly rate	\$179
Minor Subdivision	\$179
Major Subdivision	\$179
Commercial Building Permit	\$179
Other Building Permit	\$179
NFPA 13D Sprinklers (residential)	\$179
NFPA 13/13R Sprinklers (commercial)	\$179
Fire Alarm System	\$179
High Haz/Vegetation Mgmt./ Misc	\$179
** Fire Safe Standards (0120)	\$179
** Fire Safe Standards (0121) /Referral Fee	\$179
Pre-application Meeting Consultation	\$179

Justification:

The fire districts that contract with the County will be consistent with this fee schedule.

- ** These fees are for costs associated with Fire Services Positions assigned to PRMD.
A minimum of two hours is required for Plan Check and a minimum of two hours is required to perform each requested field inspection.
New Subdivision inspections: Fees may be reduced for multiple similar fire inspections conducted at the same inspection visit. Contact Fire Marshal for additional information.

Special On-Site Inspection	\$179
On-Site Inspection (after hours)	\$269
Project Consultation/Mitigations	\$179
Title 19 SFM Clearance (day care, hospital, etc.)	\$150
Fire Inspections to Contract Fire Districts	\$150
Fire Investigations to Contract Fire Districts*	\$150
Fire Investigations (after hours)*	\$225
Fire Protection Engineer Services	
Outside Consulting Services	

*Note: Failure to secure a required Fire Services permit before starting work shall increase the cost of said permit to twice its original fee

Fire Code Operational Permits* (flat rate, annual, or one-time hourly)

Amusement Building	\$150
Apartment, Hotel or Motel	\$150
Aviation Facility	\$150
Bonfire or Rubbish Fires	\$150
Carnivals, Fairs or similar special events	\$150
Cellulose Nitrate Film	\$150
Combustible Dust-producing Operations	\$150
Combustible Fibers	\$150
Compressed Gasses	\$150
Covered Mall Buildings	\$150
Cryogenic Fluids	\$150
Cutting and Welding	\$150
Dry Cleaning Plants	\$150

**DEPARTMENT OF FIRE AND EMERGENCY SERVICES
FIRE PREVENTION FEE AND REVENUE SUMMARY CHART**

Department of Fire and Emergency Services

Effective July 1, 2014

Fire Code Operational Permits Continued* (flat rate, annual, or one-time hourly)

Excavation Near Flamable or Combustible Liquid Pipeline	\$150
Exhibits and Trade Shows	\$150
Explosives	\$150
Fire Protection Systems	\$150
Flamible and Combustible Liquids	\$150
Floor Finishing	\$150
Fruit and Crop Ripening	\$150
Fumigation and Thermal Insecticidal Fogging	\$150
Hazardous Materials	\$150
High-piled Storage	\$150
Hi-Rise Building	\$150
Hot Work Operations	\$150
HPM Facilities	\$150
Industrial Oven	\$150
Institutional or Residential-Occupancy-Large	\$150
Institutional or Residential-Occupancy-Small	\$150
Large Family Daycare	\$150
Liquid or Gas Fueled Vehicles or Equipment in Assembly Buildi	\$150
Live Audiences (Theatrical)	\$150
LP-Gas	\$150
Lumber Yards and Wood Working Plants	\$150
Magnesium	\$150
Occupancy Permit	\$150
Oil or Natural Gas Well	\$150
Open Burning	\$150
Open Flame Devices	\$150
Open Flames and Candles	\$150
Open Flames and Torches	\$150
Organic Coatings	\$150
Places of Assembly	\$150
Private Fire Hydrants	\$150
Production Facilities (Theatrical)	\$150
Pyrotechnics Special Effects Material	\$150
Pyrotechnics and Special Effects (Theatrical)	\$150
Pyroxylin Plastics	\$150
Refrigeration Equipment	\$150
Repair Garages	\$150
Rooftop Heliport	\$150
Spraying or Dipping	\$150
Storage of Scrap Tires and Tire Bi-products	\$150
Temporary Membrane Structures and Tents	\$150
Tire-rebuilding Plants	\$150
Waste Handling	\$150
Wood Products	\$150

**DEPARTMENT OF FIRE AND EMERGENCY SERVICES
FIRE PREVENTION FEE AND REVENUE SUMMARY CHART**

Department of Fire and Emergency Services

Effective July 1, 2014

Administrative - Fire Prevention

Photocopies per copy	\$0.32
Incident report	\$8
Photo (3X5)	\$6
Photo (8X10)	\$11
File Search Fees Hourly Rate	\$95
Quarter-hour minimum	\$24
Other - weighted rate as billed	

Training

- NFA Courses - weighted cost of instructor
- SFM Courses - weighted cost of instructor
- Other Courses/training - weighted cost of instructor

Equipment

- Communications Vehicle- \$250.00/ day

Emergency Response

- Miscellaneous - State OES rate
- Contract aid (CDF, NPS, BLM, USFS, OES) - State OES rate



County of Sonoma Agenda Item Summary Report

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

Agenda Item Number: 51
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors of Sonoma County

Board Agenda Date: April 22, 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: Health Services Fees

Recommended Actions:

Adopt a Resolution establishing new and amended fees to recover the reasonable cost of providing health services for the Department of Health Services effective July 1, 2014.

Executive Summary:

The Department of Health Services (DHS) is proposing new and amended fees for health services permits and licenses. The Board of Supervisors is authorized to establish fees to recover the reasonable cost of providing certain services. Fees are imposed for a specific benefit conferred or service provided directly to the payor that is not provided to those not charged, and which do not exceed the reasonable costs to provide the benefit or service. Fees are also imposed for reasonable regulatory costs including enforcement inspections, investigations, and audits.

In addition, DHS provides information on plans to improve productivity, efficiency, customer service, and expected outcomes, and a summary of the results from previously implemented improvement plans.

Environmental Health and Safety Services Fees

Environmental Health and Safety Services (EHSS) programs promote health and quality of life by preventing or controlling those diseases that result from interactions between people and the places they live, work, and play. EHSS programs employ several strategies to prevent health hazards including education, trend surveillance and analysis, routine inspections, response to citizen complaints, sampling and posting, and enforcement where necessary. Fees and grants provide the funding for EHSS program costs. Fees are based on the actual cost to provide services, including labor and supplies, as determined by time/task analyses.

Food Safety Program Consultation and Hearing Services (New Fees)

DHS recommends establishing new fees for two services currently provided by Environmental Health and Safety Services - office hearings and consultation services. Office hearings provide an opportunity

for operators of non-compliant facilities (i.e., facilities with on-going violations and permit suspensions) to meet with DHS staff and develop a plan to achieve compliance and avoid permit revocation. Both on and off site consultations are an extra service available to operators seeking further direction regarding enhanced operation of their facility. DHS staff perform site visits, detailed review of facility operations, and assist operators in establishing a plan for continued success in meeting regulatory requirements. This fee is being established so that payment for these optional and enforcement services is the responsibility of those requesting the service. The fee for these services will be the current established hourly rate of \$139. Additional revenue of \$556 is estimated.

Food Safety Program Bare Hand Contact Exemption

Since January 1, 2014 DHS has been providing information and education to food facility operators regarding the implementation of California Retail Food Code (CalCode; Health and Safety Code, § 113700 et seq.) Section 113961, which prohibits food employees from having contact with exposed, ready-to-eat food with their bare hands, with enforcement to begin July 1, 2014. Food employees not serving a highly susceptible population (as defined in CalCode § 113806) may contact exposed, ready-to-eat food with their bare hands if the food facility permit holder submits a sanitation plan and obtains prior approval from DHS. The proposed DHS Bare Hand Contact Exemption approval includes review of proposed procedures, proper handwashing practices, employee health policy, and documented employee training. The \$278 Bare Hand Contact Exemption fee, based on two hours of staff time, is proposed to provide services to conduct this evaluation and review while ensuring compliance during site visits. Additional revenue of \$1,390 is estimated.

The overall increase in revenue for FY 14-15 Environmental Health and Safety Services is estimated at \$1,946.

Food Safety Program Categories and Language Cleanup

In addition to the above EHSS fee changes, DHS is proposing to rename and redefine food categories to align with the Food and Drug Administration's best practice model and also to enhance public understanding of fee requirements. These changes do not affect current fees and revenues.

Productivity, Efficiency and Customer Service Improvement Plan for Environmental Health and Safety

- Develop an implementation plan for updating and modernization of the Food Safety program over the next several years to expand community awareness and increase accessibility of food safety education including community outreach, program redevelopment, fee analysis, grading/placarding analysis, industry advisory groups, website development, and social media resources.
- Conduct outreach to the community and internal staff training to prepare for the implementation of a regionalized grading/placarding program to be implemented in 2015.
- Expand utilization of EnvisionConnect, the environmental health inspection tracking and accounting software, to maximize business process efficiencies and data reporting capabilities.
- Implement an electronic data management system, linking with Envision Connect, and beginning integration of remote capabilities for field inspections.
- Evaluate and restructure programs to enhance workflows, increase community engagement, establish industry advisory groups, and inform and educate the public.
- Implement new food safety program category name and language cleanup changes.

Summary of Expected Results

- Increased awareness and engagement throughout the community of the Environmental Health and

Safety programs and services provided.

- A sustainable budget based on accountability, efficiency, and maximum productivity throughout all Environmental Health and Safety workflows.
- Increased efficiency throughout the programs, workflows, and accounts.

Summary of Results of Prior Year Plan

- Developed grant, workload, fee, and budgeting status reports to support effective budget management and duty assignments.
- Utilized Envision Connect software to increase efficiencies, provide data resources, and minimize duplication.
- Created and implemented a freshwater bathing program that utilizes a “stop light” permanent signage approach to communicate clear and timely information to the community.
- Implemented a data workflow mapping project to identify current workflow inconsistencies and identify areas for quality improvement, trustworthy data collection, and workplace efficiencies.

Public Health Laboratory Services Fees

The Public Health Laboratory provides clinical, environmental, and rabies testing. These tests aid doctors, hospitals, acute care facilities, environmental health agencies, and Sonoma County Animal Care and Control in diagnosing and performing enforcement duties. The Laboratory serves a regional role providing the same services to Mendocino County. In addition, the Laboratory Director serves as the Director of the Humboldt County Public Health Laboratory.

- **Anaplasma Phagocytophilum (HE) IFA** - This test looks for antibody evidence of a specific tick-borne disease called Anaplasma Phagocytophilum. The fee increase of \$5.00 will cover the increase in reagent (chemical substance) costs and will bring the fee in line with other tick borne disease tests at \$45.
- **Ehrlichia Chaffeensis (HME) IFA** - This test looks for antibody evidence of a specific tick-borne disease called Ehrlichia Chaffeensis. The fee increase of \$5.00 will cover the increase in reagent costs and will bring the fee in line with other tick borne disease tests at \$45.
- **Rickettsia typhi IFA** - This test looks for antibody evidence of a specific tick-borne disease called Rickettsia typhi. The fee increase of \$5.00 will cover the increase in reagent costs and will bring the fee in line with other tick borne disease tests at \$45.
- **Rickettsia rickettsii (364D) IFA** - This test looks for antibody evidence of a specific tick-borne disease called Rickettsia rickettsia. The fee increase of \$5.00 will cover the increase in reagent costs and will bring the fee in line with other tick borne disease tests at \$45.

The overall increase in revenue for FY 14-15 Public Health Laboratory Services is estimated at \$1,200.

Productivity, Efficiency and Customer Service Improvement Plan for Public Health Laboratory

- Implement full electronic reporting (via Redwood Med-Net) to all hospital customers in the three-county region of Sonoma, Mendocino, and Lake. This will allow our hospital partners to seamlessly download results directly into their electronic health records (EHR).
- Implement nitrate testing program to provide testing services to municipal well and commercial customers and to residents with wells.

Summary of Expected Results

- The increase in fees will offset a 30 percent increase in reagent costs for these tests. This increase

will also give us a uniform fee for all the tick-borne disease IFA tests.

Summary of Results of Prior Year Plan

- Added web-reporting for all routine clients, allowing customers to get an electronic PDF of their results in real time.
- Due to a technical staff shortage during FY 13-14, the lab was unable to launch the nitrate testing program, however, as indicated above, the Department plans to be able to implement this program in FY 14/15.

Animal Care and Control Services Fees

Sonoma County Animal Care and Control (ACC) provides sheltering and field services to areas within their jurisdiction, including unincorporated areas of the County, the city of Santa Rosa, and the town of Windsor. ACC is also responsible for rabies control for the entire County. The ACC service area is comprised of approximately 1,575 square miles with nearly 500,000 residents and includes an animal shelter that serves nearly 5,000 animals annually.

Owner Surrender Fees

Managing animal intake is an integral component of the ACC mission to educate the public about responsible pet ownership and at the same time reduce the number of unwanted animals in Sonoma County. Owners seeking to surrender their pets meet with shelter animal care staff who offer alternatives to surrendering their pet and resources to assist with behavior issues or concerns. The October 2013 implementation of owner surrender appointments and counseling prior to surrender has resulted in a promising trend toward decreased owner surrenders. This early trend supports the target of reducing the number of animals surrendered by owners from 1,244 in FY 12-13 to approximately 800 in FY 13-14 (35% decrease).

Although jurisdictions are not mandated by state law to shelter surrendered pets, if the owner makes the ultimate decision to surrender their pet, ACC will accept the animal into the shelter for a fee. DHS is proposing owner surrender fee increases to recover a larger percentage of the actual costs of providing care for animals surrendered to the shelter. Costs may include, but are not limited to, veterinary examination and treatment, vaccinations, spay/neuter surgery, temperament assessment, food, and clean, warm shelter while the animal is prepared for adoption into its new home.

DHS evaluated owner surrender fees based on a time/task analysis using FY 12-13 costs and data to determine full cost recovery. DHS requests increasing fees to recover a greater portion of the cost of providing this service, but does not recommend full-cost recovery because of the possible unintended side effect of animal abandonment due to the expense of the surrender fee. Recovering these costs will improve sustainability of the animal shelter system, support community understanding of responsible pet ownership, and give the former owner the opportunity to give their pet the best chance for a secure future and forever home.

DHS will continue to gather data for owner surrender of animals and return to the Board in future years with fee increases to recover a larger percentage of the full costs of delivering this optional service.

- **Owner Surrender (in jurisdiction)** - DHS proposes increasing the owner surrender fee for dogs, cats, litters, livestock and birds from \$34 to \$50. The increase of \$16, or 47 percent, will recover a larger portion (27%) of the full cost of recovery (\$187) of providing care for surrendered animals. Additional revenue of \$5,904 is estimated.

- **Owner Surrender (out of jurisdiction)** - DHS proposes increasing the owner surrender fee for dogs, cats, litters, livestock, and birds from \$68 to \$100. The increase of \$32, or 47 percent, will recover a larger portion (53%) of the full cost of recovery (\$187) of providing care for surrendered animals. Additional revenue of \$1,152 is estimated.

Vaccination Fees

To ensure that impounded animals are protected against communicable diseases while in the shelter, ACC must vaccinate every stray dog brought into the shelter against bordatella and DHLPP (distemper, hepatitis, leptospirosis, parainfluenza, and parvo virus). Stray cats are vaccinated against feline viral rhinotrachitis, calici virus, and panleukopenia (FVRCP). Owners are charged for the vaccinations when the animals are reclaimed from the shelter. ACC also offers rabies vaccinations at time of reclaim if a veterinarian is on the premises.

DHS evaluated vaccination fees based on a time/task analysis using FY 12-13 costs and data to determine full cost recovery. Analysis supports fee increases consistent with 100 percent cost recovery for bordatella, DHLPP, and FVRCP vaccinations, and 87 percent for rabies. With these increases, fees remain within the \$10-\$22 range for comparable counties, and within the pricing structure of local low-cost vaccination clinics.

- **Rabies Vaccine** - DHS proposes increasing the rabies vaccine fee from \$11.50 to \$18.00. The increase of \$6.50, or 56.5 percent, will recover a larger portion (87%) of the reasonable cost (\$21.50) of providing the vaccine. Additional revenue of \$546 is estimated.
- **DHLPP Vaccine** - DHS proposes increasing the DHLPP vaccine fee from \$11.50 to \$21.50. The increase of \$10, or 87 percent, will recover 100 percent of the reasonable cost of providing the vaccine. Additional revenue of \$4,850 is estimated.
- **Bordatella Vaccine** - DHS proposes increasing the bordatella vaccine fee from \$11.50 to \$21.50. The increase of \$10, or 87 percent, will recover 100 percent of the reasonable cost of providing the vaccine. Additional revenue of \$4,850 is estimated.
- **FVRCP Vaccine** - DHS proposes increasing the FVRCP vaccine fee from \$11.50 to \$21.50. The increase of \$10, or 87 percent, will recover 100 percent of the reasonable cost of providing the vaccine. Few FVRCP vaccines are given because most strays impounded at the shelter are dogs. The fee change is requested to maintain consistency with the other vaccine fees. Additional revenue of \$100 is estimated.

License Fees

- **Late License Penalty** - DHS is proposing to enhance public understanding of the license penalty fee by renaming the "Expired License Penalty" to "Late License Penalty." The name change will clarify that the fee may be applied when a dog owner does not obtain a license within 30 days of vaccinating their new pet for rabies. The fee is also applied to renewals when a license has expired. The fee of \$40 remains unchanged. Additionally, effective July 1, 2014, assessment of the one-time Late License Penalty fee will replace the per year assessment of a penalty for each year of license delinquency. The dog owner will still be responsible for payment of the actual license fees in arrears, but will no longer be required to pay penalty fees in arrears.

The overall increase in revenue for FY 14-15 Animal Care and Control Services is estimated at \$17,402.

Productivity, Efficiency and Customer Service Improvement Plan for Animal Care and Control

- Improve customer service by providing pet retention or re-homing counseling.

- Reduce the number of unwanted animals by increasing support to pet owners.
- Improve the shelter environment by focusing resources on the neediest animals, those without other home options.
- Increase owner awareness of vaccines necessary for a healthy pet.
- Improve licensing efficiency and compliance by simplifying penalty fee assessment.
- Develop a fee reduction policy for low income clients.

Summary of Expected Results

- A decrease of 10-15 percent in animal surrenders.
- Increased cost recovery for vaccination of stray animals.
- Caring for fewer surrendered animals will result in more staff time to work with stray animals on behavior issues with the goal of improving adoptability.

Summary of Results of Prior Year Plan

- DHS has improved customer service with the October 2013 implementation of online dog licensing, which is now available to Santa Rosa, Windsor, and unincorporated County residents. DHS is monitoring online licensing data to determine how this new service impacts license compliance.
- Improving compliance with mandated veterinarian reporting of rabies vaccinations continues to be a primary strategy to increase licensing compliance and rabies control. DHS is conducting outreach to the Redwood Empire Veterinary Medical Association and Sonoma County veterinarians to reiterate the mandate and encourage compliance with vaccination reporting.
- During its first year of operation in 2013, the mobile spay/neuter program called "Love Me Fix Me" provided over 2,400 affordable spay/neuter services to underserved populations with the goal of reducing the number of future homeless animals.

Behavioral Health Services Fees

California Welfare and Institutions Code Section 5700 et seq. provides the authority for counties to charge fees for mental health services. The County is responsible for the provision of mental health services to Medi-Cal beneficiaries residing in Sonoma County and individuals that require psychiatric emergency services. Services are billed to Medi-Cal, Medicare, private insurance, and private pay clients. Mental health services include crisis intervention, crisis stabilization, medication support, individual and group therapy, and case management. The majority of these services are provided to Medi-Cal eligible clients, therefore reimbursement is provided by two revenue sources: Federal Medicaid and Mental Health Realignment funds. Services billed to Medicare and private insurance are reimbursed based on established rate schedules of the payor. Charges to private pay clients may be reduced based on a financial assessment to determine ability to pay. Total cost of services provided in FY 11-12 was \$44,495,048.

Each year, the Behavioral Health Division prepares an annual cost report to document the actual cost of providing mental health services. Based on the FY 11-12 cost report, it was determined that Behavioral Health Division fees were approximately 12 percent below the actual cost of providing these services. Therefore, the proposed fees for FY 14-15 reflect the cost for each unit of service based on the actual cost as documented in the FY 12-13 cost report. If the proposed fees are not approved, the Department cannot recover the cost of providing services in accordance with federal and state Medicaid funding agreements. The continued use of additional funding sources, such as Realignment, will be necessary to cover costs. Behavioral Health fees were last adjusted in FY 09-10 with an increase of six percent.

DHS proposes to rename the “Consultation” fee category to “Professional Fees” to more accurately reference the services and also to eliminate the “Other Licensed Professional” fee, which is for services no longer provided. The published fee for psychiatrist services will increase from \$140 to \$150 (7% increase). This fee represents the actual cost of the services provided. The new published fee will allow for reimbursement sufficient to cover the cost.

The overall increase in revenue for FY 14-15 Behavioral Health Services is estimated at \$4,081,318.

Productivity, Efficiency, and Customer Service Plan for Behavioral Health Services

- Review and monitor the payer status of all Behavioral Health Division clients to identify those with private insurance as primary payer and if eligible bill private insurance accordingly.
- Based upon the service needs of the client, if a lower level of services are indicated, Behavioral Health Division staff will work with the client to transition to a service provider contracted with their insurance company, and/or work with the payer to assure maximum reimbursement for services provided.
- Monitor staff direct services hours; provide training and supervision to assist staff to maximize direct service hours.

Summary of Expected Results

- Private insurance companies will reimburse the Behavioral Health Division for services.
- Proposed fees allow the County to ensure maximum reimbursement of costs.

Results of Prior Year

- For those privately insured clients seeking services from the Behavioral Health Division, charges are being submitted to insurance companies and payment pursued.
- In an effort to streamline and improve the efficiency of claiming, a new Electronic Health Care application (AVATAR) has been implemented by the Behavioral Health Division.
- Staff direct service hours have remained consistent since FY 09-10, but are expected to increase in 2014 due to the Affordable Care Act. Managers will continue to monitor direct service productivity and, as a result of the Behavioral Health Division’s AVATAR implementation, will have greater access to real-time data which will be used to manage productivity as well as set productivity goals for each program.

The Department’s estimated overall increase in revenue for FY 14-15, based on current utilization management data, is \$4,101,866.

Prior Board Actions:

On April 23, 2013 the Board adopted a resolution adopting new and amended fees effective July 1, 2013 to recover the reasonable cost of providing public health services. On April 21, 2009 the Board adopted a Resolution adopting new and amended fees effective July 1, 2009 to recover the reasonable cost of providing public and mental health services.

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

Recovering the reasonable costs of providing health services helps to ensure quality services are provided to the community.

Fiscal Summary - FY 13-14			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 0	County General Fund	\$ 0
Add Appropriations Req'd.	\$ 0	State/Federal	\$ 0
	\$	Fees/Other	\$ 0
	\$	Use of Fund Balance	\$ 0
	\$	Contingencies	\$ 0
	\$		\$
Total Expenditure	\$ 0	Total Sources	\$ 0
Narrative Explanation of Fiscal Impacts (If Required):			
The total revenue increase being proposed to cover the cost of health services in FY 14-15 is \$4,101,866.			
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:			
Resolution, Fee and Revenue Summary Chart			
Related Items "On File" with the Clerk of the Board:			
None			



County of Sonoma

State of California

Date: April 22, 2014

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Adopting New and Amended Fees Effective July 1, 2014 to Recover the Reasonable Cost of Providing Health Services.

Whereas, the Board of Supervisors is authorized to establish fees to recover the reasonable cost of providing certain Health services.

Now, Therefore, Be It Resolved that to recover the reasonable cost of providing certain health services, it is necessary to increase certain fees and establish certain new fees as set forth below.

Be It Further Resolved, based on information presented to this Board, this Board finds that the proposed fees comply with all legal requirements, including Art. XIII C of the California Constitution.

Be It Further Resolved, that in all other respects, Resolution No. 09-0364 setting behavioral health fees effective as of July 1, 2009, and any fee modifications established by subsequent resolution shall remain in full force and effect.

Be It Further Resolved that in all other respects, Resolution No. 13-0158 setting public health fees effective as of July 1, 2013, and any fee modifications established by subsequent resolution, shall remain in full force and effect.

Be It Further Resolved that if any section, subsection, sentence, clause or phrase of this resolution is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portion of this resolution.

Be It Further Resolved that the following increased fees and new fees for health services are hereby adopted effective July 1, 2014.

Environmental Health and Safety	
Food Safety Program	
Office Hearing (+ hourly rate after 1 hour)	\$139.00
Consultation Services (+ hourly rate after 1 hour)	\$139.00
Bare Hand Contact (Cal Code 113961) Exemption	\$278.00
Public Health Laboratory Fees	
Anaplasma Phagocytophilum (HE) IFA	\$45.00
Ehrlichia Chaffeensis (HME) IFA	\$45.00
Rickettsia typhi IFA	\$45.00
Rickettsia rickettsii (364D) IFA	\$45.00
Animal Care and Control Fees	
Owner Surrender Fees	
Owner Surrender (Dog, Cat, Litters, Livestock, Birds)	\$50.00
Out of County (Non-Contract City Residents)	\$100.00
Vaccination/Testing/Microchipping Fees	
Rabies Vaccine	\$18.00
DHLPP (Distemper, Hepatitis, Leptospirosis, Parainfluenza, Parvo Virus Vaccines)	\$21.50
Bordatella (injectable)	\$21.50
FVRCP (Feline Viral Rhinotracheitis, Calici Virus, Panleukopenia Vaccines)	\$21.50
Behavioral Health Services	
Mental Health Outpatient Services	
Collateral (hourly)	\$205.20
Group - Therapy or Rehabilitation (hourly)	\$205.20
Assessment & Testing (hourly)	\$205.20
Individual - Therapy or Rehabilitation (hourly)	\$205.20
Plan Development (hourly)	\$205.20
Other Services	
Crisis Intervention (hourly)	\$299.40
Crisis Stabilization (hourly)	\$70.00
Medication Support (hourly)	\$372.00
Case Management/Brokerage (hourly)	\$159.00
Professional Fees	
Psychiatrist – Initial Consultation (hourly)	\$150.00
Psychiatrist – Subsequent Encounter (hourly)	\$150.00

Supervisors:

Gorin: Zane: McGuire: Carrillo: Rabbitt:

Ayes: Noes: Absent: Abstain:

So Ordered.

Fee Description	FY 14-15 Budget Units	FY 13-14 Rate	FY 14-15 Proposed Rate	Rate Dollar Change	Rate % Change	Revenue Inc/(Dec) Due To Rate Change
ENVIRONMENTAL HEALTH AND SAFETY						
1. Food Safety Facilities¹						
a. Food Establishment - Prepackaged non-PHF - No Preparation ²						
1. Food - Pre-Packaged non PHF - No Preparation ²	110	93.00	93.00	0.00	0.00%	0.00
2. Food - Prepkg Non-Pot Haz- School - 1 insp/year - No Preparation ²	2	93.00	93.00	0.00	0.00%	0.00
3. Food - Prepkg Non-Pot Haz- School - 2 insp/year - No Preparation ²	0	160.00	160.00	0.00	0.00%	0.00
b. Food Establishment - Minimal or No Preparation Risk ²						
1. Food - Minimal or No Preparation Risk ²	442	362.00	362.00	0.00	0.00%	0.00
2. Food - Minimal or No Preparation Risk- Caterer Rental Kitchen/Out of County Commissary ²	0	362.00	362.00	0.00	0.00%	0.00
3. Food - Minimal or No Preparation Risk - School - 1 insp/year ²	7	362.00	362.00	0.00	0.00%	0.00
4. Food - Minimal or No Preparation Risk - School - 2 insp/year ²	8	467.00	467.00	0.00	0.00%	0.00
c. Food Establishment - Moderate Preparation Risk ²						
1. Food - Moderate Preparation Risk ²	747	1,002.00	1,002.00	0.00	0.00%	0.00
2. Food - Moderate Preparation Risk - Seasonal ²	12	843.00	843.00	0.00	0.00%	0.00
3. Food - Moderate Preparation Risk - Caterer Using Rental Kitchen ²	11	843.00	843.00	0.00	0.00%	0.00
4. Food - Moderate Preparation Risk- School - 1 insp/year ²	23	869.00	869.00	0.00	0.00%	0.00
5. Food - Moderate Preparation Risk - School - 2 insp/year ²	50	976.00	976.00	0.00	0.00%	0.00
d. Food Establishment - Extensive Preparation High Risk ²						
1. Food - Extensive Preparation High Risk ²	912	1,123.00	1,123.00	0.00	0.00%	0.00
2. Food - Extensive Preparation High Risk - Seasonal ²	24	909.00	909.00	0.00	0.00%	0.00
3. Food - Extensive Preparation High Risk - Caterer Using Rental Kitchen ²	37	843.00	843.00	0.00	0.00%	0.00
4. Food - Extensive Preparation High Risk - Rental Kitchen ²	27	869.00	869.00	0.00	0.00%	0.00
5. Food - Extensive Preparation High Risk - School - 1 insp/year ²	10	909.00	909.00	0.00	0.00%	0.00
6. Food - Extensive Preparation High Risk - School - 2 insp/year ²	9	1,057.00	1,057.00	0.00	0.00%	0.00
e. Certified Farmers Market						
1. Certified Farmers Market -single site ³	21	206.00	206.00	0.00	0.00%	0.00
2. Certified Farmers Market -multiple sites³	0	1,643.00	1,643.00	0.00	0.00%	0.00
f. Bed & Breakfast/Ag Homestay						
1. Bed & Breakfast/Ag Homestay	47	495.00	495.00	0.00	0.00%	0.00
g. Mobile Food Preparation Unit⁴						
g. Vending Machine						
1. Vending Machine	37	14.00	14.00	0.00	0.00%	0.00

Fee Description	FY 14-15 Budget Units	FY 13-14 Rate	FY 14-15 Proposed Rate	Rate Dollar Change	Rate % Change	Revenue Inc/(Dec) Due To Rate Change
h. Temporary Food Facility— Annual Minimal risk ⁵						
1. Temporary Food Facility - Pre-packaged/non-PHF - Annual ^{5,6}	23	89.00	89.00	0.00	0.00%	0.00
2. Temporary Food Facility - Minimal Preparation - Annual Risk ^{5,6}	241	188.00	188.00	0.00	0.00%	0.00
j. Temporary Food Facility - Moderate Risk ^{5,6}						
3. Temporary Food Facility - Moderate Preparation - Annual Risk ^{5,6}	411	455.00	455.00	0.00	0.00%	0.00
i. Temporary Food Facility - 5 Days or Less Occasional Event Facility - Minimal Risk ⁵						
1. Temporary Food Facility - Minimal Preparation - 5 Days or Less Occasional Event ^{5,6}	99	68.00	68.00	0.00	0.00%	0.00
n. Occasional Event Facility - Moderate Risk ⁵						
2. Temporary Food Facility - Moderate Preparation Occasional Event - 5 Days or Less ^{5,6}	100	286.00	286.00	0.00	0.00%	0.00
j. Swap Meet/Community Events						
1. Prepackaged Farm Stand	0	89.00	89.00	0.00	0.00%	0.00
2. Community Event/Swap Meet Organizer 2 - 5 vendors	17	139.00	139.00	0.00	0.00%	0.00
3. Community Event/Swap Meet Organizer 6 or More Vendors	50	277.00	277.00	0.00	0.00%	0.00
k. Mobile Food Facility						
1. Mobile Food Facility - Minimal or No Preparation Risk Pre-Packaged non-PHF ⁷	47	94.00	94.00	0.00	0.00%	0.00
2. Mobile Food Facility - Moderate Preparation ⁷	67	374.00	374.00	0.00	0.00%	0.00
3. Mobile Food Facility - Extensive Preparation Unit ⁷	58	535.00	535.00	0.00	0.00%	0.00
l. Satellite Food Distribution Facility						
1. Satellite Food Dist/Summer Food Program Sites	10	535.00	535.00	0.00	0.00%	0.00
2. Satellite Food Dist - School -1 insp/year	7	535.00	535.00	0.00	0.00%	0.00
3. Satellite Food Dist - School -2 insp/year	5	695.00	695.00	0.00	0.00%	0.00
m. Multiple Units						
1. Multiple Unit at Food Facility	595	170.00	170.00	0.00	0.00%	0.00
n. Plan Checks						
1. Remodel (+ hourly rate after 1 hour)	85	139.00	139.00	0.00	0.00%	0.00
2. New Construction/major remodel (+ hourly rate after 4 hours)	67	556.00	556.00	0.00	0.00%	0.00
3. Site Reviews	27	281.00	281.00	0.00	0.00%	0.00
4. Counter Clearance	4	46.00	46.00	0.00	0.00%	0.00
o. Food Safety Manager Handler Class ⁸						
1. Food Safety Manager Handler Certification Class and Test (English) ^{8,9}	250	134.00	134.00	0.00	0.00%	4,958.00
2. Food Handler Certification Class and Test (Spanish) ^{8,9}	37	134.00	134.00	0.00	0.00%	(4,958.00)
2. Food Safety Manager Handler Certification Test Only ^{8,10}	38	53.00	53.00	0.00	0.00%	742.00
4. Food Handler Certification Retest ¹⁰	14	53.00	53.00	0.00	0.00%	(742.00)

Health Services - Fee and Revenue Summary Chart

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Fee Description	FY 14-15 Budget Units	FY 13-14 Rate	FY 14-15 Proposed Rate	Rate Dollar Change	Rate % Change	Revenue Inc/(Dec) Due To Rate Change
3. Food Safety Manager Handler Class Cancellation ⁸	3	20.00	20.00	0.00	0.00%	0.00
4. Food Safety Manager Handler Certification Class Book ⁸	3	24.00	24.00	0.00	0.00%	0.00
5. Environmental Health Class (+ hourly rate after 2 hours)	0	278.00	278.00	0.00	0.00%	0.00
p. Cottage Food Operations						
1. Class A Cottage Food Operations	50	139.00	139.00	0.00	0.00%	0.00
2. Class B Cottage Food Operations	40	348.00	348.00	0.00	0.00%	0.00
q. Violation reinspection (hourly rate)	60	139.00	139.00	0.00	0.00%	0.00
r. Office Hearing (+ hourly rate after 1 hour) ¹¹	2	0.00	139.00	139.00	100.00%	278.00
s. Consultation Services - (+ hourly rate after 1 hour) ¹²	2	0.00	139.00	139.00	100.00%	278.00
t. Bare Hand Contact (CalCode, Section 113961) Exemption ¹³	5	0.00	278.00	278.00	100.00%	1,390.00
u. Late Payment Penalty - 25% of invoice balance after 30 days past due; 25% of invoice balance at 60 days past due.	0	0.00	0.00	0.00	0.00%	0.00
v. Hourly Rate	55	139.00	139.00	0.00	0.00%	0.00
w. Late Application Fee (25% of annual permit fee) - Applications received less than 2 weeks prior to event for mobile food preparation units, mobile food facilities, occasional events, temporary events, swap meets and community events	0					0.00
x. Veteran's Exemption - Fee Waiver as required through Business and Professions Code section 16102	0	0.00	0.00	0.00	0.00%	0.00
Subtotal						1,946.00
2. Stormwater						
a. Storm Water Permit Boundary - North Coast Region	133	41.00	41.00	0.00	0.00%	0.00
b. Storm Water Permit Boundary - SR City	565	41.00	41.00	0.00	0.00%	0.00
c. Storm Water Permit Boundary - San Francisco Bay Region	69	41.00	41.00	0.00	0.00%	0.00
d. Storm Water Permit Boundary - City of Sonoma	0	41.00	41.00	0.00	0.00%	0.00
Subtotal						0.00
3. Housing						
a. Organized Camps						
1. Organized Camp - Year-round	9	1,347.00	1,347.00	0.00	0.00%	0.00
2. Organized Camp - Seasonal	6	667.00	667.00	0.00	0.00%	0.00
3. Multiple Units	14	108.00	108.00	0.00	0.00%	0.00
b. Detention Facilities/Holding Facilities						
1. Temporary Holding Facility	6	233.00	233.00	0.00	0.00%	0.00
2. Juvenile Detention Facility	3	1,166.00	1,166.00	0.00	0.00%	0.00
3. Adult Detention Facility	2	1,785.00	1,785.00	0.00	0.00%	0.00

Fee Description	FY 14-15 Budget Units	FY 13-14 Rate	FY 14-15 Proposed Rate	Rate Dollar Change	Rate % Change	Revenue Inc/(Dec) Due To Rate Change
Subtotal						0.00
4. Swim and Bath/Recreation						
a. Public Pools						
1. Public Swimming Pools/Spas	531	559.00	559.00	0.00	0.00%	0.00
2. Multiple Units	270	135.00	135.00	0.00	0.00%	0.00
b. Plan Checks						
1. Remodel (+ hourly rate after 1 hour)	24	139.00	139.00	0.00	0.00%	0.00
2. New Construction (+ hourly rate after 4 hours)	5	556.00	556.00	0.00	0.00%	0.00
3. Counter Clearance	2	46.00	46.00	0.00	0.00%	0.00
4. Site Reviews	2	281.00	281.00	0.00	0.00%	0.00
5. Pool Plan Check Additional Hours	18	139.00	139.00	0.00	0.00%	0.00
c. Violation Reinspection (+ hourly rate after 1 hour)	12	139.00	139.00	0.00	0.00%	0.00
d. Hourly Rate	0	139.00	139.00	0.00	0.00%	0.00
e. Penalty fee - 25% of invoice balance after 30 days past due and 25% of invoice balance at 60 days past due	0	0.00	0.00	0.00	0.00%	0.00
Subtotal						0.00
5. Milk and Dairy						
a. Market Milk Dairy						
1. Market Milk Dairy Monthly Fee	97	176.80	176.80	0.00	0.00%	0.00
2. Sonoma County Contribution per dairy/month	69	24.30	24.30	0.00	0.00%	0.00
3. Marin County Contribution per dairy/month	28	24.30	24.30	0.00	0.00%	0.00
b. Market Milk Independent Monthly Fee	13	176.80	176.80	0.00	0.00%	0.00
c. Manufacturing Milk Dairy Monthly Fee (minimum \$78.00)	5	78.00	78.00	0.00	0.00%	0.00
d. Producer-Distributor Raw Milk Monthly Fee	0	176.80	176.80	0.00	0.00%	0.00
e. Violation Reinspection fee	50	100.00	100.00	0.00	0.00%	0.00
f. Re-Score Inspection Fee	51	140.00	140.00	0.00	0.00%	0.00
g. Water Re-Sample Fee	66	60.00	60.00	0.00	0.00%	0.00
h. Milk Re-Sample Fee	19	90.00	90.00	0.00	0.00%	0.00
Subtotal						0.00
6. Semi-frozen Product						
a. Semi-frozen Product Facility	162	225.00	225.00	0.00	0.00%	0.00
b. Semi-frozen Product Sampling (per sample)	43	25.00	25.00	0.00	0.00%	0.00
Subtotal						0.00

Health Services - Fee and Revenue Summary Chart

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Fee Description	FY 14-15 Budget Units	FY 13-14 Rate	FY 14-15 Proposed Rate	Rate Dollar Change	Rate % Change	Revenue Inc/(Dec) Due To Rate Change
7. Water Systems						
a. State Small Water System Permit	62	773.00	773.00	0.00	0.00%	0.00
b. Hourly Rate	0	139.00	139.00	0.00	0.00%	0.00
c. Violation Reinspection (+ hourly rate after 1 hour)	0	139.00	139.00	0.00	0.00%	0.00
Subtotal						0.00
8. Septage Haulers						
a. Septage Pumper/Chemical Toilet Trucks (per vehicle)	72	381.00	381.00	0.00	0.00%	0.00
b. Permit Transfer Fee (per vehicle)	0	139.00	139.00	0.00	0.00%	0.00
c. Hourly Rate	0	139.00	139.00	0.00	0.00%	0.00
d. Violation Reinspection (+ hourly rate after 1 hour)	0	139.00	139.00	0.00	0.00%	0.00
Subtotal						0.00
9. Solid Waste Facility Permits						
a. Inspection Services						
1. Disposal Site						
a) Full Solid Waste Facilities Permit - Disposal Site	1	38,329.00	38,329.00	0.00	0.00%	0.00
b) Full Solid Waste Facilities Permit - Drilling Mud	1	14,942.00	14,942.00	0.00	0.00%	0.00
c) Permit Exemption - Quarterly Inspections	1	2,288.00	2,288.00	0.00	0.00%	0.00
d) Permit Exemption-Semi-Annual	0	1,903.00	1,903.00	0.00	0.00%	0.00
2. Transfer Stations						
a) Transfer Station-(Full) Lg Volume >than 600tpd	3	14,942.00	14,942.00	0.00	0.00%	0.00
b) Transfer Station-(Full) Lg Volume>100tpd<than 600tpd	2	8,713.00	8,713.00	0.00	0.00%	0.00
c) Transfer Station - Registration Medium	4	6,814.00	6,814.00	0.00	0.00%	0.00
d) Transfer Station - Notification Small/Limited	2	3,054.00	3,054.00	0.00	0.00%	0.00
3. Closed Site Monitoring						
a) Closed Site Monitoring (Monthly Inspection)	0	5,634.00	5,634.00	0.00	0.00%	0.00
b) Closed Site Monitoring (Quarterly Inspection)	9	1,910.00	1,910.00	0.00	0.00%	0.00
c) Closed Site Monitoring (Biannual Inspection)	0	955.00	955.00	0.00	0.00%	0.00
d) Closed Site Monitoring (Annual Inspection)	3	478.00	478.00	0.00	0.00%	0.00
4. Composting Facility						
a) Full Solid Waste Facilities Permit	1	18,748.00	18,748.00	0.00	0.00%	0.00
b) Registration (Monthly Inspections)	0	3,688.00	3,688.00	0.00	0.00%	0.00
c) Notification (Quarterly Inspections)	3	1,486.00	1,486.00	0.00	0.00%	0.00
d) Notification (Semi-Annual Inspections)	1	744.00	744.00	0.00	0.00%	0.00
e) Notification (Annual Inspections)	1	372.00	372.00	0.00	0.00%	0.00
f) Notification Biosolids (Monthly Inspections)	1	7,399.00	7,399.00	0.00	0.00%	0.00

Health Services - Fee and Revenue Summary Chart

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Fee Description	FY 14-15 Budget Units	FY 13-14 Rate	FY 14-15 Proposed Rate	Rate Dollar Change	Rate % Change	Revenue Inc/(Dec) Due To Rate Change
5. Biosolids Land Application Facility						
a) Notification	5	6,297.00	6,297.00	0.00	0.00%	0.00
b. LEA Services						
1. Facility Permits						
a) New Facility Application (+ hourly rate after 18 hours)	1	2,496.00	2,496.00	0.00	0.00%	0.00
b) Existing Permit Review (+ hourly rate after 18 hours)	1	2,496.00	2,496.00	0.00	0.00%	0.00
c) Permit Preparation (+ hourly rate after 20 hours)	1	2,773.00	2,773.00	0.00	0.00%	0.00
d) Permit Revision (+ hourly rate after 32 hours)	2	4,437.00	4,437.00	0.00	0.00%	0.00
e) Permit Modification/Amendment (+ hourly rate after 8 hours)	0	1,109.00	1,109.00	0.00	0.00%	0.00
f) Exemption Processing (+ hourly rate after 9 hours)	0	1,248.00	1,248.00	0.00	0.00%	0.00
g) Closure/Post-closure (+ hourly rate after 32 hours)	0	4,437.00	4,437.00	0.00	0.00%	0.00
h) CEQA Comment & Review (+ hourly rate after 18 hours)	0	2,496.00	2,496.00	0.00	0.00%	0.00
i) CEQA Lead Agency (+ hourly rate after 40 hours)	0	5,546.00	5,546.00	0.00	0.00%	0.00
j) CalRecycle Meeting (+ hourly rate after 6 hours)	0	832.00	832.00	0.00	0.00%	0.00
2. Refuse Collection Vehicles						
a) Refuse Collection and Sludge Hauling Vehicles	285	292.00	292.00	0.00	0.00%	0.00
c. Enforcement Services						
1. Notice & Order Preparation (+ hourly rate after 8 hours)	0	1,109.00	1,109.00	0.00	0.00%	0.00
2. Legal Proceedings, Admin Hearings: hourly rate	0	139.00	139.00	0.00	0.00%	0.00
d. Violation Reinspection (hourly rate)	2	139.00	139.00	0.00	0.00%	0.00
e. Hourly Rate	0	139.00	139.00	0.00	0.00%	0.00
f. Meth. Contamination Prop Oversight/Clearance (hourly rate)	0	139.00	139.00	0.00	0.00%	0.00
Subtotal						0.00
10. Medical Waste Permits						
a. Large Quantity Medical (Registration Fee)						
1. Hospital beds						
a) 1-99 beds	4	1,467.00	1,467.00	0.00	0.00%	0.00
b) 100-199 beds	2	2,101.00	2,101.00	0.00	0.00%	0.00
c) 200-249 beds	0	2,668.00	2,668.00	0.00	0.00%	0.00
d) 250 beds	1	3,414.00	3,414.00	0.00	0.00%	0.00
2. Clinics Specialty	5	840.00	840.00	0.00	0.00%	0.00
3. Clinics Primary Care	2	840.00	840.00	0.00	0.00%	0.00
4. Clinics Laboratory	5	617.00	617.00	0.00	0.00%	0.00
5. Acute Psychiatric Hospital	0	1,453.00	1,453.00	0.00	0.00%	0.00
6. Intermediate Care	1	651.00	651.00	0.00	0.00%	0.00
7. Skilled Nursing Facility	1	567.00	567.00	0.00	0.00%	0.00

Health Services - Fee and Revenue Summary Chart

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Fee Description	FY 14-15 Budget Units	FY 13-14 Rate	FY 14-15 Proposed Rate	Rate Dollar Change	Rate % Change	Revenue Inc/(Dec) Due To Rate Change
8. Medical Office	4	534.00	534.00	0.00	0.00%	0.00
b. On Site Treatment Facility (Permit)						
1. Large Steam Sterilization	5	1,675.00	1,675.00	0.00	0.00%	0.00
2. Small Steam Sterilization	1	557.00	557.00	0.00	0.00%	0.00
c. Limited Quantity Hauling Exemption-Annual Fee	69	124.00	124.00	0.00	0.00%	0.00
d. Common Storage Facility Permit						
1. Generators 2-10	7	286.00	286.00	0.00	0.00%	0.00
e. Small Quantity Registration						
1. Small Quantity Registration/File Maintenance Renewal	604	59.00	59.00	0.00	0.00%	0.00
2. Small Quantity Registration/File Maintenance New Facility	8	277.00	277.00	0.00	0.00%	0.00
f. Tattoo/Body Piercing/Permanent Cosmetics						
1. Facility Registration (Annual) 1 Artist	19	390.00	390.00	0.00	0.00%	0.00
2. Facility Registration (Annual) 2-4 Artists	21	420.00	420.00	0.00	0.00%	0.00
3. Facility Registration (Annual) 5 or more Artists	3	440.00	440.00	0.00	0.00%	0.00
4. Practitioner Registration (one time per practitioner)	8	134.00	134.00	0.00	0.00%	0.00
5. Replacement Card	0	34.00	34.00	0.00	0.00%	0.00
6. Body Art Practitioner Registration Renewal	93	85.00	85.00	0.00	0.00%	0.00
g. Tattoo/Body Art Temporary Event						
1. Temporary Body Art Event Organizer	1	242.00	242.00	0.00	0.00%	0.00
2. Temporary Body Art Event Booth	21	73.00	73.00	0.00	0.00%	0.00
3. Temporary Body Art Practitioner Registration	3	48.00	48.00	0.00	0.00%	0.00
h. Tattoo/Body Art Facility Plan Check						
1. Body Art Facility Plan Check (per hour)	2	139.00	139.00	0.00	0.00%	0.00
i. Medical research	1	1,421.00	1,421.00	0.00	0.00%	0.00
j. Hourly Rate	0	139.00	139.00	0.00	0.00%	0.00
k. Violation Reinspection (hourly rate)	0	139.00	139.00	0.00	0.00%	0.00
Subtotal						0.00
11. Environmental Drilling Permits						
a. Wells (Investigation and Remediation)						
1. First Well	35	366.00	366.00	0.00	0.00%	0.00
2. Each Additional Well	108	77.00	77.00	0.00	0.00%	0.00
b. Permit Extension/Alteration	1	182.00	182.00	0.00	0.00%	0.00
c. Borings						
1. First Boring	37	293.00	293.00	0.00	0.00%	0.00
2. Each Additional Boring	343	77.00	77.00	0.00	0.00%	0.00
d. Environmental Assessment (per site)	21	552.00	552.00	0.00	0.00%	0.00

Attachment 2
Health Services - Fee and Revenue Summary Chart

Fee Description	FY 14-15 Budget Units	FY 13-14 Rate	FY 14-15 Proposed Rate	Rate Dollar Change	Rate % Change	Revenue Inc/(Dec) Due To Rate Change
e. Destruction						
1. First well	35	366.00	366.00	0.00	0.00%	0.00
2. Each Additional Well	231	77.00	77.00	0.00	0.00%	0.00
f. Legal Enforcement/Administrative Hearing (per hour)	0	139.00	139.00	0.00	0.00%	0.00
g. Geotechnical boring						
1. First Boring	1	293.00	293.00	0.00	0.00%	0.00
2. Each Additional Boring	1	77.00	77.00	0.00	0.00%	0.00
Subtotal						0.00
12. Local Oversight Program						
a. Geotracker Maintenance Fee						
	0	512.00	512.00	0.00	0.00%	0.00
12. Other						
a. Violation reinspection fee applicable to all laws & regulations enforced by Public Health Officer not already noted in specific programs; hourly rate.	0	139.00	139.00	0.00	0.00%	0.00
b. Refunds: If processing of permit as described above not begun by Public Health Officer staff, then all but 25% of fee or \$25, whichever is less, may be refunded unless otherwise provided by law	0	0.00	0.00	0.00	0.00%	0.00
c. Photocopies	0	0.10	0.10	0.00	0.00%	0.00
d. Hourly rate	0	139.00	139.00	0.00	0.00%	0.00
Subtotal						0.00
Increase in Environmental Health and Safety Fee Revenue Over FY 13-14						<u><u>\$1,946.00</u></u>

Fee Description	FY 14-15 Budget Units	FY 13-14 Rate	FY 14-15 Proposed Rate	Rate Dollar Change	Rate % Change	Revenue Inc/(Dec) Due To Rate Change
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JUSTIFICATION (Environmental Health and Safety):

1. Correct title to reflect program name.
2. Food facility categories were adjusted to match the FDA model based upon the amount of food preparation and remove the previously utilized risk level language.
3. Certified farmer's market permits were consolidated to reflect one fee per market.
4. Mobile Food Preparation Unit was corrected to Mobile Food Facility as reflected in California Retail Food Code (CalCode; Health and Safety Code, § 113700 et seq.).
5. Occasional Events were retitled to Temporary Food Facilities with a distinction of "annual" and "5 or less days/year" to match current CalCode language.
6. Temporary Food Facilities were adjusted to match FDA model based on the amount of preparation and remove the previously utilized risk level.
7. Mobile Food Facilities were adjusted to match FDA model based on the amount of preparation and remove the previously utilized risk level.
8. Food Handler Certification was renamed to Food Safety Manager Certification to differentiate from California Food Handler Cards.
9. English and Spanish classes fees are identical and combined and tracked through the data base.
10. The Food Safety Manager Certification retest and test were combined to avoid duplication.
11. A fee is being established for office hearings to show just cause for permit revocation, suspension and non-compliance, in accordance with CalCode.
12. A fee is being established at an hourly rate for food facilities seeking consultation services.
13. Calcode, Section 113961, updated January 1, 2014, prohibits bare hand contact of food employees with ready-to-eat foods with prior approval and an exemption from the local regulatory agency.

PUBLIC HEALTH LABORATORY

1. Microbial Disease Laboratory

a. Enteric culture	15	19.00	19.00	0.00	0.00%	0.00
b. Enteric serotyping	15	19.00	19.00	0.00	0.00%	0.00
c. Reportable Disease	25	156.00	156.00	0.00	0.00%	0.00
d. TPPA (FTA Treponema)	30	31.50	31.50	0.00	0.00%	0.00
e. Gonorrhea - NAAT	5,050	49.50	49.50	0.00	0.00%	0.00
f. Mycology: Culture	700	15.00	15.00	0.00	0.00%	0.00
g. Mycology: I.D.	250	19.00	19.00	0.00	0.00%	0.00
h. Parasite						0.00
1. Formalin-ether concentrate smear	10	10.00	10.00	0.00	0.00%	0.00
2. Direct Smear; crypto, giardia	10	9.50	9.50	0.00	0.00%	0.00
3. Trichrome stained smear	10	13.00	13.00	0.00	0.00%	0.00
i. Pinworm - Worm ID	10	12.50	12.50	0.00	0.00%	0.00
j. Routine Bacterial Culture or Ci	30	28.00	28.00	0.00	0.00%	0.00
k. Tuberculosis						0.00
1. Culture: Migit960/solid media	1,200	18.00	18.00	0.00	0.00%	0.00
2. Sputum Concentration	1,200	12.00	12.00	0.00	0.00%	0.00
3. AFB Smear Only	1,200	12.00	12.00	0.00	0.00%	0.00
4. Sensitivities: 3 Drugs	10	75.00	75.00	0.00	0.00%	0.00

Fee Description	FY 14-15 Budget Units	FY 13-14 Rate	FY 14-15 Proposed Rate	Rate Dollar Change	Rate % Change	Revenue Inc/(Dec) Due To Rate Change
5. Sensitivity: PZA	10	55.00	55.00	0.00	0.00%	0.00
6. Nucleic Acid Probe: each	30	79.00	79.00	0.00	0.00%	0.00
l. VDRL	90	8.50	8.50	0.00	0.00%	0.00
m. Lyme Disease: serology	150	54.00	54.00	0.00	0.00%	0.00
n. Lyme Disease: Western Blot IgM or IgG	140	85.00	85.00	0.00	0.00%	0.00
o. Ehrlichia chafeensis serology ¹	110	40.00	45.00	5.00	12.50%	550.00
p. Ehrlichia HGE serology ¹	110	40.00	45.00	5.00	12.50%	550.00
q. Rickettsia typhus ¹	10	40.00	45.00	5.00	12.50%	50.00
r. Rickettsia rickettsia ¹	10	40.00	45.00	5.00	12.50%	50.00
s. Babesia WA-1 serol./microti-serology	500	45.00	45.00	0.00	0.00%	0.00
t. Tick: for Lyme Disease serology	1,400	29.00	29.00	0.00	0.00%	0.00
u. Ticks: bulk testing per 100 ticks	0	840.00	840.00	0.00	0.00%	0.00
v. Food Cultures: Per suspect pathogen	0	79.00	79.00	0.00	0.00%	0.00
Subtotal						1,200.00
2. Virus Laboratory						
a. AIDS Test:						
1. HIV-ELISA test	4,000	15.00	15.00	0.00	0.00%	0.00
2. HIV-Western Blot or IFA	20	63.00	63.00	0.00	0.00%	0.00
b. Chlamydia NAAT	6,000	49.50	49.50	0.00	0.00%	0.00
c. Direct or Indirect FA or Darkfield	0	19.00	19.00	0.00	0.00%	0.00
d. Hepatitis C	400	21.00	21.00	0.00	0.00%	0.00
e. Herpes Isolation & typing	60	42.00	42.00	0.00	0.00%	0.00
f. Rabies Test	200	131.50	131.50	0.00	0.00%	0.00
g. Virus Culture non-Herpes						
1. Flu and other respiratory viruses	0	34.00	34.00	0.00	0.00%	0.00
h. Viral Testing (SF-PHL) Add'l studies, eg. FA	0	31.50	31.50	0.00	0.00%	0.00
1. Handling	24	20.00	20.00	0.00	0.00%	0.00
2. Serology (Viral Testing) AB detection	0	38.00	38.00	0.00	0.00%	0.00
i. West Nile Virus serology	30	34.00	34.00	0.00	0.00%	0.00
j. R-Mix Respiratory Virus x 8	50	255.00	255.00	0.00	0.00%	0.00
Subtotal						0.00
3. Environmental Laboratory						
a. Water: Total/fecal coliforms. Presence/Absence	3,000	25.00	25.00	0.00	0.00%	0.00
b. Shellfish, Oyster Meat	10	60.00	60.00	0.00	0.00%	0.00

Health Services - Fee and Revenue Summary Chart

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Fee Description	FY 14-15 Budget Units	FY 13-14 Rate	FY 14-15 Proposed Rate	Rate Dollar Change	Rate % Change	Revenue Inc/(Dec) Due To Rate Change
c. Water Salt/Fresh: MPN 10-15 tubes:Total/ E coli	450	52.00	52.00	0.00	0.00%	0.00
d. Quantitray-Colilert-Enterolert	800	35.00	35.00	0.00	0.00%	0.00
e. Environmental Chemistry	500	30.00	30.00	0.00	0.00%	0.00
Subtotal						0.00
4. Molecular Biology Lab						
a. Real Time PCR Chain Reaction tests for:						
1. Bordetella pertussis	50	59.00	59.00	0.00	0.00%	0.00
2. Mycobacteria tuberculosis	70	69.00	69.00	0.00	0.00%	0.00
3. Flu	100	59.00	59.00	0.00	0.00%	0.00
4. Noro Virus	150	59.00	59.00	0.00	0.00%	0.00
5. General RT-PCR	20	79.00	79.00	0.00	0.00%	0.00
Subtotal						0.00
Increase in Public Health Laboratory Services Fee revenue Over FY 13-14						\$ 1,200.00

JUSTIFICATION (Public Health Laboratory):

1. Fee increase to help cover increased cost of testing materials.

EMERGENCY MEDICAL SERVICES**1. Emergency Medical Services Fees**

a. First Responder Certification	50	80.00	80.00	0.00	0.00%	0.00
b. EMT Certification	575	80.00	80.00	0.00	0.00%	0.00
c. EMT-Advanced Certification	15	80.00	80.00	0.00	0.00%	0.00
d. EMT & EMT-Advanced State Initial Fee	175	75.00	75.00	0.00	0.00%	0.00
e. EMT & EMT-Advanced State Recertification Fee	400	37.00	37.00	0.00	0.00%	0.00
f. Paramedic Accreditation	20	200.00	200.00	0.00	0.00%	0.00
g. MICN Certification	20	80.00	80.00	0.00	0.00%	0.00
h. Replacement Card	15	12.50	12.50	0.00	0.00%	0.00

2. Medical Marijuana Application Fee (Medi-Cal Enrollees)

55	80.00	80.00	0.00	0.00%	0.00
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3. Medical Marijuana Application Fee (Non Medi-Cal Enrollees)

180	160.00	160.00	0.00	0.00%	0.00
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4. Photocopying and related clerical services

a. Copy of standard sized document, per page	0	0.10	0.10	0.00	0.00%	0.00
b. Copy from microfilm, per page	0	0.20	0.20	0.00	0.00%	0.00
c. Copy of oversized document, per page	0	Actual Cost	Actual Cost	N/A	N/A	N/A
d. Clerical costs, per hour with 1/4 hour minimum	0	24.00	24.00	0.00	0.00%	0.00

Fee Description	FY 14-15 Budget Units	FY 13-14 Rate	FY 14-15 Proposed Rate	Rate Dollar Change	Rate % Change	Revenue Inc/(Dec) Due To Rate Change
Subtotal						0.00
Increase in Emergency Medical Services Fee revenue Over FY 13-14						<u>0.00</u>
ANIMAL CARE & CONTROL						
1. Impound Fees						
a. Dog First Impound-Licensed	148	58.00	58.00	0.00	0.00%	0.00
b. Dog First Impound-Not Licensed	230	71.00	71.00	0.00	0.00%	0.00
c. Dog Second Impound- licensed	50	119.00	119.00	0.00	0.00%	0.00
d. Dog Board Per Day/Dog	240	18.00	18.00	0.00	0.00%	0.00
e. Cat Impound-Altered	6	18.00	18.00	0.00	0.00%	0.00
f. Cat Impound-Unaltered	2	23.00	23.00	0.00	0.00%	0.00
g. Board Per Day/Cat	24	18.00	18.00	0.00	0.00%	0.00
h. Small Livestock - Under 300 Pounds	5	23.00	23.00	0.00	0.00%	0.00
i. Large Livestock - 300 or More Pounds	7	53.00	53.00	0.00	0.00%	0.00
j. Livestock Board Per Day/Head	10	18.00	18.00	0.00	0.00%	0.00
Subtotal						0.00
2. Rabies Quarantine Fees						
a. Rabies Quarantine-Shelter (Over The Counter)	24	88.00	88.00	0.00	0.00%	0.00
b. Rabies Quarantine-Home	197	59.00	59.00	0.00	0.00%	0.00
c. Board Per Day-Dog/Cat	240	23.00	23.00	0.00	0.00%	0.00
Subtotal						0.00
3. License Fees						
a. Dog - Altered	19,406	25.00	25.00	0.00	0.00%	0.00
b. Dog - Unaltered	5,402	100.00	100.00	0.00	0.00%	0.00
c. Dog - Altered - Senior Citizen	3,065	12.50	12.50	0.00	0.00%	0.00
d. Cat - Altered	617	5.75	5.75	0.00	0.00%	0.00
e. Cat - Unaltered	0	11.50	11.50	0.00	0.00%	0.00
f. Expired Late License Penalty¹	3,429	40.00	40.00	0.00	0.00%	0.00
Subtotal						0.00
4. Owner Surrender Fees						
a. Owner Surrender (Dog, Cat, Litters, Livestock, Birds) ²	369	34.00	50.00	16.00	47.06%	5,904.00

Fee Description	FY 14-15 Budget Units	FY 13-14 Rate	FY 14-15 Proposed Rate	Rate Dollar Change	Rate % Change	Revenue Inc/(Dec) Due To Rate Change
b. Out of County (Non-Contract City Residents) ²	36	68.00	100.00	32.00	47.06%	1,152.00
Subtotal						7,056.00
5. Vaccination/Testing/Microchipping Fees						
a. Rabies Vaccine ³	84	11.50	18.00	6.50	56.52%	546.00
b. DHLPP (Distemper, Hepatitis, Leptospirosis, Parainfluenza, Parvo Virus Vaccines) ³	485	11.50	21.50	10.00	86.96%	4,850.00
c. Bordatella (injectable) ³	485	11.50	21.50	10.00	86.96%	4,850.00
d. Heartworm Test	10	22.00	22.00	0.00	0.00%	0.00
e. FVRCP (Feline Viral Rhinotrachytis, Calici Virus, Panleukopenia Vaccines) ³	10	11.50	21.50	10.00	86.96%	100.00
f. FELV/FIV Test (Feline Leukemia Virus/Feline Immunodeficiency Virus)	2	22.00	22.00	0.00	0.00%	0.00
Subtotal						10,346.00
6. Potentially Dangerous/Vicious Dogs						
a. Potentially Dangerous Dog	63	119.00	119.00	0.00	0.00%	0.00
b. Dangerous/Vicious Dog	2	298.00	298.00	0.00	0.00%	0.00
Subtotal						0.00
7. Kennel/Pet Shop License						
a. Commercial Kennel	32	168.00	168.00	0.00	0.00%	0.00
b. Pet Fancier Kennel (Dog)						
1. Altered+Mandatory Individual Dog License	12	35.00	35.00	0.00	0.00%	0.00
2. Unaltered+Mandatory Individual Dog License	26	70.00	70.00	0.00	0.00%	0.00
c. Pet Fancier Kennel (Cat)						
1. Altered+ Optional Cat License	0	17.25	17.25	0.00	0.00%	0.00
2. Unaltered+Optional Cat License	0	35.00	35.00	0.00	0.00%	0.00
d. Hobby Kennel	14	168.00	168.00	0.00	0.00%	0.00
e. Pet Shop	3	168.00	168.00	0.00	0.00%	0.00
Subtotal						0.00
8. Animal Rendering Services						
a. Large Animal Rendering Fee	200	60.00	60.00	0.00	0.00%	0.00
Increase in Animal Care & Control Services Fee revenue Over FY 13-14						17,402.00

Fee Description	FY 14-15 Budget Units	FY 13-14 Rate	FY 14-15 Proposed Rate	Rate Dollar Change	Rate % Change	Revenue Inc/(Dec) Due To Rate Change
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JUSTIFICATION (Animal Care & Control):

- The name of this fee is changed to reflect that penalty fee may be applied to new licenses purchased more than 30 days after rabies vaccination date or to licenses renewed after license expiration date.
- The proposed increase in owner surrender fees will recover a larger percentage of actual and reasonable costs incurred in providing intake and sheltering services.
- The proposed increase in vaccination fees will recover a larger percentage of actual and reasonable costs incurred in providing vaccinations to animals taken into the shelter as strays.

TOTAL PUBLIC HEALTH FEE INCREASE OVER FY 13-14

\$ 20,548.00

BEHAVIORAL HEALTH SERVICES

1. Outpatient Services¹

a. Collateral	2,941	156.60	205.20	48.60	31.03%	142,920.45
b. Group - Therapy or Rehabilitation	2,304	156.60	205.20	48.60	31.03%	111,959.01
c. Assessment & Testing	16,856	156.60	205.20	48.60	31.03%	819,177.84
d. Individual - Therapy or Rehabilitation	14,358	156.60	205.20	48.60	31.03%	697,793.94
e. Plan Development	8,428	156.60	205.20	48.60	31.03%	409,588.92
Subtotal						2,181,440.16

2. Other Services¹

a. Crisis Intervention	5,171	232.80	299.40	66.60	28.61%	344,411.91
b. Crisis Stabilization	10,165	63.00	70.00	7.00	11.11%	71,155.00
c. Medication Support (30 minutes)	15,014	289.20	372.00	82.80	28.63%	1,243,124.70
d. Case Management/Brokerage	6,381	121.20	159.00	37.80	31.19%	241,186.05
e. Consultation						
1. Psychiatrist	0	140.00	---	0.00	0.00%	0.00
2. Other Licensed Professional	0	80.00	---	0.00	0.00%	0.00
e. Professional Fees						
1. Psychiatrist - Initial Consultation	0	-	150.00	0.00	0.00%	0.00
2. Psychiatrist - Subsequent Encounter	0	-	150.00	0.00	0.00%	0.00
f. Photocopying and related clerical services ²						0.00
1. Copy of standard sized document, per page	0	0.10	0.10	0.00	0.00%	0.00
2. Copy from microfilm, per page	0	0.20	0.20	0.00	0.00%	0.00
3. Copy of oversized document, per page	0	actual cost	actual cost	0.00	N/A	N/A
4. Clerical costs, per hour	0	24.00	24.00	0.00	0.00%	0.00
Subtotal						1,899,877.66

Fee Description	FY 14-15 Budget Units	FY 13-14 Rate	FY 14-15 Proposed Rate	Rate Dollar Change	Rate % Change	Revenue Inc/(Dec) Due To Rate Change
Increase in Behavioral Health Services Fee revenue Over FY 13-14 (TOTAL BEHAVIORAL HEALTH FEE INCREASE OVER FY 13-14)						\$4,081,317.82
JUSTIFICATION (Behavioral Health):						
1. Fees are based on costs settled in the annual cost report. Based upon DHS analysis for FY 12/13, it has been determined that published rates should be increased. In previous years, DHS was reimbursed at the lower of the State Maximum Allowable (SMA), its Published Rates or its Actual cost per unit. As a result, DHS had published rates consistent with the SMA.						
2. Fees are set per California Evidence Code Section 1563.						
TOTAL HEALTH SERVICES FEE INCREASE OVER FY 13-14						\$4,101,865.82



County of Sonoma Agenda Item Summary Report

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

Agenda Item Number: 52
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors of the County of Sonoma

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Probation

Staff Name and Phone Number:

Robert Ochs 565-2732

Supervisorial District(s):

Countywide

Title: Resolution adopting fee increases for the Probation Department

Recommended Actions:

Resolution adopting fee increases for the Probation Department effective July 1, 2014.

Executive Summary:

The attached Fee and Revenue Summary Chart provides an itemization of proposed fees to be increased and decreased by the Board of Supervisors and collected by the Probation Department.

In FY 13-14, the Board of Supervisors approved an increase to many of the fees charged. The Probation fees which had not already reached statutory maximums were increased by approximately 5% in order to keep pace with an increase to the cost to the Department of providing services. A cost analysis was performed to assure that the recommended rates did not exceed the actual costs to provide the associated services, as required by the Penal and Welfare and Institutions Codes. Fees are imposed for a specific benefit conferred or service provided directly to the payor that is not provided to those not charged, and which do not exceed the reasonable costs to provide the benefit or service. The Board of Supervisors approved the proposed increases in Probation fee rates, which were projected to potentially increase billings by upwards of \$212,816.

For FY 14-15, the Department is recommending increasing fees by approximately 5%. The recommended fee increases are based on an increased cost of providing a service directly to the payor that is not provided to those not charged, and the increased fee will not exceed the reasonable cost of providing the service.

Estimate of Increased Revenue

The proposed fee rates for FY 14-15 reflect an overall increase in potential revenue of approximately \$220,254. While this is the additional amount the Department could bill in FY 14-15, based on historical collection rates and the law requiring collection of restitution before other fines and fees, the additional revenue Probation can expect to realize is considerably less than the amount billed. While the collection rate is significantly less than the expected revenue enhancement, the increase in fees still represents an

impact on the affected probation clients. The proposed increase in fees would be imposed for a specific benefit conferred or service provided directly to the payor. Each fee does not exceed the reasonable costs to provide the benefit or service to the payor. Approval of fee increases are requested to help fund important programs, services and related staff that would potentially otherwise be reduced if outside funding is not available.

The recommended increase to probation fees will not cover all of the costs associated with performing these services in most cases (as shown in Exhibit A); however, it is intended to incrementally increase fees to more closely align with the actual cost of providing this service to the payor of the fees.

Population Served

There are several categories of defendants who will be affected by the increases. The Adult Probation Supervision, Chemical Testing, Jurisdictional Transfer/Interstate Compact Supervision Request Application, and Expungement fees are all charged to adult offenders with grants of probation. The Pre-Sentence Report fee is charged to defendants who have been found guilty, but who have not yet been sentenced, and the report created is provided to the Court, as mandated by the Penal Code, to assist with the sentencing process. The Collection Fee is charged for the processing of payments made in installments for Pre-Sentence and Supervision fees. The Installment Payment Fee is charged for the processing of payments made in installments for fines.

The Work Release Application and Work Release fees are charged to adult offenders who are applying to participate or are participating in Jail Alternative Programs.

The Chemical Testing and Record Sealing fees are charged to the juvenile participant. The Juvenile Supervision fees are charged to parent/guardian of the juvenile participant.

Summary of Fee Changes by Probation Division

Adult Probation: The fee increases for Adult Probation are between 4.8% - 5.3%. The fee that will be charged for pre-sentence reports will increase to \$789. The fee that will be charged for adult supervision will increase to \$789 per year. The fees that will be charged to probation clients will increase to \$8.20 per test fee for chemical testing, and \$79 for the jurisdictional transfer/interstate compact supervision request application fee. The fee charged to file a petition for an Expungement will increase to \$150. The fee charged for installment payments for pre-sentence and probation supervision fees will increase to \$63. The fee charged for installment payments for fines will increase to \$44. The Work Release Application fee will increase to \$79 and the Work Release per diem fee will increase to \$20. The total potential increase to billed revenue related to the fee increases for Adult Probation is approximately \$199,986.*

Juvenile Probation: The fee increases for Juvenile Probation are between 4.2% and 5.1%. The Record Sealing fee will increase to \$150 and chemical testing to \$8.20 per test. The Juvenile Supervision fee will increase to \$132.30. The total potential increase to billed revenue related to the fee increases for Juvenile Probation is \$9,890.*

Supervised Adult Crews: The per diem fee for Supervised Adult Crews for Work Release is increased to \$20, a 5.3% increase. The total potential increase to billed revenue for Supervised Adult Crews is \$10,378.*

The attached Fee and Revenue Summary Chart provides an itemization of proposed fees to be increased or decreased by the Board of Supervisors and collected by the Probation Department.

*The actual billed revenue is subject to the level ordered by the court. Judges have the discretion to not impose fees. Additionally, the actual level of fees collected is subject to the client’s ability and willingness to pay.

Prior Board Actions:

Prior Annual Fee Increases and Decreases in alignment with past annual budget items.

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

Changes proposed in this item support the Probation Department in its continued effort to provide services that contribute to the safety and health of the community.

Fiscal Summary - FY 14-15

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

Narrative Explanation of Fiscal Impacts (If Required):

Fee changes will not be effective until FY 2014-2015. There is no impact to the current fiscal year. See attached “Fee and Revenue Summary Chart”. Adoption of this fee resolution allows the Probation Department to recover partial costs associated with the performance of services described in this board item.

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):

Attachments:

Attachment 1: Resolution establishing new fees and adopting fee increases and decreases for various Probation services.

Attachment 2: Probation Fees Cost Analysis (Exhibit A)

Attachment 3: Fee and Revenue Summary Chart (Exhibit B)

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

None.



County of Sonoma

State of California

Date: April 22, 2014

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Adopting Increased Fees Effective July 1, 2014 For Various Services Provided By The Probation Department .

Whereas, the Probation Department of the County of Sonoma is responsible for collecting various fines and fees from probationers as ordered by the Court and otherwise allowed by law; And

Whereas, the Probation Department has conducted a thorough analysis to determine the cost of providing the related services; And

Whereas, the Board of Supervisors finds that it is in the public interest that these services be continued and that reasonable fees be charged to offset their cost; And

Whereas, California law authorizes the County of Sonoma Board of Supervisors to establish and set various fees to be collected by the County, and the Board of Supervisors finds that it is in the public interest to establish such fees set forth below;

Now, Therefore, Be It Resolved that to recover the reasonable cost of providing Probation services, it is necessary to increase the fees as set forth below;

Be It Further Resolved based on information presented to this Board, this Board finds that the proposed fees comply with all legal requirements, including Art. XIII C of the California Constitution;

Be It Further Resolved that in all other respects, Resolution No. 13-0159 setting fees effective as of July 1, 2013, and any fee modifications established by subsequent resolution, shall remain in full force and effect.

Be It Further Resolved that if any section, subsection, sentence, clause or phrase of this resolution is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portion of this resolution.

Be It Further Resolved that the following fees for various services provided by the Probation Department are hereby adopted, effective July 1, 2014.

Now, Therefore, Be It Resolved that the foregoing recitals are true and correct, and as follows:

- I. Fees To Be Increased. The following fees are hereby increased:
 - a. A \$789 Pre-Sentence Report Fee shall be established and charged to defendants for the cost of preparing each pre-sentence report pursuant to Penal Code section 1203.1b(a), which fee does not exceed the actual average cost thereof.
 - b. A \$789 Adult Probation Supervision Fee shall be established and charged to defendants each time they are placed on probation or reinstated, and once every 12 months during each uninterrupted term of probation, pursuant to Penal Code section 1203.1b(a), which fee shall not exceed the actual average cost of adult probation supervision.
 - c. A \$8.20 Chemical Testing Fee shall be established as the cost of test, the staff cost of the collecting of chemical testing, and the administration of the testing program pursuant to Penal Code section 1203.1ab (for adults) and Welfare and Institutions Code section 729.9 (for juveniles), which shall be charged per court order as required therein.
 - d. A \$79 Application Fee shall be established and charged pursuant to Penal Code section 1203.1b(a) as the actual cost of processing each of the following: (i) jurisdictional transfer applications made under Penal Code section 1203.9; and (ii) interstate compact supervision request applications made under Section 11175 to 11179, inclusive, whichever applies.
 - e. A \$150 Expungement Fee shall be established and charged pursuant to Penal Code section 1203.4(d) for when a petition is filed for an order of expungement for Adult records.
 - f. A \$63 Collection Fee shall be established and charged pursuant to Penal Code section 1203.1b (h) as the actual costs of setting up and processing installment payments for Pre-Sentence and Probation Supervision Fees.
 - g. A \$44 Installment Payment Fee shall be established and charged pursuant to Penal Code section 1205(d) as the actual costs of setting up and processing installment payments for fines other than restitution.
 - h. A \$150 Recording Sealing Fee shall be established and charged pursuant to Penal Code section 1203.45(g) for when a petition is filed for an order of record sealing for Juvenile records.
 - i. A \$132.30 Juvenile Probation Supervision Fee shall be charged to participants each time they are placed on probation, pursuant to Welfare and Institutions Code section 903.2, which fee shall not exceed the actual average cost of

Resolution #

Date:

Page 3

juvenile probation supervision.

- j. A \$79 Work Release Application Fee shall be charged to defendants for the cost of processing work release applications;
- k. A \$20 Work Release Program Administration Per Diem Fee shall be charged to defendants for each day they participate in the work release program.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.

EXHIBIT A

Probation Fees Cost Analysis

The Department is not requesting that the fees be raised to the actual cost of providing each service because those amounts would exceed what the population can support, and would also exceed the fees charged by our comparison counties.

Juvenile Supervision:

Total County Vehicle Cost		\$	64,768.00
Average Wages & Benefits for a DPO:	\$	138,963	
Number of Supervision DPOs:		<u>13</u>	
Total Direct Cost of Supervisory DPOs:		\$	1,806,519.00
Total Indirect Costs for Supervision		\$	1,074,574.95
Total Direct & Indirect Costs		\$	2,945,861.95
Number of Juveniles Supervised Yearly:			700
Cost per Juvenile Supervised Yearly:		\$	4,208.37
Fee Requested:		\$	132.30

Pre-Sentence Reports:

Average Hourly Wages & Benefits for a DPO:		\$	66.00
Average Hours Spent Per Report by DPOs:			<u>8</u>
Total Direct Cost of Investigative DPOs:		\$	528.00
Total Indirect Costs of Pre-Sentence Reports		\$	342.14
Cost per Report:		\$	870.14
Fee Requested:		\$	789.00

Adult Probation Supervision:

Total County Vehicle Cost		\$	40,554.00
Average Wages & Benefits for a DPO:	\$	134,399.00	
Number of Supervision DPOs:		<u>37</u>	
Total Direct Cost of Supervisory DPOs:		\$	4,972,763.00
Total Indirect Costs for Supervision		\$	3,222,290.25
Total Direct & Indirect Costs		\$	8,235,607.25
Number of Adults Supervised Yearly:			3340
Cost per Adult Supervised Yearly:		\$	2,465.75

EXHIBIT A

Yearly Fee Requested: \$ 789.00

Chemical Testing:

Minimum Cost per Test:	\$	3.60
Average Hourly Wages & Benefits for a DPO:	\$	66.00
Average Hours Spent Per Test by DPOs:		0.1
Total Cost of Time Spent by DPOs on Chemical Testing:	\$	6.60
Total Indirect Costs of Chem Testing	\$	4.28
Total Cost of Chemical Testing per Test:	\$	14.48
Fee Requested:	\$	8.20

Jurisdictional Transfer/Interstate Compact Supervision Request Applications:

Average Hourly Wages & Benefits for a DPO:	\$	66.00
Average Hours Spent Per Application by DPOs:		4
Total Direct Cost of Time Spent by DPOs on Application Review:	\$	264.00
Total Indirect Costs of Transfer Requests	\$	171.07
Total Cost per Application:	\$	435.07
Fee Requested:	\$	79.00

Expungements:

Average Hourly Wages & Benefits for a DPO:	\$	66.00
Average Hours Spent Per Expungement by DPOs:		2
Total Cost of Time Spent by DPOs on Expungement:	\$	132.00
Total Indirect Costs of Expungement	\$	85.53
Total Cost of Time Spent on Expungement:	\$	217.53
Fee Requested:		Statutory Maximum not to exceed \$150

Collection Fee - Installment Payments for Pre-Sentence and Probation Supervision Fees:

Average Hourly Wages & Benefits for a ACCT CLK II:	\$	41.45
One time initial set up of installment account (20 minutes) Split 50/50 with Installment Payment Fee	\$	13.82 0.5
		6.91

EXHIBIT A

Reoccurring Costs:

Process pmt, reconcile end of day receipts, prepare deposit (6.5 Min)	4.49	
Prepare statements for mailing	0.20	
Postage, Envelopes, Statements, Receipts	0.69	
Total Reoccurring Costs:	<u>\$ 5.38</u>	
Total Reoccurring Costs for 3 year Probationary period		\$ 193.70
Cost of Collection:		\$ 200.60
Fee Requested:		\$ 63.00

Installment Payment Fee for Fines:

Average Hourly Wages & Benefits for a ACCT CLK II:	\$	41.45
One time initial set up of installment account (20 minutes)	\$	13.82
Split 50/50 with Collection Fee		<u>0.5</u>
		6.91
Reoccurring Costs:		
Process pmt, reconcile end of day receipts, prepare deposit (6.5 Min)	4.49	
Prepare statements for mailing	0.20	
Postage, Envelopes, Statements, Receipts	0.69	
Total Reoccurring Costs:	<u>\$ 5.38</u>	
Total Reoccurring Costs based on minimum \$25 pmt (200 fine)		\$ 43.04
Total Cost of Installment Payment Collection:		\$ 49.95
Fee Requested:		\$ 44.00

Recording Sealing:

Average Hourly Wages & Benefits for a DPO:	\$	66.00
Average Hours Spent Per Record Sealing by DPOs:		3
Total Cost of Time Spent by DPOs on Record Sealing:	\$	198.00
Total Indirect Costs of Pre-Sentence Reports	\$	117.78
Total Cost of Time Spent on Record Sealing:	\$	315.78
Fee Requested:		Statutory Maximum not to exceed \$150

Work Release Applications:

EXHIBIT A

Average Hourly Wages & Benefits for a DPO:	\$	66.00
Average Time per Application		1
Total Cost of Time Spent by DPOs on Work Release:	\$	66.00
Total Indirect Costs of Work Release Applications:	\$	36.96
Total Direct & Indirect Costs	\$	102.96
Fee Requested:	\$	79.00

Work Release:

Average Wages & Benefits for a Probation Assistant (PA):	\$	93,333.00
Average Wages & Benefits for a DPO:	\$	137,808.00
Total Cost of Work Release Staff:	\$	231,141.00
Indirect Cost	\$	129,423.20
Average Wages & Benefits for a Prob. Industries Crew Sup. (PICS):	\$	140,509.00
Number of Work Release PICS:		7
Total Cost of Work Release PICS:	\$	983,563.00
Indirect Cost	\$	637,336.92
Total Cost of Work Release Program:	\$	1,981,464.12
Number of Work Release Days per Year:		15724
Total Cost per Work Release Day:	\$	126.02
Fee Requested:	\$	20.00

Indirect costs represent the expenses of doing business that are not readily identified with a particular grant, contract, project function or activity, but are necessary for the general operation of the organization and the conduct of activities it performs. Indirect cost rates are used to distribute those costs.

Exhibit B

**Fee and Revenue Summary Chart
Probation Department**

Fee Description	FY 14-15 Budget Units of Service	FY 13-14 Rate	FY 14-15 Proposed Rate	Rate Dollar Change	Rate Percent Change	FY 14-15 Revenue Increase Due To Rate Change
Adult Probation						
Fee Increases:						
Pre-Sentence Reports	1,070	\$751.00	\$789.00	\$38.00	5.1%	\$40,660.00
Adult Probation Supervision	3,340	\$751.00	\$789.00	\$38.00	5.1%	\$126,920.00
Chemical Testing	13,500	\$7.80	\$8.20	\$0.40	5.1%	\$5,400.00
Jurisdictional Transfer/Interstate Compact Supervision Request Applications	242	\$75.00	\$79.00	\$4.00	5.3%	\$968.00
Expungement	12	\$144.00	\$150.00	\$6.00	4.2%	\$72.00
Collection (Pre-Sentence & Probation Supervision)	3,340	\$60.00	\$63.00	\$3.00	5.0%	\$10,020.00
Installment Payment Fee (Fines)	300	\$42.00	\$44.00	\$2.00	4.8%	\$600.00
Work Release Application	2,500	\$75.00	\$79.00	\$4.00	5.3%	\$10,000.00
Work Release	5,346	\$19.00	\$20.00	\$1.00	5.3%	\$5,346.00
Sub-Total Adult Probation						\$199,986.00
Juvenile Probation						
Fee Increases:						
Juvenile Supervision	700	\$126.00	\$132.30	\$6.30	5.0%	\$4,410.00
Record Sealing	80	\$144.00	\$150.00	\$6.00	4.2%	\$480.00
Chemical Testing	12,500	\$7.80	\$8.20	\$0.40	5.1%	\$5,000.00
Sub-Total Juvenile Probation						\$9,890.00
Supervised Adult Crews						
Fee Increases:						
Work Release	10,378	\$19.00	\$20.00	\$1.00	5.3%	\$10,378.00
Sub-Total Supervised Adult Crews						\$10,378.00
Total Potential Revenue Adjustment Due to Rate Changes *						\$220,254.00

JUSTIFICATION:

The FY 14-15 proposed rates take into consideration the actual cost to the County for providing the above services. Fee increases range between 4.8- 5.3%, in order to keep pace with the cost of doing business. All fees collected are based on the clients' ability to pay, as required by statute.

COMMENTS:

*The proposed FY 14-15 fee rates reflect an overall potential net revenue increase of \$220,254. However, based on current collection rates, the Probation Department estimates that it will collect considerably less revenue than what is billed because fee collection rates vary by the client's ability to pay. Additionally, the court has the discretion to determine a person's ability to pay, the amount which is to be paid, and the method and frequency with which payment is to be made.



County of Sonoma Agenda Item Summary Report

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

Agenda Item Number: 53
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors and the Board of Directors of the Sonoma County Water Agency

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Regional Parks and the Sonoma County Water Agency

Staff Name and Phone Number:

Bert Whitaker (707) 565-2041

Supervisory District(s):

First District

Title: Spring Lake Park Fee Adjustments

Recommended Actions:

Concurrent Resolution of the Board of Supervisors and the Directors of the Sonoma County Water Agency authorizing fee adjustments for Special Use Permits for Group Picnics, Non-Commercial/Non-Profit Events, And Film And Photography Permits, Group Picnic Reservation Changes, Individual Campsite Reservations, Individual Campsite Reservation Changes, And New Fees For Replacement Annual Day Use, and Golden Years, and pricing flexibility measures. Fee changes will be effective May 1, 2014.

Concurrent Resolution of the Board of Supervisors and the Directors of the Sonoma County Water Agency authorizing adjustments in hourly staff billing rates applicable to recover the reasonable costs of providing services such as repairs, set-up and staffing for events, special use permits, and for maintenance and grounds services effective July 1, 2014.

Executive Summary:

Regional Parks is proposing several changes to its fees to recover the reasonable costs for maintaining Spring Lake Park for public use and for providing park services and for consistency with prior fee adjustments. Details are included in the Fee and Revenue Summary Charts attached to the Resolutions accompanying this Agenda Report and summarized here. A market analysis of fees charged by other similar agencies can be found in Attachment C.

Changes to Current Fees and Rates: Regional Parks proposes that Special Use Permits for Group Picnics, Non-Commercial/Non-Profit Events, and Film and Photo Permits be increased by an average of 3% to help offset a projected 3.4% increase in staffing costs. These changes are expected to generate \$568 in additional revenues for Park Operations.

Regional Parks proposes an increase in the Group Picnic Reservation Change Fee, Individual Campsite

Reservation Fee, and Individual Campsite Change Fee from \$8.50 to \$9.50 to help offset the cost of processing reservations and reservation changes. These transactions are time consuming for staff and can take up to 30 minutes to process. The proposed fee of \$9.50 per transaction closely matches our estimated average cost of processing these transactions and will add an estimated \$1,320 in FY14-15. These fees have not been changed since May 2009.

Regional Parks proposes a change to Individual Camping Fees. Individual Campsite Fees for Access Pass holders will increase by \$4 per night in the peak season and \$2 in the non-peak season. These changes will increase revenues by an estimated \$160 in FY14-15.

New Fees: Regional Parks proposes two new fees for FY14-15; replacement fees for lost Regular and Golden Years Passes. Regional Parks receives about 20 requests per month to replace lost park passes. We currently do not replace lost park passes, instead the pass holder must purchase a new 12 month park pass. The proposed replacement fee would allow pass holders to purchase the remaining months on the lost pass at a pro-rated rate of \$7 per month for Regular Day Use Parking Passes and \$3.25 per month for Golden Years Passes. Replacement passes will not include the free night of camping. Regional Parks will replace damaged park passes free of charge upon surrender of the damaged park pass. While this new fee item is primarily a customer service enhancement, we estimate that it will increase revenues by \$360 in FY14-15.

Justification to Changes to Current Fees: The primary purpose of the proposed changes to Regional Parks Fees is to maintain core services that provide park users a safe experience in our facilities. The proposed fee changes will improve the Department's revenues and level of cost recovery. The proposed fees also comply with Proposition 26 criteria because the fees reflect the reasonable cost of maintaining the parks for public use and recovering the reasonable costs of the services provided. Fee revenues cover only a portion of the Department's overall cost of \$2.1M to operate Spring Lake Park. Therefore the proposed increases do not exceed the reasonable cost of maintaining the parks for public use and for providing these government services. The proposed fees are reasonably allocated since they are applied equally based on use or service provided either to the public at large or to those who buy annual passes, which are available to the public. They are also reasonable based on comparisons with similar related services, see attachment C to Resolution 1 of this Agenda Report for tables with comparative information.

Changes to Staff Charges: Regional Parks requests Board approval of updates to the rates for Staff Charges to obtain full reimbursement for special events that require extra staffing, staff costs for the repair of damage caused by special events, set-up of specialized equipment by County staff, and staff costs for maintenance and grounds services. The Department has established these rates based on the budgeted cost of salaries and benefits along with the administrative overhead associated with the positions.

Summary of Expected Results: With revenue from these fee increases the Department expects to keep Spring Lake Park open with a satisfactory level of maintenance and will remain in safe and good condition.

Prior Board Actions:			
In April 2013 the Board approved fee adjustments for Special Use Permits for Group Picnics, Non-commercial/Non-profit Events, Film and Photography Permits, Dump Station Fees, Additional Vehicle Fees For Campers, Enhanced Special Use Permits, and Pricing Flexibility Measures.			
Strategic Plan Alignment		Goal 2: Economic and Environmental Stewardship	
Fiscal Summary - FY 13-14			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 402		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 402
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 402	Total Sources	\$ 402
Narrative Explanation of Fiscal Impacts (If Required):			
Proposed fee increases will help offset the costs of providing these services. Fees will increase on May 1 to align with the start of the camping season and are projected to increase revenues by \$402 in FY13-14. Additional revenues in FY14-15 are projected at \$2,568 and will be included in Q1 FY14-15 budgetary adjustments.			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Concurrent Resolution 1 - Fee Adjustments Resolution 2 – Staff Charges Attachment A, Regional Parks Fee and Revenue Summary Fee Changes Attachment B, Regional Parks Fee and Revenue Summary Staff Charges Attachment C, FY12-13 Regional Parks Comparison with Similar Agencies			

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



County of Sonoma
State of California

Date: April 22, 2014

Item Number: _____

Resolution Number: 1

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma And The Board of Directors Of The Sonoma County Water Agency, State Of California, Authorizing Fee Adjustments For Special Use Permits for Group Picnics, Non-Commercial/Non-Profit Events, Film And Photography Permits, Group Picnic Reservation Changes, Individual Campsite Reservations, Individual Campsite Reservation Changes, Individual Camping Fees, And New Fees For Replacement Annual Day Use, And Golden Years Passes To Recover The Cost Of Providing These Services.

Whereas, the Sonoma County Water Agency owns Spring Lake Park and the County of Sonoma operates and maintains Spring Lake Park; and

Whereas, fees are charged to recover the reasonable cost of maintaining Spring Lake Park for public use and recover the reasonable cost of providing government services which will generate revenue for the County of Sonoma and offset expenses incurred in the operation and maintenance of this facility; and

Whereas, the Director of Regional Parks has recommended that the Board of Supervisors adopt adjustments in Spring Lake Park fees as identified in Attachment A to the Agenda Report ("Fee and Revenue Summary") accompanying this Resolution to recover the reasonable cost of providing these services; and

Whereas, in fiscal year 2012-13 the Regional Parks Department expended \$2.1M to operate and maintain Spring Lake Park; and

Whereas, Spring Lake Park revenue in the last fiscal year indicates that the additional revenues to be collected from the adjusted fees will be less than the cost to the County of funding Spring Lake Park;

Now, Therefore, Be It Resolved that to recover the reasonable cost of providing certain park services, it is necessary to increase certain fees and establish certain new fees as set forth below.

Be It Further Resolved, based on information presented to the Board, this Board finds that the proposed fees comply with all legal requirements, including Art.

XIII C of the California Constitution.

Be It Further Resolved that pursuant to Section 20-24 of the Code of the County of Sonoma, adjustments to park fees for Special Use Permits for Group Picnics, Non-Commercial/Non-Profit Events, Film And Photography Permits, Group Picnic Reservation Changes, Individual Campsite Reservations, Individual Campsite Reservation Changes, individual Camping Fees, And New Fees For Replacement Annual Day Use and Golden Years Passes as identified in Attachment A, are hereby authorized to become effective on May 1, 2014, and the pricing flexibility measures as identified in Attachment D, shall supersede rates and policies presently in effect, and shall be incorporated into the schedule of all rates and fees charged for the use of Spring Lake Park.

Be It Further Resolved that the Director of Regional Parks is hereby authorized and directed to take such steps as necessary to implement and charge the adjusted fees adopted herein.

Supervisors:

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

So Ordered.



County of Sonoma

State of California

Date: April 22, 2014

Item Number: _____
Resolution Number: 2

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma And The Board of Directors Of The Sonoma County Water Agency, State Of California, Adjusting Staff Charges For Equipment, Repair Of Damage, Setup For Events, And Staff Hourly Costs for Maintenance, Grounds Services, Park Operations, Building Workers, and General Services Mechanics and Painters to Recover the Reasonable Cost of Providing these Services.

Whereas, the Sonoma County Water Agency owns Spring Lake Park and the County of Sonoma operates and maintains Spring Lake Park; and

Whereas, it is in the interest of the County to operate or oversee operations of Regional Parks at Spring Lake Park; and

Whereas, it is in the best interests if the County of Sonoma and the general public to maintain and operate said facilities at a standard of care that provides for the welfare, safety, and enjoyment of park visitors; and

Whereas, staff charges have been established by the County to offset operations and maintenance costs and to recover the reasonable cost of providing these services; and

Whereas, imposition of staff charges will provide an alternative revenue source so that the General Fund does not have to be used to pay for these services; and

Whereas, the Director of Regional Parks has recommended that the Board of Supervisors of the County of Sonoma and the Board of Directors of the Sonoma County Water Agency adopt adjustments to staff charges for equipment, repair of damage, setup for events and staff hourly costs for maintenance, grounds services, park operations, building workers, and General Services mechanics and painters as identified in Attachment B to the Agenda Report accompanying this Resolution ("Fee and Revenue Summary Chart, Staff Charges").

Now, Therefore, Be It Resolved that to recover the reasonable cost of providing certain park services, it is necessary to increase certain fees and establish certain

new fees as set forth below.

Be It Further Resolved, based on information presented to this Board, this Board finds that the proposed fees comply with all legal requirements, including Art. XIII C of the California Constitution.

Be It Further Resolved that staff charges shall be adjusted as specified under Attachment B to become effective July 1, 2014, and that the Director of Regional Parks is hereby authorized and directed to take such steps as necessary to implement and charge the rates adopted herein.

Be It Further Resolved that the Director of Regional Parks is hereby authorized and directed to take such steps as necessary to implement and charge the adjusted rates and new fees adopted herein.

Supervisors:

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

So Ordered.

FEE AND REVENUE SUMMARY CHART

FY14-15 Revenue Projections:
Policy Changes: New Fees

Regional Parks Department	EST. FY14-15 BUDGET UNITS OF SERVICE	FY13-14 RATE	FY14-15 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE	FY14-15 INCREASE DUE TO RATE CHANGE
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15-32-10 REGIONAL PARKS - Regional Parks
Index: 032102

Replacement Day Use Parking Passes

Replacement Annual Day Use Pass	48	\$0	\$7 per month	\$7.50	n/a	\$360
Replacement Golden Years Pass	0	\$0	\$3.25 per month	n/a	n/a	\$0
Total Revenue:						\$360

Justification:

Regional Parks is proposing a new fee to allow Regional Parks members to replace lost park passes by purchasing back the remaining months on a lost pass at a Board of Supervisors approved pro-rated amount. Current Park policy does not allow for the issuance of replacement passes, park members must purchase a new 12 month pass to replace a lost one. Replacement passes will not include the one night of camping that is included in a new park pass. Regional Parks will replace damaged Park passes at no cost upon surrender of the damaged pass. The replacement pass program is offered as a customer service enhancement to the existing Fee Schedule. Proposed fee increases to be implemented on May 1, 2014.

Total Additional Revenue - Spring Lake Park Index FY14-15: \$360

15-32-20 REGIONAL PARKS - Spring Lake Park
Index: 032201

FY14-15 Revenue Projections:
Policy Changes: Fee Increases

Regional Parks Department	EST. FY14-15 BUDGET UNITS OF SERVICE	FY13-14 RATE	FY14-15 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE	FY14-15 INCREASE DUE TO RATE CHANGE
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Group Picnic Change Fee

Group Picnic Change Fee	20	\$8.50	\$9.50	\$1	11.8%	\$20
Total Revenue:						\$20

Justification:

The Department is proposing to raise the fee for changing Group Picnic site reservations from \$8.50 to \$9.50, an 11.8% increase. This price increase will help offset the Department's increased salaries and benefits costs. This fee was last increased on May 1, 2009. Proposed fee increase to be implemented on May 1, 2014.

Total Additional Revenue - Spring Lake Park Index FY14-15: \$20

15-32-20 REGIONAL PARKS - Spring Lake Park
Index: 032201

FEE AND REVENUE SUMMARY CHART

FY14-15 Revenue Projections:
Policy Changes: Fee Increases

Regional Parks Department	EST. FY14-15 BUDGET UNITS OF SERVICE	FY13-14 RATE	FY14-15 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE	FY14-15 INCREASE DUE TO RATE CHANGE
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15-32-10 REGIONAL PARKS - Regional Parks
Index: 032102

Spring Lake Group Picnic/Special Use Permit Fees

Group Picnic Area Reservation Fees

Groups with attendance up to 99	165	\$50	\$52	\$2	4.0%	\$330
Groups with attendance from 100 to 199	10	\$90	\$93	\$3	3.3%	\$30

Non-Commercial/Non-Profit Events

Events scheduled for one to seven days

Groups with attendance from 25 to 99	11	\$50	\$52	\$2	4.0%	\$22
Groups with attendance from 100 to 199	3	\$90	\$93	\$3	3.3%	\$9
Groups with attendance from 200 to 299	1	\$181	\$186	\$5	2.8%	\$5
Groups with attendance over 300	2	\$226	\$233	\$7	3.1%	\$14

Events scheduled for more than one week to one year

Groups with attendance from 25 to 99	4	\$90	\$93	\$3	3.3%	\$12
Groups with attendance from 100 to 199	1	\$135	\$139	\$4	3.0%	\$4
Groups with attendance from 200 to 299	0	\$226	\$233	\$7	3.1%	\$0
Groups with attendance over 300	0	\$271	\$279	\$8	3.0%	\$0
Total Revenue:						\$426

Justification:

The Department is proposing to increase the group picnic/special use, non-commercial/non-profit event, and non-league athletic field use permit fees by 2.8% to 4.0%. The fee increases will help the Department maintain consistent levels of service while remaining comparable to similar agencies and within market tolerance. These fees were last increased July 1, 2013. Proposed fee increases to be implemented on May 1, 2014.

Total Additional Revenue - Spring Lake Park Index FY14-15: \$426

15-32-20 REGIONAL PARKS - Spring Lake Park
Index: 032201

FY14-15 Revenue Projections:
Policy Changes: Fee Increases

Regional Parks Department						
FEE DESCRIPTION	EST. FY14-15 BUDGET UNITS OF SERVICE	FY13-14 RATE	FY14-15 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE	FY14-15 INCREASE DUE TO RATE CHANGE
Film/Photo Permit Fees						
Still Photography Fees						
Up to 5 vehicles and no more than 8 people	1	\$289	\$298	\$9	3.1%	\$9
6 to 8 vehicles and no more than 15 people	2	\$405	\$417	\$12	3.0%	\$24
9 to 15 vehicles and no more than 25 people	3	\$521	\$537	\$16	3.1%	\$48
16 or more vehicles and no more than 50 people	2	\$637	\$656	\$19	3.0%	\$38
Motion Picture Photography Fees						
Up to 5 vehicles and no more than 10 people	0	\$405	\$417	\$12	3.0%	\$0
6 to 10 vehicles and no more than 15 people	0	\$521	\$537	\$16	3.1%	\$0
11 to 15 vehicles and no more than 25 people	0	\$637	\$656	\$19	3.0%	\$0
16 to 20 vehicles and no more than 50 people	1	\$753	\$776	\$23	3.1%	\$23
21 to 25 vehicles and no more than 100 people	0	\$868	\$894	\$26	3.0%	\$0
25 or more vehicles and no more than 150 people	0	\$985	\$1,015	\$30	3.0%	\$0
Total Revenue:						\$142

Justification:

The Department is proposing to increase the Film/Photo permit fees by 3.0% to 3.1%. In 2013 we surveyed similar public agencies that offer filming and photography permits and found our fees were lower than many Bay Area agencies. The fee increases will help the Department maintain consistent levels of service while remaining comparable to similar agencies and within market tolerance. The last fee increase for film/photo permits was on July 1, 2013. Proposed fee increases to be implemented on May 1, 2014.

Total Additional Revenue - Spring Lake Park Index FY14-15: \$142

15-32-20 REGIONAL PARKS - Spring Lake Park
Index: 032201

FY14-15 Revenue Projections:
Policy Changes: Fee Increases

Regional Parks Department						
FEE DESCRIPTION	EST. FY14-15 BUDGET UNITS OF SERVICE	FY13-14 RATE	FY14-15 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE	FY14-15 INCREASE DUE TO RATE CHANGE
Individual Camping Fees						
Peak Season						
Individual Campsites (Access)	40	\$24	\$26	\$2	8.3%	\$80
Non-Peak Season						
Individual Campsites (Access)	20	\$22	\$26	\$4	18.2%	\$80
Total Revenue:						\$160

Justification:

The Department is proposing to increase Peak and Non-Peak Season individual campsite fees for Access Pass holders. The fee increases will help the Department maintain consistent levels of service while remaining comparable to similar agencies and within market tolerance. The last fee increase for Individual Campsites was on July 1, 2011. Proposed fee increases to be implemented on May 1, 2014.

Total Additional Revenue - Spring Lake Park Index FY14-15: \$160

15-32-20 REGIONAL PARKS - Spring Lake Park
Index: 032201

FY14-15 Revenue Projections:
Policy Changes: Fee Increases

Regional Parks Department						
FEE DESCRIPTION	EST. FY14-15 BUDGET UNITS OF SERVICE	FY13-14 RATE	FY14-15 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE	FY14-15 INCREASE DUE TO RATE CHANGE
Individual Campsite Reservation and Change Fees						
Individual Campsite Reservation Fee	1300	\$8.50	\$9.50	\$1	11.8%	\$1,300
Individual Campsite Change Fee	130	\$8.50	\$9.50	\$1	11.8%	\$130

Justification:

The Department is proposing to increase Campsite Reservation and Campsite Change Fees by \$1. This price increase will help offset the Department's increased salaries and benefits costs. This fee was last increased on May 1, 2009. Proposed fee increase to be implemented on May 1, 2014.

Total Additional Revenue - Spring Lake Park Index FY14-15: \$1,430

**REGIONAL PARKS
FEE AND REVENUE SUMMARY CHART, STAFF CHARGES**
(effective 07/01/14)

FY 14-15 Projected Revenues

Regional Parks Department		CURRENT	PROPOSED			
FEE DESCRIPTION	FY 14/15 BUDGET UNITS OF SERVICE	RATE Effective 7/1/2013	RATE Effective 7/1/2014	RATE DOLLAR CHANGE	RATE PERCENTAGE CHANGE	FY 14/15 REVENUE INCREASE DUE TO RATE CHANGE

15-32

REGIONAL PARKS - Regional Parks (Department-wide)

HOURLY RATE ADJUSTMENTS:

Staff Charges for facility users or damage

Building Mechanic II (General Services)	2	\$90.32	\$96.07	\$5.75	6.4%	\$12
Lifeguard A	4	\$26.78	\$27.47	\$0.69	2.6%	\$3
Lifeguard B	8	\$28.10	\$28.79	\$0.69	2.5%	\$6
Lifeguard C	0	\$29.67	\$30.44	\$0.77	2.6%	\$0
Lifeguard Supv	0	\$37.76	\$38.79	\$1.03	2.7%	\$0
Park Aide	5	\$25.34	\$25.57	\$0.23	0.9%	\$1
Park Ranger Assistant	2	\$34.66	\$35.75	\$1.09	3.1%	\$2
Park Ranger I	2	\$84.08	\$87.37	\$3.29	3.9%	\$7
Park Ranger II	0	\$94.89	\$98.28	\$3.39	3.6%	\$0
Supervising Ranger	0	\$113.53	\$118.03	\$4.50	4.0%	\$0
Undergrad Intern	0	\$23.02	\$24.26	\$1.24	5.4%	\$0
Park Grounds and Maintenance Worker II	0	\$81.35	\$84.22	\$2.87	3.5%	\$0
Park Grounds and Maintenance Worker I	0	\$31.83	\$32.87	\$1.04	3.3%	\$0
Park Maintenance Supervisor	0	\$90.84	\$95.25	\$4.41	4.9%	\$0

Total Revenue:

\$30

Note: Budget units are estimated staff hours. Does not include all Regional Parks job classes. The same methodology will be used to create billable rates for job classes not included in this document on an as needed basis.

Justification:

This fee schedule is used by the Department to obtain full reimbursement for: (1) special events that require additional staffing, (2) staff costs for repair of damage caused by special events, (3) setup of specialized equipment by County staff, (4) staff costs for maintenance and grounds services.

The proposed fee represents the actual cost of providing staffing and will be used to help offset the cost of providing staffing services associated with special events at County facilities. The Department has established these rates based on the budgeted cost of salary plus benefits for positions with administrative overhead included in the rates. Regional Parks has calculated the rates for all Regional Park staff. Building Mechanic rates are established with General Services and charged through Regional Parks. Rate increases would become effective July 1, 2014.

Attachment C
FY 13-14 REGIONAL PARKS COMPARISON WITH SIMILIAR AGENCIES

Group Picnic Special Use Permit		
	Rate	Notes
East Bay Regional Parks	\$60 - \$224	Resident & Non-Resident fees
Lake Sonoma	\$50	
San Diego County	\$100 - \$425	Depends on group size
County of San Mateo	\$50 - \$300	Depends on group size
County of Santa Clara	\$135 - \$240	Depends on group size
San Luis Obispo	\$60 - \$130	Depends on group size
SCRP Proposed Group Picnic Permit Fees:	\$50 - \$271	Depends on group size

Film and Photography Special Use Permit		
	Rate	Films
Marin County	\$7/hr photo, \$330/hr film	\$300/day still, \$1,450/day film
Mendocino County	\$150 per permit	\$150 per permit
Riverside County	\$125 + \$15 to \$200 per day	\$250 + \$1,000 to \$2,500 per day
San Francisco	\$234 to \$587	\$234 to \$5,868
San Mateo County	\$50 to \$250 per day	\$100 to \$1,000 per day
SCRP Proposed Film & Photography Fees:	\$298 to \$656	\$417 to \$1,015

Access Passes		
Park System	Rate	Notes
Marin County	\$38	per year
Orange County	\$35 to \$50	per calendar year
Riverside County	\$35 to \$65	excludes holidays
San Luis Obispo County	\$90 to \$130	per year
East Bay Regional Parks	\$40 to \$125	per year
SCRP Proposed Access Day Use Pass:	\$26	

Non- League Athletic Field Use		
	Per Usage	Notes
City of Napa	\$37	per day
City of Petaluma	\$36	per day
City of Rohnert Park	\$10 per hr., \$75 per day	fee for residents
City of Santa Rosa	\$50 per hr.	for 2 hours
Marin County	\$40 - \$48 per hour	
SCRP Proposed Athletic Field Fee:	\$52 - \$233 for 1 - 7 days, depending on number of participants	
SCRP Proposed Athletic Field Fee:	\$93 - \$279 for more than one week, depending on number of participants	



County of Sonoma Agenda Item Summary Report

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

Agenda Item Number: 54
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Regional Parks

Staff Name and Phone Number:

Jim Nantell (707) 565-2041

Supervisorial District(s):

Fifth

Title: Spud Point and Mason's Marina Fee Adjustments

Recommended Actions:

Resolution of the Board of Supervisors authorizing new fees for locating owners of berthed vessels, berthing at Mason's Marina, retail fuel sales at Mason's Marina, storage at Mason's Marina, and battery core charges. Fee changes will become effective on May 1, 2014.

Resolution of the Board of Supervisors authorizing adjustments in hourly staff billing rates applicable to recover the reasonable costs of providing equipment, repair of damage, set-up and staffing for events, staff hourly costs for maintenance, grounds services, Marina operations, building workers, General Services mechanics, and painters effective July 1, 2014.

Executive Summary:

Regional Parks is proposing several new fees to recover the reasonable costs for operating and maintaining Marinas for public use, for providing Marina services, and for consistency with prior fee adjustments. Details are included in the Fee and Revenue Summary Charts attached to the Resolutions accompanying this Agenda Report and summarized here.

New Spud Point Fees: Regional Parks proposes a new Locator fee for owners of vessels who do not register with the Marina. Vessels that tie to the docks at Spud Point Marina and Mason's Marina are required to register with Marina staff by the close of the business day. When an owner does not register the vessel Marina staff must contact the California Department of Motor Vehicles to identify the owner. The proposed Locator fee will offset the cost of obtaining this information and it will be charged along with the berthing fee. The Locator fee is expected to generate \$750 in FY14-15.

New Mason's Marina Fees: Regional Parks proposes new fees for berthing vessels at Mason's Marina. During salmon and crab season Spud Point Marina is often at or near capacity and Mason's Marina provides additional berthing for recreational boaters. Regional Parks proposes to set berthing fees for vessels up to 50 feet in length at the market rate based on surveys of comparable facilities. Berthing fees

are expected to generate \$86,400 in FY14-15 and these funds will be used to maintain the facilities.

A fueling station has been operated at Mason's Marina for many years. The Marina is the only provider of automotive diesel fuel to the general public in the Town of Bodega Bay. Mason's Marina is also equipped to sell regular and super unleaded gasoline and propane gas to the general public. Regional Parks proposes four new County fees to continue sales of fuel at Mason's Marina: diesel fuel, unleaded gas, super unleaded gas, and propane gas. These fees will help Regional Parks recover the cost of doing business. For diesel fuel, Regional Parks proposes a fee of market rate plus up to \$.10 per gallon. The market rate is determined by diesel prices in the city of Sebastopol. The mark-up will help defray the operational cost associated with providing fueling service. For gasoline and propane fuels, Regional Parks proposes a fee of market rate determined by other retail gasoline stations in the Town of Bodega Bay.

Mason's Marina contains grounds that are used for vehicle storage and Regional Parks proposes four new fees for vehicle storage at Mason's: trailer storage per month, trailer storage per week, camper (pick-up trucks) storage per month, and motorhome storage per month. These proposed fees are expected to generate \$425 in additional revenues in FY14-15

The final proposed fee for FY14-15 is a battery core charge fee. Mason's Marina sells marine and automobile batteries to the general public. The battery vendor charges Regional Parks a \$10 core charge for each battery taken to recycling. Regional Parks proposes a new \$10 battery core charge fee to recoup this expense. Regional Parks expects the battery core charge fee to generate \$120 in FY14-15.

Changes to Staff Charges: Regional Parks requests Board approval of updates to the rates for Staff Charges to obtain full reimbursement for special events that require extra staffing, staff costs for the repair of damage caused by special events, set-up of specialized equipment by County staff, and staff costs for maintenance and grounds services. The Department has established these rates based on the budgeted cost of salaries and benefits along with the administrative overhead associated with the positions.

Justification to Changes to Current Fees: The primary purpose of the proposed changes to Regional Parks Marina Fees is to maintain core services that provide marina users and the general public a safe experience in our facilities. The proposed fee changes will improve the Department's revenues and level of cost recovery. The proposed fees also comply with Proposition 26 criteria because the fees reflect the reasonable cost of maintaining the Marinas for public use and for recovering the reasonable costs of the services provided. The funding mechanism for the Marinas is an Enterprise Fund and the Marinas are expected to be fully supported by the fees that are charged. The proposed increases in fees do not exceed the reasonable cost of maintaining the Marinas for public use and for providing these government services. The proposed fees are reasonably allocated since they are applied equally based on use or service provided either to the public at large or to commercial operations, which are available to the public. They are also reasonable based on comparisons with similar related services, see attachment C to Resolution 2 of this Agenda Report for tables with comparative information.

Summary of Expected Results: With revenue from these fee increases the Department expects to keep Spud Point and Mason's Marina open with a satisfactory level of maintenance and will remain in safe

and good condition.

Prior Board Actions:

In April of 2008 the Board approved broad increases to fees at Spud Point Marina. In September of 2009 the Board approved reductions to those fee increases due to significantly reduced economic activity at the Marinas. In April of 2011 the Board approved an increase in the wharfage fee for salmon.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 30,187		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 30,187
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 30,187	Total Sources	\$ 30,187

Narrative Explanation of Fiscal Impacts (If Required):

Proposed new fees will help offset the costs of providing these services. Fees will increase on May 1 to align with the start of the summer season and are projected to increase FY13-14 revenues by \$30,187. Additional revenues in FY14-15 are projected at \$181,120.

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):

Attachments:

Concurrent Resolution 1 - Fee Adjustments
 Resolution 2 – Staff Charges
 Attachment A, Regional Parks Fee and Revenue Summary Fee Changes
 Attachment B, Regional Parks Fee and Revenue Summary Staff Charges
 Attachment C, FY12-13 Regional Parks Comparison with Similar Agencies

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



County of Sonoma

State of California

Date: April 22, 2014

Item Number: _____

Resolution Number: 1

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma Authorizing New Fees For Spud Point Marina Failure To Register (Locator), Berthing At Mason's Marina, Fuel Sales At Mason's Marina, Vehicle And Trailer Storage At Mason's Marina, And A Battery Core Charge To Recover The Reasonable Cost of Providing These Services.

Whereas, the County of Sonoma owns and operates Spud Point and Mason's Marina;
and

Whereas, it is in the interest of the County to operate Spud Point and Mason's Marina to meet the commercial and recreational needs of the fishing and boating community;
and

Whereas, in FY12-13 the long term tenant at Mason's Marina terminated the lease and operations of Mason's were returned to the County; and

Whereas, pursuant to Section 20-53 of the Sonoma County Municipal Code, the Board of Supervisors of Sonoma County has established rates for services, rents, fees, goods, and other charges ("fees") for the orderly operation of the Marinas; and

Whereas, the additional revenue generated by fee increases and new fees will be used to recover the reasonable cost of maintaining the marinas for public use, recover the reasonable cost of providing government services which will generate revenue for the County of Sonoma, and offset expenses incurred in the operation and maintenance of these facilities; and

Whereas, the Director of Regional Parks has recommended that the Board of Supervisors adopt adjustments in Marina fees as identified in Attachment A to the Agenda Report ("Fee and Revenue Summary") accompanying this Resolution to recover the reasonable cost of providing these services; and

Now, Therefore, Be It Resolved that to recover the reasonable cost of providing certain Marina services, it is necessary to increase certain fees and establish certain new fees as set forth below.

Be It Further Resolved, based on information presented to this Board, this Board finds that the proposed fees comply with all legal requirements, including Art. XIII C of the California Constitution.

Be It Further Resolved that pursuant to Section 20-24 of the Code of the County of Sonoma, adjustments to fees for Failure to Register (Locator), Berthing at Mason's Marina, Fuel Sales at Mason's Marina, Vehicle and Trailer Storage at Mason's Marina, and a Battery Core Charge, as identified in Attachment A are hereby authorized to become effective on May 1, 2014, shall supersede rates and policies presently in effect, and shall be incorporated into the schedule of all rates and fees charged for the use of Sonoma County's park facilities.

Be It Further Resolved that the Director of Regional Parks is hereby authorized and directed to take such steps as necessary to implement and charge the adjusted fees adopted herein.

Supervisors:

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

So Ordered.



County of Sonoma
State of California

Date: April 22, 2014

Item Number: _____
Resolution Number: 2

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Adjusting Staff Charges For Equipment, Repair Of Damage, Setup For Events, And Staff Hourly Costs for Maintenance, Grounds Services, Marina Operations, Building Workers, and General Services Mechanics and Painters To Recover The Reasonable Cost of Providing These Services.

Whereas, the County of Sonoma owns and operates Spud Point Marina and Mason's Marina; and

Whereas, it is in the interest of the County to operate Spud Point Marina and Mason's Marina to respond to commercial and recreational fishing and boating needs of the community; and

Whereas, it is in the best interests of the County of Sonoma, the commercial and recreational fishing and boating community, and to the general public to maintain and operate said facilities at a standard of care that provides for the welfare, safety, and enjoyment of Marina users and visitors; and

Whereas, staff charges have been established by the County to offset operations and maintenance costs and to recover the reasonable cost of providing these services; and

Whereas, imposition of staff charges will provide an alternative revenue source to recover the reasonable cost of providing these services; and

Whereas, the Director of Regional Parks has recommended that the Board of Supervisors of the County of Sonoma adopt adjustments to staff charges for setup of equipment, repair of damage, setup for events and staff hourly costs for maintenance and grounds services, Marina operations, building workers, and General Services mechanics and painters as identified in Attachment B to the Agenda Report accompanying this Resolution ("Fee and Revenue Summary Chart, Staff Charges").

Now, Therefore, Be It Resolved that to recover the reasonable cost of providing certain park services, it is necessary to increase certain fees and establish new fees as set forth

below.

Be It Further Resolved, based on information presented to this Board, this Board finds that the proposed fees comply with all legal requirements, including Art. XIII of the California Constitution.

Be It Further Resolved that staff charges shall be adjusted as specified under Attachment B to become effective July 1, 2014, and that the Director of Regional Parks is hereby authorized and directed to take such steps as necessary to implement and charge the rates adopted herein.

Be It Further Resolved that the Director of Regional Parks is hereby authorized and directed to take such steps as necessary to implement and charge the adjusted rates and new fees adopted herein.

Supervisors:

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

So Ordered.

FY14-15 Revenue Projections:
 Policy Changes: New Fees

Regional Parks Department	EST. FY14-15 BUDGET UNITS OF SERVICE	FY13-14 RATE	FY14-15 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE	FY14-15 INCREASE DUE TO RATE CHANGE
Impoundment and Lien Process						
Locator Fee - Failure to Register	10	n/a	\$75	\$75	100.0%	\$750
Total Revenue:						\$750

Justification:

Regional Parks is proposing a new fee to recover the cost of locating individuals who fail to register with the harbor master. It is currently part of the Impoundment and Lien process and will be applied in situations where a boat owner must be located but their property is not impounded. The proposed fee will help offset the cost of contacting the California Department of Motor Vehicles to locate property owners who fail to register with Marina Management by the end of normal business hours. Proposed fee increase to be implemented on May 1, 2014.

Total Additional Revenue - Spud Point Marina Index FY14-15: \$750

FEE AND REVENUE SUMMARY CHART

FY14-15 Revenue Projections:
 Policy Changes: New Fees

Regional Parks Department	EST. FY14-15 BUDGET UNITS OF SERVICE	FY13-14 RATE	FY14-15 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE	FY14-15 INCREASE DUE TO RATE CHANGE
Mason's Marina Berthing						
41 - 50 feet	0		\$240	\$240	100.0%	\$0
31 - 40 feet	0		\$210	\$210	100.0%	\$0
Up to 30 feet	480		\$180	\$180	100.0%	\$86,400
Total Revenue:						\$86,400

Justification:

Regional Parks took over operations of Mason's Marina from the prior long-term tenant in FY12-13 and the proposed rates are the same as the prior long term tenant charged. During peak times of the year Spud Point Marina is at or near capacity and Mason's Marina provides much needed additional berthing. Revenues from berthing rentals will be used to rebuild and repair the aging docks at Mason's marina and fees will help offset the cost of providing berthing to boaters in Bodega Bay. The proposed fee increases will be implemented on May 1, 2014.

Total Additional Revenue - Spud Point Marina Index FY14-15: \$86,400

FY14-15 Revenue Projections:
 Policy Changes: New Fees

Regional Parks Department	EST. FY14-15 BUDGET UNITS OF SERVICE	FY13-14 RATE	FY14-15 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE	FY14-15 INCREASE DUE TO RATE CHANGE
Mason's Marina Fuel Charges						
Diesel (per gallon)	35000	n/a	market + up to	\$0.10	0.0%	\$36,750
Unleaded (per gallon)	41000	n/a	market		0.0%	\$38,950
Super unleaded (per gallon)	3500	n/a	market		0.0%	\$3,325
Propane (per gallon)	4800	n/a	market		0.0%	\$14,400
Total Revenue:						\$93,425

Note: revenue estimates are based on an average market mark-ups over per gallon cost

Justification:

Regional Parks took over operations of Mason's Marina from the prior long-term tenant in FY12-13 including retail diesel fuel, unleaded gas, and propane gas sales. Mason's Marina is the only vendor of automotive diesel fuel in the Town of Bodega Bay, the next closest vendor is in the City of Sebastopol approximately 15 miles away. Regional Parks will continue sales of diesel fuel to the general public at Mason's Marina because it provides a benefit to the community. Diesel fuel prices are determined by the market rate for diesel in Sebastopol plus a mark-up of up to \$.10 per gallon to help recover the cost of operating the fuel pumps and the store at Mason's Marina. Unleaded fuel prices are determined by the market rate for unleaded gas in the Town of Bodega Bay. Propane is priced at the same rate as the local Bodega Bay market price. These fees will help offset the Department's cost of providing fuel to the general public in the Town of Bodega Bay. This proposed new fee will be implemented on May 1, 2014.

Total Additional Revenue - Spud Point Marina Index FY14-15: \$93,425

50-90-10 REGIONAL PARKS - Spud Point Marina
 Index: 290106

FEE AND REVENUE SUMMARY CHART

FY14-15 Revenue Projections:
 Policy Changes: New Fees

Regional Parks Department	EST. FY14-15 BUDGET UNITS OF SERVICE	FY13-14 RATE	FY14-15 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE	FY14-15 INCREASE DUE TO RATE CHANGE
Mason's Marina Storage						
Inside the Gate						
Trailer storage - per month	5	n/a	\$85	\$85	100.0%	\$425
Trailer storage - per week	10	n/a	\$30	\$30	100.0%	\$300
Across the Street						
Campers (Pick-Up Trucks) - per month	1	n/a	\$100	\$100	100.0%	\$100
Motorhomes - per month	1	n/a	\$200	\$200	100.0%	\$200
Total Revenue:						\$425

Justification:

Regional Parks took over operations of Mason's Marina from the prior long term tenant in FY12-13 and continued to offer the same services to the public that were offered under previous management. There are two storage areas adjacent to Mason's Marina, one on the bay side of the road way and another across the street. Proposed rates for trailer, camper, and motorhome storage are the same as under previous management. These proposed fees will help offset the cost of operating Mason's Marina for use by the general public. Proposed fee increase to be implemented on May 1,

Total Additional Revenue - Spud Point Marina Index FY14-15: \$425

50-90-10 REGIONAL PARKS - Spud Point Marina
 Index: 290106

FEE AND REVENUE SUMMARY CHART

FY14-15 Revenue Projections:
 Policy Changes: New Fee

Regional Parks Department	EST. FY14-15 BUDGET UNITS OF SERVICE	FY13-14 RATE	FY14-15 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE	FY14-15 INCREASE DUE TO RATE CHANGE
Mason's Marina - Other Fees						
Battery core charge	12	n/a	\$10	\$10	100.0%	\$120
Total Revenue:						\$120

Justification:

Regional Parks is proposing to add a battery core charge to offset the cost of properly disposing spent marine and automotive batteries. Battery core charge fee is set by new battery vendor. Proposed fee increase to be implemented on May 1, 2014.

Total Additional Revenue - Spud Point Marina Index FY14-15: \$120

Spud Point Marina
FEE AND REVENUE SUMMARY CHART, STAFF CHARGES
(effective 07/01/14)

FY 14-15 Projected Revenues

Regional Parks Department		CURRENT	PROPOSED			
FEE DESCRIPTION	FY 14/15 BUDGET UNITS OF SERVICE	RATE Effective 7/1/2010	RATE Effective 7/1/2014	RATE DOLLAR CHANGE	RATE PERCENTAGE CHANGE	FY 14/15 REVENUE INCREASE DUE TO RATE CHANGE

15-32

REGIONAL PARKS - Regional Parks (Department-wide)

HOURLY RATE ADJUSTMENTS:

Staff Charges for facility users or damage

Building Mechanic II (General Services)	10	\$77.11	\$96.07	\$18.96	24.6%	\$190
Park Aide*	5	\$0.00	\$22.39	\$22.39	100.0%	\$112
Department Marina Attendant	5	\$55.62	\$77.45	\$21.83	39.2%	\$109
Senior Marina Attendant	2	\$58.74	\$65.22	\$6.48	11.0%	\$13
Marina Supervisor	2	\$70.12	\$104.91	\$34.79	49.6%	\$70
Department Analyst*	1		\$93.23	\$93.23	100.0%	\$93
Total Revenue:						\$586

*New for FY14-15

Note: Budget units are estimated staff hours. Does not include all Regional Parks job classes. The same methodology will be used to create billable rates for job classes not included in this document on an as needed basis.

Justification:

This fee schedule is used by the Department to obtain full reimbursement for: (1) special events that require additional staffing, (2) staff costs for repair of damage caused by special events, (3) setup of specialized equipment by County staff, (4) staff costs for maintenance and grounds services.

The proposed fee represents the actual cost of providing staffing and will be used to help offset the cost of providing staffing services associated with special events at County facilities. The Department has established these rates based on the budgeted cost of salary plus benefits for positions with administrative overhead included in the rates. Regional Parks has calculated the rates for all Regional Park staff. These rates have not increased since 2010. Rate increases become effective July 1, 2014.

MARINA SURVEY 2014

Facility	Bodega Bay, CA Spud Point Marina	Bodega Bay, CA Mason's Marina	City of Berkeley, CA Berkeley Marina	Crescent City, CA Crescent City Harbor	Eureka Humboldt, CA Woodley Island Marina	Fort Bragg, CA Noyo Harbor	Half Moon Bay, CA Pillar Point Harbor	San Francisco Bay, CA Pier 39 Marina	Santa Cruz CA Santa Cruz Harbor
<u>Berth Rates</u> <u>Commercial</u> <u>Recreational</u>	All Vessels \$6.55/ft /mo	All Vessels 30 ft 180.00mo 40 ft/210.00/mo 50 ft/240.00/mo	All Vessels 30-39 ft/\$9.75/ft/mo 40-49 ft/\$10.33/ft/mo 50-59ft/\$10.95/ft/mo	All Vessels 70 ft. = \$665/mo 60 ft. = \$570/mo 50 ft. = \$475/mo 40 ft. = \$380/mo 30 ft. = \$285/mo	All Vessels \$4.15 per ft/per mo \$3.74 per ft/per yr .75/ft. per mo dredge surcharge	All Vessels \$4.20/ft /mo through 03/31/14 \$4.40/ft /mo starting 04/01/2014	All Vessels 50 ft. / \$446.25/mo 40 ft. / \$362.25/mo 30 ft. / \$278.25/mo	All Vessels 36'-\$398/mo 40'-\$449/mo 45'-\$516/mo 50'-\$589/mo 60'-\$660/mo	All Vessels Monthly 20' \$9.99/ft 25'-30' \$11.03/ft 35'-40' \$11.35/ft > 40' \$21.53/ft
Transient Berth Rate for 24 hour period (1 day) (for both comml & rec)	Com / Rec < 30' \$20 / \$20 31'-40' \$25 / 30 40'-50' \$30 / \$40 51'-60' \$36 / \$50 61'-90' \$42 / \$60 > 91' \$54 / \$100	N/A N/A N/A N/A N/A	\$0.50/ft	Based on length overall 30 ft = \$19.00 40 ft. = \$25.00 50 ft/ = \$32.00 60 ft/ = \$38.00 70 ft = \$44.00	\$0.60 per ft. per day \$0.60 per ft. per day \$0.60 per ft. per day \$0.60 per ft. per day \$0.60 per ft. per day	<26' \$18.00/night 27'-45' \$20.00/night > 45'\$26.00/night	\$0.75 per ft - 2wks-90 Days \$0.85 per ft - < 2 weeks	< 36' \$45.00/day 37'-45' \$50.00/day 46'-60' \$60.00/day	Single Hull \$0.90/day \$27 min Double Hull \$1.50/day \$33 min Commercial \$0.70/day \$27 mini
Public Hoist	\$15/15min Berths - free w/2hr limit	Independent	\$36 Annually	\$20.00 per 1/2 hour	Tenants free/\$30.00/hr Public	>1,000# - \$20.00/hr All engines \$50.00 min	\$40.00 per hour	N/A	Yes
Fuel Dock	Yes	N/A	Yes	Yes	N/A	N/A	N/A	N/A	Yes
Liveaboard	\$325/mo- \$75 ea add'l person/mo	N/A	\$145/mo	\$100/ month for two \$85.00 each individual	\$90.45 add'l person \$138.00 / mo for 2	N/A	\$350.00	\$200/person (2yr wait) N/A	plus \$100.00 per person plus 30% slip fee
Emergency Pump Out	\$80/incident	N/A		Salary+labor+\$25.00 per pump	\$20.00 < 50 ga	N/A	Emergency \$100.00 min	Free	Free
Work Boat (Towing)	\$175/hr	Independent	\$75	\$100.00 per 1/2 hr	N/A	\$15 in Marina, \$20 out of Marina	\$200/hr + Fuel Surcharge	N/A Fee/only distressed vessels	\$150.00
Fish Sales/Buyer	\$250/180 days-Permit Boat Retail - \$15/day Selling from boat	N/A		\$50.00/mo - 4 mo min	\$25.00 per month for business N/A charge for tenant boat sales	N/A	\$250.00 Annual	N/A	Yes
Wait List Fee	\$25	N/A	N/A	\$0.00	N/A	1 months rent	\$25.00/yr	N/A	\$100.00 annually
Labor Cost	\$80/hr Marina Other Labor Serv: Cost+40%	Case by Cases Basis	\$75/ occurance	\$40.00/hr \$60.00/hr OT	Salary + 35%	\$25 Oil Spill Response	\$100.00 /hr, \$150/hr OT	N/A	N/A
ICE	\$86/ton-\$0.06/#-200#min	10 lb bag/\$2.29 + tax		Yes	N/A	N/A	N/A	N/A/Bagged ice \$1.00/bg	na
Fish Offloading	Berthers-\$15min Fee Crab: \$0.08/#-All other: \$0.05/# Trans: \$15.00min -\$0.15/#	N/A			N/A	N/A	N/A	N/A	10¢ - 15¢/lb
Dry Storage	\$85/mo	\$40.00/mo	< 25' \$85/mo, > 25' \$95/mo	N/A	.30 per sq ft/storage	\$50.00 for 200 sq ft/mo	N/A	N/A	(depending on species) \$20.00/night
Key deposit	Berthers1st Free-add'l \$50	N/A	\$25	\$20.00	\$20.00	N/A	\$10.00	\$25 tenant-\$50 guest	\$80/trans \$40/berthers
Lien/Impound Fee	\$175	Up to\$50.00/day for derelict fees	\$100	N/A	Actual Cost	N/A	\$175.00	Actual	Actual



County of Sonoma Agenda Item Summary Report

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

Agenda Item Number: 55
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Regional Parks

Staff Name and Phone Number:

Bert Whitaker (707) 565-2041

Supervisorial District(s):

All

Title: Regional Parks Fee Adjustments

Recommended Actions:

Resolution of the Board of Supervisors authorizing fee adjustments for Special Use Permits for Group Picnics, Non-Commercial/Non-Profit Events, and Non-League Athletic Field Use Permits, Film and Photography Permits, Group Picnic Reservation Changes, Fall Festival Admission, Individual Camping, Individual Campsite Reservations, Individual Campsite Reservation Changes, New Fees For Replacement Annual Day Use, Golden Years, and Access Passes and a New Fee for a Special Use Permit for Grazing. Fee changes will become effective on May 1, 2014.

Resolution of the Board of Supervisors authorizing adjustments in hourly staff billing rates applicable to recover the reasonable costs of providing services such as repairs, set-up and staffing for events, special use permits, and for maintenance and grounds services effective July 1, 2014.

Executive Summary:

Regional Parks is proposing several changes to its fees to recover the reasonable costs for maintaining parks for public use, for providing park services, and for consistency with prior fee adjustments. Details are included in the Fee and Revenue Summary Charts attached to the Resolutions accompanying this Agenda Report and summarized here. A market analysis of fees charged by other similar agencies was done in Fall 2013 and can be found in Attachment C.

Changes to Current Fees and Rates: Regional Parks proposes that Special Use Permits for Group Picnics, Non-Commercial/Non-Profit Events, and Film and Photo Permits be increased by an average of 3% to help offset the projected 3.4% increase in staffing costs. These changes are expected to generate \$828 in additional revenues for Park Operations.

Regional Parks also proposes an increase in the Group Picnic Reservation Change Fee, Individual Campsite Reservation Fee, and Individual Campsite Change fee from \$8.50 to \$9.50 to help offset the cost of processing reservations and reservation changes. These transactions are time consuming for staff and can take up to 30 minutes to process. The proposed fee of \$9.50 per transaction closely matches

our estimated average cost of processing these transactions and will add an estimated \$13,980 in FY14-15.

Regional Parks proposes increases to the Tolay Lake Fall Festival Admission. The fee for children 12 years old and younger will increase to \$3 and the fee for visitors 13 years and older will increase to \$5. We estimate that this proposed fee increase will add \$15,000 to the Festival revenues, bringing the Fall Festival closer to the financial goal of breaking even. Fees had last been changed in 2011.

Regional Parks proposes several changes to Individual Camping Fees. Individual Campsite Fees for Residents will be increased by \$2 in both the peak and non-peak season and fees for Access Pass holders will increase by \$4 in the peak season and \$2 in the non-peak season. These changes will increase revenues by an estimated \$17,252 in FY14-15.

New Fees: Regional Parks proposes four new fees; replacement fees for lost Regular, Golden Years, and Access Passes. Regional Parks receives about 20 requests per month to replace lost park passes. We currently do not replace lost park passes, instead the pass holder must purchase a new 12 month park pass. The proposed replacement fee would allow pass holders to purchase the remaining months on the lost pass at a pro-rated rate of \$7 per month for Regular Day Use Parking Passes, \$3.25 per month for Golden Years Passes, and \$2.33 per month for Access Passes. Replacement passes will not include the free night of camping. Regional Parks will replace damaged park passes free of charge upon surrender of the damaged park pass. While this new fee item is primarily a customer service enhancement, we estimate that it will increase revenues by \$1,800 in FY14-15.

The fourth new fee is a Special Use Permit for grazing on Regional Parks' properties that are not currently open or accessible to the public. For example, Regional Parks manages two small properties that could benefit from grazing; Alder Park (4.8 acres) and Bouverie Wildflower Preserve (22.6 acres). Grazing provides benefits to grasslands by reducing thatch build up and enhancing habitat for native wildflowers. Grazing also reduces fire risk and reduces staff time spent on high weed mowing, discing, and invasive plant removal. Parcels less than 40 acres are too small to be economically viable for commercial cow-calf operations but are well suited for herds of 1 to 10 animals, depending on annual forage conditions. Grazing Special Use Permits will be available on a first-come, first-served basis from inquiries from the public. Regional Parks will maintain a waiting list and will cycle through the list as opportunities are available. Regional Parks reserves the right to discontinue grazing on these properties at any time for any reason.

Justification to Changes to Current Fees: The primary purpose of the proposed changes to Regional Parks Fees is to maintain core services that provide park users a safe experience in our facilities. The proposed fees also comply with Proposition 26 criteria because the fees reflect the reasonable cost of maintaining the parks for public use and recovering the reasonable costs of the services provided. Fee amounts cover only a portion of the Department's overall costs as the park system receives over \$5.6M per year in support from the General Fund and Transit and Occupancy Taxes. Therefore the proposed increases do not exceed the reasonable cost of maintaining the parks for public use and for providing these government services. The proposed fees are reasonably allocated since they are applied equally based on use or service provided either to the public at large or to those who buy annual passes, which are available to the public. They are also reasonable based on comparisons with similar related services,

see attachment C to Resolution 1 of this Agenda Report for tables with comparative information.

Changes to Staff Charges: Regional Parks requests Board approval of updates to the rates for Staff Charges to obtain full reimbursement for special events that require extra staffing, staff costs for the repair of damage caused by special events, set-up of specialized equipment by County staff, and staff costs for maintenance and grounds services. The Department has established these rates based on the budgeted cost of salaries and benefits along with the administrative overhead associated with the positions.

Summary of Expected Results: With revenue from these fee increases the Department expects to keep all Regional Parks open with a satisfactory level of maintenance and will remain in safe and good condition.

Prior Board Actions:

In April 2013 the Board approved fee adjustments for Day Use Parking Pass Volume Discounts, Special Use Permits for Group Picnics, Non-commercial/Non-profit Events, Non-leagues Athletic Field Use, Film and Photography Permits, Seasonal Day Use Passes, Dump Station Fees, Additional Vehicle Fees For Campers, Pesticide Applicators Training Fees, Enhanced Special Use Permits, and Pricing Flexibility Measures.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 8,160		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 8,160
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 8,160	Total Sources	\$ 8,160

Narrative Explanation of Fiscal Impacts (If Required):

Proposed fee increases will help offset the costs of providing these services. Fees will increase on May 1 to align with the start of the camping season and are projected to increase FY13-14 revenues by \$8,160. Additional revenues in FY14-15 are projected at \$52,146.

Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Concurrent Resolution 1 - Fee Adjustments Resolution 2 – Staff Charges Attachment A, Regional Parks Fee and Revenue Summary Fee Changes Attachment B, Regional Parks Fee and Revenue Summary Staff Charges Attachment C, FY12-13 Regional Parks Comparison with Similar Agencies			
Related Items “On File” with the Clerk of the Board:			



County of Sonoma
State of California

Date: April 22, 2014

Item Number: _____

Resolution Number: 1

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma Authorizing Fee Adjustments For Special Use Permits for Group Picnics, Non-Commercial/Non-Profit Events, And Non-League Athletic Field Use Permits, Film And Photography Permits, Group Picnic Reservation Changes, Fall Festival Admission, Individual Camping, Individual Campsite Reservations, Individual Campsite Reservation Changes, And New Fees For Replacement Annual Day Use, Golden Years, And Access Passes and a Special Use Permit for Grazing To Recover The Reasonable Cost of Providing These Services.

Whereas, the County of Sonoma owns and operates fifty Regional Parks and Regional Trails; and

Whereas, fees are charged to recover the reasonable cost of maintaining the parks for public use and recover the reasonable cost of providing government services which will generate revenue for the County of Sonoma and offset expenses incurred in the operation and maintenance of these facilities; and

Whereas, the Director of Regional Parks has recommended that the Board of Supervisors adopt adjustments in park fees as identified in Attachment A to the Agenda Report ("Fee and Revenue Summary") accompanying this Resolution to recover the reasonable cost of providing these services; and

Whereas, in fiscal year 2012-13 the Regional Parks Department generated \$4.6M in revenues and \$10.2M in expenditures with a General Fund subsidy of \$3.5M and Transit and Occupancy Tax of \$2.1M to operate and maintain the County's park system, excluding the Marinas; and

Whereas, a comparison of Regional Parks revenue, expenditures, and the General Fund subsidy in the last fiscal year indicates that the additional revenues to be collected from the adjusted fees will be less than the cost to the County of funding the Regional Parks programs;

Now, Therefore, Be It Resolved that to recover the reasonable cost of providing certain parks services, it is necessary to increase certain fees and establish certain new fees as set forth below.

Be It Further Resolved, based on information presented to this Board, this Board finds that the proposed fees comply with all legal requirements, including Art. XIII C of the California Constitution.

Be It Further Resolved that pursuant to Section 20-24 of the Code of the County of Sonoma, adjustments to Special Use Permits for Group Picnics, Non-Commercial/Non-Profit Events, and Non-League Athletic Field Use Permits, Film and Photography Permits, Group Picnic Reservation Changes, Fall Festival Admission, Individual Camping, Individual Campsite Reservations, Individual Campsite Reservation Changes, and New Fees For Replacement Annual Day Use, Golden Years, and Access Passes, and a New Fee For a Special Use Permit For Grazing, as identified in Attachment A, are hereby authorized to become effective on May 1, 2014, shall supersede rates and policies presently in effect, and shall be incorporated into the schedule of all rates and fees charged for the use of Sonoma County's park facilities.

Be It Further Resolved that the Director of Regional Parks is hereby authorized and directed to take such steps as necessary to implement and charge the adjusted fees adopted herein.

Supervisors:

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

So Ordered.



County of Sonoma
State of California

Date: April 22, 2014

Item Number: _____
Resolution Number: 2

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Adjusting Staff Charges For Equipment, Repair Of Damage, Setup For Events, And Staff Hourly Costs for Maintenance, Grounds Services, Park Operations, Building Workers, and General Services Mechanics and Painters To Recover The Reasonable Cost of Providing These Services.

Whereas, the County of Sonoma owns and operates fifty Regional Parks and Regional Trails; and

Whereas, it is in the interest of the County to operate or oversee operations of Regional Parks and the Occidental Community Center to respond to community cultural and recreational needs; and

Whereas, it is in the best interests if the County of Sonoma and the general public to maintain and operate said facilities at a standard of care that provides for the welfare, safety, and enjoyment of park visitors; and

Whereas, staff charges have been established by the County to offset operations and maintenance costs and to recover the reasonable cost of providing these services; and

Whereas, imposition of staff charges will provide an alternative revenue source so that the General Fund does not have to be used to pay for these services; and

Whereas, the Director of Regional Parks has recommended that the Board of Supervisors of the County of Sonoma adopt adjustments to staff charges for equipment, repair of damage, setup for events and staff hourly costs for maintenance, grounds services, park operations, building workers, and General Services mechanics and painters as identified in Attachment B to the Agenda Report accompanying this Resolution ("Fee and Revenue Summary Chart, Staff Charges").

Now, Therefore, Be It Resolved that to recover the reasonable cost of providing certain park services, it is necessary to increase certain fees and establish new fees as set forth below.

Be It Further Resolved, based on information presented to this Board, this Board finds that the proposed fees comply with all legal requirements, including Art. XIII of the California Constitution.

Be It Further Resolved that staff charges shall be adjusted as specified under Attachment B to become effective July 1, 2014, and that the Director of Regional Parks is hereby authorized and directed to take such steps as necessary to implement and charge the rates adopted herein.

Be It Further Resolved that the Director of Regional Parks is hereby authorized and directed to take such steps as necessary to implement and charge the adjusted rates and new fees adopted herein.

Supervisors:

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

So Ordered.

FEE AND REVENUE SUMMARY CHART

FY14-15 Revenue Projections:
Policy Changes: New Fees

Regional Parks Department						
FEE DESCRIPTION	EST. FY14-15 BUDGET UNITS OF SERVICE	FY13-14 RATE	FY14-15 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE	FY14-15 INCREASE DUE TO RATE CHANGE

15-32-10 REGIONAL PARKS - Regional Parks
Index: 032102

Replacement Day Use Parking Passes

Replacement Annual Day Use Pass	240	\$0	\$7 per month	\$ 1.25	n/a	\$1,800
Replacement Golden Years Pass	0	\$0	\$3.25 per month	\$ -	n/a	\$0
Replacement Access Pass	0	\$0	\$2.33 per month	\$ -	n/a	\$0
Total Revenue:						\$1,800

Justification:

Regional Parks is proposing a new fee to allow Regional Parks members to replace lost park passes by purchasing back the remaining months on a lost pass at a Board of Supervisors approved pro-rated amount. Current Park policy does not allow for the issuance of replacement passes, park members must purchase a new 12 month pass to replace a lost one. Replacement passes will not include the one night of camping that is included in a new park pass. Regional Parks will replace damaged Park passes at no cost upon surrender of the damaged pass. The replacement pass program is offered as a customer service enhancement to the existing Fee Schedule. Proposed fee increases to be implemented on May 1, 2014.

Total Additional Revenue - Regional Parks Index FY14-15:

\$1,800

15-32-10 REGIONAL PARKS - Regional Parks
Index: 032102

FY14-15 Revenue Projections:
Policy Changes: New Fee

Regional Parks Department						
FEE DESCRIPTION	EST. FY14-15 BUDGET UNITS OF SERVICE	FY13-14 RATE	FY14-15 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE	FY14-15 INCREASE DUE TO RATE CHANGE

Special Use Permits

Grazing Permit for up to 4 months	2	\$0.00	\$50.00	\$50	100.0%	\$100
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Justification:

The Department is proposing a Special Use Permit to allow short term / limited duration grazing on lands or park areas managed by Regional Parks that are not open or accessible to the public. Grazing provides benefits to grasslands by reducing thatch, reducing fire hazards, and providing desirable habitat for native wildflowers. Grazing can also reduce park staff time spent on high weed mowing, discing, and invasive plant removal. These pastures and grasslands are not large enough to be economically viable for commercial cow-calf operations but are well suited for limited grazing with herds of 3-10 animals for 1-4 months per season. Grazing permits will be offered on a first-come, first-served basis. Regional Parks reserves the right to discontinue grazing for any reason without a refund to the permit holder. Proposed fee to be implemented on May 1, 2014.

Total Additional Revenue - Regional Parks Index FY14-15:

\$100

15-32-10 REGIONAL PARKS - Regional Parks
Index: 032102

FY14-15 Revenue Projections:
Policy Changes: Fee Increases

Regional Parks Department						
FEE DESCRIPTION	EST. FY14-15 BUDGET UNITS OF SERVICE	FY13-14 RATE	FY14-15 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE	FY14-15 INCREASE DUE TO RATE CHANGE

Group Picnic Change Fee

Group Picnic Change Fee	30	\$8.50	\$9.50	\$1	11.8%	\$30
Total Revenue:						\$30

Justification:

The Department is proposing to raise the fee for changing Group Picnic site reservations from \$8.50 to \$9.50, an 11.8% increase. This price increase will help offset the Department's increased salaries and benefits costs. This fee was last increased on May 1, 2009. Proposed fee increase to be implemented on May 1, 2014.

Total Additional Revenue - Regional Parks Index FY14-15:

\$30

FEE AND REVENUE SUMMARY CHART

FY14-15 Revenue Projections:
 Policy Changes: Fee Increases

Regional Parks Department	EST. FY14-15 BUDGET UNITS OF SERVICE	FY13-14 RATE	FY14-15 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE	FY14-15 INCREASE DUE TO RATE CHANGE
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15-32-10 REGIONAL PARKS - Regional Parks
 Index: 032102

Group Picnic/Special Use Permit Fees

Group Picnic Area Reservation Fees

Groups with attendance up to 99	250	\$50	\$52	\$2	4.0%	\$500
Groups with attendance from 100 to 199	6	\$90	\$93	\$3	3.3%	\$18

Non-Commercial/Non-Profit Events

Events scheduled for one to seven days

Groups with attendance from 25 to 99	59	\$50	\$52	\$2	4.0%	\$118
Groups with attendance from 100 to 199	2	\$90	\$93	\$3	3.3%	\$6
Groups with attendance from 200 to 299	4	\$181	\$186	\$5	2.8%	\$20
Groups with attendance over 300	10	\$226	\$233	\$7	3.1%	\$70

Events scheduled for more than one week to one year

Groups with attendance from 25 to 99	4	\$90	\$93	\$3	3.3%	\$12
Groups with attendance from 100 to 199	1	\$135	\$139	\$4	3.0%	\$4
Groups with attendance from 200 to 299	0	\$226	\$233	\$7	3.1%	\$0
Groups with attendance over 300	0	\$271	\$279	\$8	3.0%	\$0

Non-League Athletic Field Use

Events scheduled for one to seven days

Groups with attendance from 25 to 99	4	\$50	\$52	\$2	4.0%	\$8
Groups with attendance from 100 to 199	0	\$90	\$93	\$3	3.3%	\$0
Groups with attendance from 200 to 299	0	\$181	\$186	\$5	2.8%	\$0
Groups with attendance over 300	0	\$226	\$233	\$7	3.1%	\$0

Events scheduled for more than one week to one year

Groups with attendance from 25 to 99	0	\$90	\$93	\$3	3.3%	\$0
Groups with attendance from 100 to 199	0	\$135	\$139	\$4	3.0%	\$0
Groups with attendance from 200 to 299	0	\$226	\$233	\$7	3.1%	\$0
Groups with attendance over 300	0	\$271	\$279	\$8	3.0%	\$0

Total Revenue: \$756

Justification:

The Department is proposing to increase the group picnic/special use, non-commercial/non-profit event, and non-league athletic field use permit fees by 2.8% to 4.0%. The fee increases will help the Department maintain consistent levels of service while remaining comparable to similar agencies and within market tolerance. These fees were last increased July 1, 2013. Proposed fee increases to be implemented on May 1, 2014.

Total Additional Revenue - Regional Parks Index FY14-15:

\$756

15-32-10 REGIONAL PARKS - Regional Parks
 Index: 032102

FY14-15 Revenue Projections:
 Policy Changes: Fee Increases

Regional Parks Department	EST. FY14-15 BUDGET UNITS OF SERVICE	FY13-14 RATE	FY14-15 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE	FY14-15 INCREASE DUE TO RATE CHANGE
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Film/Photo Permit Fees

Still Photography Fees

Up to 5 vehicles and no more than 8 people	1	\$289	\$298	\$9	3.1%	\$9
6 to 8 vehicles and no more than 15 people	0	\$405	\$417	\$12	3.0%	\$0
9 to 15 vehicles and no more than 25 people	0	\$521	\$537	\$16	3.1%	\$0
16 or more vehicles and no more than 50 people	0	\$637	\$656	\$19	3.0%	\$0

Motion Picture Photography Fees

Up to 5 vehicles and no more than 10 people	1	\$405	\$417	\$12	3.0%	\$12
6 to 10 vehicles and no more than 15 people	2	\$521	\$537	\$16	3.1%	\$32
11 to 15 vehicles and no more than 25 people	1	\$637	\$656	\$19	3.0%	\$19
16 to 20 vehicles and no more than 50 people	0	\$753	\$776	\$23	3.1%	\$0
21 to 25 vehicles and no more than 100 people	0	\$868	\$894	\$26	3.0%	\$0
25 or more vehicles and no more than 150 people	0	\$985	\$1,015	\$30	3.0%	\$0

Total Revenue: \$72

Justification:

The Department is proposing to increase the Film/Photo permit fees by an average of 3.0%. In 2013 we surveyed similar public agencies that offer filming and photography permits and found our fees were lower than many Bay Area agencies. The fee increases will help the Department maintain consistent levels of service while remaining comparable to similar agencies and within market tolerance. The last fee increase for film/photo permits was on July 1, 2013. Proposed fee increases to be implemented on May 1, 2014.

Total Additional Revenue - Regional Parks Index FY14-15:

\$72

15-32-10 REGIONAL PARKS - Regional Parks

Index: 032102

FY14-15 Revenue Projections:

Policy Changes: Fee Increases

Regional Parks Department						
FEE DESCRIPTION	EST. FY14-15 BUDGET UNITS OF SERVICE	FY13-14 RATE	FY14-15 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE	FY14-15 INCREASE DUE TO RATE CHANGE
Fall Festival Admission						
Admission for 13 years of age and older	3,000	\$4	\$5	\$1	25.0%	\$3,000
Admission for 12 years of age and younger	6,000	\$1	\$3	\$2	200.0%	\$12,000
Total Revenue:						\$15,000

Justification:

The Department is proposing to raise the fee for Fall Festival admission. The increased fee will help offset the cost of producing the Tolay Lake Fall Festival and will bring Festival revenues closer to costs of the event. This fee was last increased July 1, 2010. Proposed fee increase to be implemented on May 1, 2014.

Total Additional Revenue - Regional Parks Index FY14-15:

\$15,000

15-32-10 REGIONAL PARKS - Regional Parks

Index: 032102

FY14-15 Revenue Projections:

Policy Changes: Fee Increases

Regional Parks Department						
FEE DESCRIPTION	EST. FY14-15 BUDGET UNITS OF SERVICE	FY13-14 RATE	FY14-15 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE	FY14-15 INCREASE DUE TO RATE CHANGE
Individual Camping Fees, Non-Spring Lake Park						
Peak Season						
Individual Campsites (Resident)	5,400	\$28	\$30	\$2	7.1%	\$10,800
Individual Campsites (Access)	60	\$24	\$28	\$4	16.7%	\$240
Non-Peak Season						
Individual Campsites (Resident)	2,500	\$26	\$28	\$2	7.7%	\$5,000
Individual Campsites (Access)	606	\$24	\$26	\$2	8.3%	\$1,212
Total Revenue:						\$17,252

Justification:

The Department is proposing to increase Peak and Non-Peak Season individual campsite fees for Residents and Access Pass holders. The fee increases will help the Department maintain consistent levels of service while remaining comparable to similar agencies and within market tolerance. The last fee increase for Individual Campsites was on July 1, 2011. Proposed fee increases to be implemented on May 1, 2014.

Total Additional Revenue - Regional Parks Index FY14-15:

\$17,252

15-32-10 REGIONAL PARKS - Regional Parks

Index: 032102

FY14-15 Revenue Projections:

Policy Changes: Fee Increases

Regional Parks Department						
FEE DESCRIPTION	EST. FY14-15 BUDGET UNITS OF SERVICE	FY13-14 RATE	FY14-15 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE	FY14-15 INCREASE DUE TO RATE CHANGE
Individual Campsite Reservation and Change Fees						
Individual Campsite Reservation Fee	12,750	\$8.50	\$9.50	\$1	11.8%	\$12,750
Individual Campsite Change Fee	1,200	\$8.50	\$9.50	\$1	11.8%	\$1,200

Justification:

The Department is proposing to increase Campsite Reservation and Campsite Change Fees by \$1. This price increase will help offset the Department's increased salaries and benefits costs. This fee was last increased on May 1, 2009. Proposed fee increase to be implemented on May 1, 2014.

Total Additional Revenue - Regional Parks Index FY14-15:

\$13,950

**REGIONAL PARKS
FEE AND REVENUE SUMMARY CHART, STAFF CHARGES**
(effective 07/01/14)

FY 14-15 Projected Revenues

Regional Parks Department		CURRENT	PROPOSED			
FEE DESCRIPTION	FY 14/15 BUDGET UNITS OF SERVICE	RATE Effective 7/1/2013	RATE Effective 7/1/2014	RATE DOLLAR CHANGE	RATE PERCENTAGE CHANGE	FY 14/15 REVENUE INCREASE DUE TO RATE CHANGE

15-32

REGIONAL PARKS - Regional Parks (Department-wide)

HOURLY RATE ADJUSTMENTS:

Staff Charges for facility users or damage

Building Mechanic II (General Services)	20	\$90.32	\$96.07	\$5.75	6.4%	\$115
Lifeguard A	16	\$26.78	\$27.47	\$0.69	2.6%	\$11
Lifeguard B	24	\$28.10	\$28.79	\$0.69	2.5%	\$17
Lifeguard C	0	\$29.67	\$30.44	\$0.77	2.6%	\$0
Lifeguard Supv	0	\$37.76	\$38.79	\$1.03	2.7%	\$0
Park Aide	50	\$25.34	\$25.57	\$0.23	0.9%	\$12
Park Ranger Assistant	10	\$34.66	\$35.75	\$1.09	3.1%	\$11
Park Ranger I	8	\$84.08	\$87.37	\$3.29	3.9%	\$26
Park Ranger II	0	\$94.89	\$98.28	\$3.39	3.6%	\$0
Supervising Ranger	0	\$113.53	\$118.03	\$4.50	4.0%	\$0
Undergrad Intern	0	\$23.02	\$24.26	\$1.24	5.4%	\$0
Park Grounds and Maintenance Worker II	500	\$81.35	\$84.22	\$2.87	3.5%	\$1,435
Park Grounds and Maintenance Worker I	1,500	\$31.83	\$32.87	\$1.04	3.3%	\$1,560
Park Maintenance Supervisor	0	\$90.84	\$95.25	\$4.41	4.9%	\$0

Total Revenue:

\$3,186

Note: Budget units are estimated staff hours. Does not include all Regional Parks job classes. The same methodology will be used to create billable rates for job classes not included in this document on an as needed basis.

Justification:

This fee schedule is used by the Department to obtain full reimbursement for: (1) special events that require additional staffing, (2) staff costs for repair of damage caused by special events, (3) setup of specialized equipment by County staff, (4) staff costs for maintenance and grounds services.

The proposed fee represents the actual cost of providing staffing and will be used to help offset the cost of providing staffing services associated with special events at County facilities. The Department has established these rates based on the budgeted cost of salary plus benefits for positions with administrative overhead included in the rates. Regional Parks has calculated the rates for all Regional Park staff. Building Mechanic rates are established with General Services and charged through Regional Parks. Rate increases would become effective July 1, 2014.

Attachment C
FY 13-14 REGIONAL PARKS COMPARISON WITH SIMILIAR AGENCIES

Group Picnic Special Use Permit		
	Rate	Notes
East Bay Regional Parks	\$60 - \$224	Resident & Non-Resident fees
Lake Sonoma	\$50	
San Diego County	\$100 - \$425	Depends on group size
County of San Mateo	\$50 - \$300	Depends on group size
County of Santa Clara	\$135 - \$240	Depends on group size
San Luis Obispo	\$60 - \$130	Depends on group size
SCRP Proposed Group Picnic Permit Fees:	\$50 - \$271	Depends on group size

Film and Photography Special Use Permit		
	Rate	Films
Marin County	\$7/hr photo, \$330/hr film	\$300/day still, \$1,450/day film
Mendocino County	\$150 per permit	\$150 per permit
Riverside County	\$125 + \$15 to \$200 per day	\$250 + \$1,000 to \$2,500 per day
San Francisco	\$234 to \$587	\$234 to \$5,868
San Mateo County	\$50 to \$250 per day	\$100 to \$1,000 per day
SCRP Proposed Film & Photography Fees:	\$298 to \$656	\$417 to \$1,015

Access Passes		
Park System	Rate	Notes
Marin County	\$38	per year
Orange County	\$35 to \$50	per calendar year
Riverside County	\$35 to \$65	excludes holidays
San Luis Obispo County	\$90 to \$130	per year
East Bay Regional Parks	\$40 to \$125	per year
SCRP Proposed Access Day Use Pass:	\$26	

Non- League Athletic Field Use		
	Per Usage	Notes
City of Napa	\$37	per day
City of Petaluma	\$36	per day
City of Rohnert Park	\$10 per hr., \$75 per day	fee for residents
City of Santa Rosa	\$50 per hr.	for 2 hours
Marin County	\$40 - \$48 per hour	
SCRP Proposed Athletic Field Fee:	\$52 - \$233 for 1 - 7 days, depending on number of participants	
SCRP Proposed Athletic Field Fee:	\$93 - \$279 for more than one week, depending on number of participants	



County of Sonoma Agenda Item Summary Report

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

Agenda Item Number: 56
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors of Sonoma County

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Sheriff – Coroner

Staff Name and Phone Number:

Ed Laufer – (707) 565-3922

Supervisorial District(s):

Countywide

Title: Ordinance Adopting Fee changes for Sheriff's Office

Recommended Actions:

Adopt ordinance establishing the fees to be collected by the Sheriff's Office effective July 1, 2014.

Executive Summary:

The attached Fee and Revenue Summary Chart provides an itemization of proposed fees to be established by the Board of Supervisors and collected by the Sheriff's Office. Fees set by statute, such as civil process fees, are not addressed in this agenda item. All fee adjustments have been anticipated in the Sheriff's Office FY 14-15 budget request.

An analysis of user fees effective July 1, 2014 has been prepared to illustrate the methodology used for fee calculations and to demonstrate that the proposed Sheriff's Office fees are based on amounts reasonably necessary to recover the cost of providing the service described. This document is on file with the Clerk.

The proposed fee rates beginning July 1, 2014 reflect an overall net fee revenue increase of \$8,038. The Sheriff's Office uses actual salary and benefit rates, derived from the County Budget System, in all fee calculations. Areas of change include a projected decrease of \$5,427 in Central Information, a projected revenue increase of \$13,390 in Patrol, a projected decrease of \$22 in Coroner's fees, and a \$97 projected increase in Telecommunications fees.

Central Information

Central Information includes most fees processed through the reception area of the main Sheriff's building. The net decrease of \$5,427 is principally due to a new Records Release Policy that was developed by the Sheriff's Office in consultation with County Counsel during the 13-14 Fiscal Year. The main fees that are affected are for Coroner Reports, Crime Reports and the Incident Reports. The Sheriff's Central Information Bureau staff will now begin releasing Coroner reports that were historically released directly from the Coroner's Office. Coroner report request requirements were previously carried out by a Forensic Assistant. This information release will no longer be performed by the Forensic Assistant but will instead be prepared by a Legal Processor. A Community Services Officer will verify

identification and write receipts. This policy also significantly reduces the amount of time that staff has to spend redacting information that is contained in the Crime and Incident reports. These fees will be based on the minimum time/cost for the activities that are used to produce the requested reports.

The Sheriff's Office has developed a new Booking Photo and Booking Information fee for defense attorneys and licensed bail agents. There have been many requests from defense attorneys and licensed bail agents to provide duplicate booking information and booking photos for their clients who have had bench warrants issued or for whom bail forfeiture has been ordered. It is recommended that the fees for defense attorney's be established in order to recover the "direct costs of duplication" as allowed by California Government Code § 6253. In addition, Penal Code 11105.6 allows the Sheriff's Office to charge a fee to licensed bail agents or bail bondsmen equal to the cost of providing the requested information.

The Sheriff's Office performed an analysis of the activities included in the calculation of additional firearms releases associated with the storage of firearms. This analysis identified changes in the activities and the length of time it takes to perform those activities. Therefore a new fee for additional releases has been developed. It takes less time for the releasing of additional firearms associated with a protective order incident when multiple firearms are involved. Verification of protective order release requests, and owner contact for appointments, and ID verification have been taken into consideration by the Community Services Officer with the initial firearm release. Additionally, the Deputies' time has been taken into consideration with the initial incident. There is no CLETS inquiry, crime report write up or entry into the evidence tracking system. Those activities are not associated with the release of additional firearms that have been stored; therefore the cost of releasing additional firearms will be reduced accordingly. The change in expected revenue for these new fees has been offset by the overall decrease of \$5,427, which is reflected within our Central Information Bureau budget.

Patrol, Coroner, Telecommunications:

The Patrol Bureau has a recommended increase in fee revenue in the amount of \$13,390. This increase is derived from Security Services and Towed Vehicle Releases. These fees have been adjusted to reflect the normal cost of business adjustments (COBA) that are associated with Patrol which includes indirect costs for Law Enforcement Administration and Sheriff's Administration.

Coroner fees are recommended to decrease by \$22. The Base Morgue Use Fee has increased due to increases in energy costs and facility operations maintenance project costs, while rate changes associated with staff provided during procedures have been adjusted to reflect the normal cost of business adjustments (COBA) that are associated with the Morgue including indirect costs for Law Enforcement Administration and Sheriff's Administration.

The Telecommunications fees are recommended to increase by \$97. This increase is a result of changes to reflect the normal cost of business adjustments (COBA) that are associated with the Telecommunications Bureau including indirect costs for Law Enforcement Administration and Sheriff's Administration.

Prior Board Actions:

Ordinance 6031, effective July 1, 2013

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community			
Make available resources to support the Sheriff's Office continued efforts to provide services that contribute to the safety and health of the 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	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$
Narrative Explanation of Fiscal Impacts (If Required):			
See the FY 14-15 Fee and Revenue Summary Chart for fiscal impacts.			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Fee and Revenue Summary Chart. Ordinance establishing fee rates effective July 1, 2014.			
Related Items "On File" with the Clerk of the Board:			
Analysis of User Fees effective July 1, 2014. Master Fee and Revenue Summary Chart.			

**Fee and Revenue Summary Chart
Sheriff's Department**

Fee Description	FY 14-15 Units of Service	FY 13-14 Rate	FY 14-15 Proposed ² Rate	Rate Dollar Change	Rate Percent Change	FY 14-15 Revenue Increase Due To Rate Change
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Central Information (Budget Index 040709)

Gaming

Card Dealer						
New	0	\$221.00	\$227.00 ¹	\$6.00	2.7%	\$0.00
Renewal	1	\$171.00	\$177.00	\$6.00	3.5%	\$6.00
Replacement	0	\$31.00	\$31.75	\$0.75	2.4%	\$0.00

Justification: With the advent of Indian Casinos, gaming permits are very seldom requested. Rate increases are the result of change in cost of business adjustments and indirect costs which are allocated for Law Enforcement Administration and Sheriff's Administration.

Picture Arcade (Adult Book Stores)

New	0	\$221.00	\$227.00 ¹	\$6.00	2.7%	\$0.00
Renewal	0	\$171.00	\$177.00	\$6.00	3.5%	\$0.00

Justification: Rate increases are the result of change in cost of business adjustments and indirect costs which are allocated to Law Enforcement Administration and Sheriff's Administration. Picture arcades consist of adult book stores.

Secondhand Dealer

New	0	\$221.00	\$227.00 ¹	\$6.00	2.7%	\$0.00
Renewal	1	\$171.00	\$177.00	\$6.00	3.5%	\$6.00

Justification: Rate increases are the result of change in cost of business adjustments and indirect costs which are allocated for Law Enforcement Administration and Sheriff's Administration. Secondhand dealers include pawn shops and for profit thrift stores.

License fees set by the state are collected in addition to County Fees and passed along to the Department of Justice.

Gun Dealers

New	0	\$221.00	\$227.00 ¹	\$6.00	2.7%	\$0.00
Renewal	2	\$171.00	\$177.00	\$6.00	3.5%	\$12.00

Justification: Rate increases are the result of change in cost of business adjustments and indirect costs which are allocated for Law Enforcement Administration and Sheriff's Administration.

Copies

Coroner Reports	32	\$28.00	\$10.70	(\$17.30)	-61.8%	(\$553.60)
Dispatch Recordings	236	\$39.75	\$40.50	\$0.75	1.9%	\$177.00
Booking Photos & Information						
Defense Attorneys	50		\$14.40	\$14.40	100.0%	\$720.00
Licensed bail agents	10		\$12.30	\$12.30	100.0%	\$123.00
Photos	0	\$57.00	\$59.25	\$2.25	3.9%	\$0.00

Justification: Coroner Reports fee decreased due to a new Records Release Policy. Booking Photos & Information fees are new. Other increases are the result of change in cost of business adjustments and indirect costs which are allocated for Law Enforcement and Sheriff's Administration.

Note: The vendor's actual charge for the first reprint, as well as any additional reprints, is added to the fee for crime photos.

Fee and Revenue Summary Chart Sheriff's Department

Fee Description	FY 14-15	FY 13-14	FY 14-15	Rate	Rate	FY 14-15
	Units of Service	Rate	Proposed ² Rate	Dollar Change	Percent Change	Revenue Increase Due To Rate Change
Copies						
Video Tapes (Initial Copy)	0	\$104.00	\$108.00	\$4.00	3.8%	\$0.00
(Additional Copies)	0	\$52.25	\$54.25	\$2.00	3.8%	\$0.00
Audio Tapes (Initial Copy)	0	\$104.00	\$108.00	\$4.00	3.8%	\$0.00
(Additional Copies)	0	\$52.25	\$54.25	\$2.00	3.8%	\$0.00
Computer Disks						
3 1/2' Diskette	764	\$26.50	\$27.50	\$1.00	3.8%	\$764.00
Compact Disk/DVD	70	\$26.50	\$27.50	\$1.00	3.8%	\$70.00
Crime/Incident Reports	682	\$17.00	\$10.70	(\$6.30)	-37.1%	(\$4,296.60)
CAD/ Incident Printouts	462	\$17.00	\$10.70	(\$6.30)	-37.1%	(\$2,910.60)
Ten Print Card Reports	0	\$26.00	\$27.00	\$1.00	3.8%	\$0.00
Photo Line-up Color copy	0	\$52.25	\$54.25	\$2.00	3.8%	\$0.00
(Additional Copies)	0	\$26.00	\$27.00	\$1.00	3.8%	\$0.00

Justification: Crime/Incident & CAD reports have decreased due to a new Records Release Policy. Other rate changes are the result of differences in the cost of business adjustments and indirect costs which are allocated for Law Enforcement Administration and Sheriff's Administration.

Firearm Storage	7	\$138.25	\$141.00	\$2.75	2.0%	\$19.25
(Additional Releases)	7		\$47.00	\$47.00	100.0%	\$329.00
Firearm Seizure & Release	14	\$138.25	\$141.00	\$2.75	2.0%	\$38.50
(Additional Releases)	8	\$46.50	\$47.00	\$0.50	1.1%	\$4.00

Justification: Rate changes are the result of differences in the cost of business adjustments and indirect costs which are allocated for Law Enforcement Administration and Sheriff's Administration. Firearm storage fees changed due to a review of the amount of time actually incurred while performing fee activities including a new fee for additional (multiple) firearm releases.

Fingerprinting	260	\$21.00	\$21.25	\$0.25	1.2%	\$65.00
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Note: California Penal Code 13300 allows us to charge a fee to cover the cost of taking the fingerprints and processing the required documents." Rate increase is the result of change in cost of business adjustments and indirect costs which are allocated for Law Enforcement Administration and Sheriff's Administration.

Taxicab fees

Vehicle Permit	0	\$115.00	\$119.00	\$4.00	3.5%	\$0.00
Driver Permit	0	\$148.00	\$152.00	\$4.00	2.7%	\$0.00
Certificate of Exemption	0	\$77.00	\$79.75	\$2.75	3.6%	\$0.00

Justification: Rate changes are the result of differences in the cost of business adjustments and indirect costs which are allocated for Law Enforcement Administration and Sheriff's Administration.

Sub-Total Central Information (\$5,427.05)

Helicopter Service (Budget Index 040303)

ALS - Per Transport	0	\$2,000.00	\$2,337.00	\$337.00	16.9%	\$0.00
SAR - Per Call Out	0	\$2,006.00	\$1,983.00	(\$23.00)	-1.1%	\$0.00
Law Enf. - Per Call Out	0	\$2,011.00	\$2,227.00	\$216.00	10.7%	\$0.00

Justification: FY 14-15 rates for Advanced Life Support (ALS), Search and Rescue (SAR), and Law Enforcement flights have changed. Helicopter expenditures are expected to increase in FY 14-15. The proportionate share of the cost by type of mission to total Helicopter expenditures are used to calculate rates.

Sub-Total Helicopter \$0.00

**Fee and Revenue Summary Chart
Sheriff's Department**

Fee Description	FY 14-15 Units of Service	FY 13-14 Rate	FY 14-15 Proposed ² Rate	Rate Dollar Change	Rate Percent Change	FY 14-15 Revenue Increase Due To Rate Change
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Patrol (Budget Index 040501)

Bomb Squad Services: (per - Callout)

EOD services In-County

Sergeant Overtime Hours	1	\$374.16	\$383.47	\$9.31	2.5%	\$9.31
Deputy Overtime Hours	1	\$323.92	\$323.97	\$0.05	0.0%	\$0.05

EOD services Out-of-County

Sergeant Overtime Hours	0	\$467.69	\$479.34	\$11.65	2.5%	\$0.00
Deputy Overtime Hours	0	\$404.90	\$404.96	\$0.06	0.0%	\$0.00

(per - Callout)

Justification: EOD rates for FY 14-15 are expected to increase due to a change in cost of business adjustments and indirect costs which are allocated for Law Enforcement Administration and Sheriff's Administration. The EOD fees are based on actual response time with a 3 hour minimum which includes .5 hour travel time for each direction and a vehicle use fee. The Sheriff's Office fee is established to offset expenses incurred when deputies respond to calls for EOD services from other law enforcement agencies.

Security Services:

CSO Overtime Hours	78	\$43.01	\$43.35	\$0.34	0.8%	\$26.73
Deputy Overtime Hours	4,250	\$88.49	\$90.76	\$2.27	2.6%	\$9,629.36
Sergeant Overtime Hours	569	\$106.94	\$109.73	\$2.79	2.6%	\$1,590.32
Dispatcher Overtime Hours	226	\$62.37	\$63.96	\$1.59	2.5%	\$358.22
Sr. Dispatcher OT Hours	0	\$65.32	\$67.05	\$1.73	2.6%	\$0.00
Supvr. Disp. OT Hours	0	\$74.12	\$76.03	\$1.91	2.6%	\$0.00

Justification: Security Services rate changes are the result of differences in the cost of business adjustments and indirect costs which are allocated for Law Enforcement Administration and Sheriff's Administration.

Responses to Unabated Disturbances

Deputy Labor Hours	0	\$96.54	\$97.64	\$1.10	1.1%	\$0.00
Sergeant Labor Hours	0	\$114.11	\$118.44	\$4.33	3.8%	\$0.00

Justification: Rate changes are the result of differences in the cost of business adjustments and indirect costs which are allocated for Law Enforcement Administration and Sheriff's Administration.

Towed Vehicle Release

Towed Vehicles	296	\$185.00	\$191.00	\$6.00	3.2%	\$1,776.00
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Justification: Rate decrease is the result of differences in the cost of business adjustments and indirect costs which are allocated for Law Enforcement Administration and Sheriff's Administration.

Driving Under the Influence Emergency Incidents

DUI Incident Response	0	\$375.00	\$386.00	\$11.00	2.9%	\$0.00
DUI Pursuits	0	\$375.00	\$386.00	\$11.00	2.9%	\$0.00

Justification: Rate changes are the result of differences in the cost of business adjustments and indirect costs which are allocated for Law Enforcement Administration and Sheriff's Administration.

The process of DUI Emergency Incident Responses and DUI Pursuits are similar therefore the rates are the same.

Sub-Total Patrol \$13,390.00

Fee and Revenue Summary Chart
Sheriff's Department

Fee Description	FY 14-15	FY 13-14	FY 14-15	Rate	Rate	FY 14-15
	Units of Service	Rate	Proposed ² Rate	Dollar Change	Percent Change	Revenue Increase Due To Rate Change
Coroner (Budget Index 240804)						
Morgue Use Fees						
Base Morgue Use Fee	2	\$247.00	\$276.00	\$29.00	11.7%	\$58.00
Morgue Staff Costs						
Straight Time (90 minute minimum)						
Forensic Assistant	2	\$84.63	\$85.10	\$0.47	0.6%	\$0.94
Overtime (2 hour minimum)						
Forensic Assistant	0	\$98.88	\$99.46	\$0.58	0.6%	\$0.00
Deputy Sheriff	6	\$194.96	\$181.52	(\$13.44)	-6.9%	(\$80.63)
Sergeant	0	\$229.08	\$219.46	(\$9.62)	-4.2%	\$0.00

Justification: The Base Morgue Use Fee has increased due to energy costs and facility operations maintenance project costs. Rate changes associated with staff provided during procedures are a result of change in cost of business adjustments and indirect costs which are allocated for Law Enforcement Administration and Sheriff's Administration.

Sub-Total Coroner (\$21.69)

Sheriff Telecommunications (Budget Index 040253)

Telecommunications Fee Rates

Communications Tech Hours	487	\$67.09	\$67.29	\$0.20	0.3%	\$97.40
Sergeant Overtime Hours	0	\$114.54	\$109.73	(\$4.81)	-4.2%	\$0.00
<u>Sub-Total Radio</u>						\$97.40

Justification: Rate changes for FY 14-15 are the result of change in the cost of business adjustments and indirect costs allocated for Law Enforcement Administration and Sheriff's Administration.

Total Potential Revenue Adjustment Due to Rate Changes \$8,038.66

COMMENT:

The proposed FY 14-15 fee rates reflect an overall net revenue increase of \$8,038. This net amount is the result of several contributing factors, one factor which resulted in a decrease in existing fees is due to the change in the new Records Release Policy. The main fees that are affected by the change in policy are for Coroner Reports, Crime Reports and the Incident Reports. The Sheriff's Central Information Bureau staff will now begin releasing Coroner reports that were historically released directly from the Coroner's Office. Coroner report request requirements were previously carried out by a Forensic Assistant. This information release will no longer be performed by the Forensic Assistant but will instead be prepared by a Legal Processor. A Community Services Officer will verify identification and write receipts. This policy also significantly reduces the amount of time that staff have to spend redacting information that is contained in the Crime and Incident reports. These fees will be based on the minimum time/cost of activities that are used to produce the reports. Another factor, which resulted in an increase in fee revenue is that the Sheriff's Office developed a new Booking Photo and Booking Information fee for defense attorneys and licensed bail agents. The increase in expected revenue for these new fees has been reflected within the Central Information Bureau section of the fee chart. Another contributing factor is the recommended increase in fee revenue in the Patrol Bureau for Security Services and the Towed Vehicle Releases. These fees have been adjusted to reflect the normal cost of business adjustments, (COBA) that are associated with Patrol including indirect costs which are allocated to Law enforcement Administration and Sheriff's Administration. The net of these factors resulted in the overall revenue increase of \$8,038.

NOTES:

This chart addresses only those fees where the amount is established by ordinance of the Board of Supervisors; it does not address fees fixed by statute. A separate document that provides detailed analysis and basis for the proposed fees is on file with the Clerk.

- 1 The State fingerprint fee (currently set at \$32 by statute) must be added to the fee amount in calculating the total charged for these services.
- 2 To expedite services to users, the recommended fees over \$100 have been rounded down to nearest one dollar, between \$20 and \$99.99 rounded down to the nearest \$0.25 and below \$19.99 down to the nearest \$0.10. The only exceptions to these rounding methods are rates for security services, and rates for response to unabated disturbances.

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, ESTABLISHING FEES FOR VARIOUS SERVICES PROVIDED BY THE SHERIFF'S OFFICE.

The Board of Supervisors of the County of Sonoma, State of California ordains as follows:

SECTION I: The Sheriff's Office provides certain services to individuals and organizations that are considered extraordinary levels of service, or are services for which charges or other compensation are authorized pursuant to applicable laws.

SECTION II: Using available data, the Sheriff's Office has conducted a thorough analysis to determine the cost to the County of Sonoma of providing these services, and has provided such information to the Board of Supervisors.

SECTION III: Based on such information, this Board finds that it is in the public interest for the Sheriff's Office to continue to provide these services, that the proposed fees represent the reasonable cost of providing the services, and that such fees comply with all legal requirements, including but not limited to Art. XIII C of the California Constitution.

SECTION IV: Effective July 1, 2014, the fees for providing the identified services shall be as follows:

Gaming:

Card Dealer

New Permit	\$227.00	(Plus State fingerprint fee)
Annual Renewal	\$177.00	
Replacement	\$31.75	

Picture Arcade:

New Permit	\$227.00	(Plus State fingerprint fee)
Annual Renewal	\$177.00	

Secondhand Dealer:

New License	\$227.00	(Plus State fingerprint fee and DOJ fees)
Renewal	\$177.00	(Every other year)

Gun Dealer:

New License	\$227.00	(Plus State fingerprint fee)
Annual Renewal	\$177.00	

Fingerprinting: \$21.25

Copies:

Photos	\$59.25	(Plus actual vendor charges for reprints)
Video Tapes (initial copy)	\$108.00	(Tape furnished by party requesting copy)

(Additional Copies)	\$54.25	(Tape furnished by party requesting copy)
Audio Tapes (initial copy)	\$108.00	(Tape furnished by party requesting copy)
(Additional Copies)	\$54.25	(Tape furnished by party requesting copy)
Computer Diskette	\$27.50	
Compact Disk / DVD	\$27.50	
Crime Reports	\$10.70	
CAD / Incident Reports	\$10.70	
Coroner Reports	\$10.70	
Ten Print Card Reports	\$27.00	
Photo Line-up Color copies	\$54.25	
(Additional Copies)	\$27.00	
Dispatch Recordings	\$40.50	(0-30 min, processing time – prorated thereafter CD-R furnished by party requesting copy)
Booking Photos & Information		
Defense Attorneys	\$14.40	
Licensed bail agents	\$12.30	

Firearm Storage: \$141.00 (Per firearm)
\$47.00 (Additional releases)

Firearm Seizure & Release: \$141.00 (Initial firearm release)
\$47.00 (Additional releases)

Towed Vehicle Release: \$191.00 (Per vehicle)

Helicopter Service:

ALS (Per transport)	\$2,337	(Applies to all ALS transports)
SAR (Per call-out)	\$1,983	(Applies to rescue of out-of-County residents)
Law Enf. (Per call-out)	\$2,227	(Applies only to special enforcement situations)

Security Services:

Community Services Officer	\$43.35	(Per Hour: These rates may be used for any billings that involve overtime.)
Deputy Labor	\$90.76	
Sergeant Labor	\$109.73	
Dispatcher Labor	\$63.96	
Senior Dispatcher	\$67.05	
Supervising Dispatcher	\$76.03	

Explosive Ordnance Disposal:

EOD Services In-County		
Sergeant	\$383.47	(3 hour minimum plus vehicle fee-\$114.68 per hour thereafter)
Deputy	\$323.97	(3 hour minimum plus vehicle fee-\$94.84 per hour thereafter)

EOD Services Out-of-County		
Sergeant	\$479.34	(Applies to all Out-of-County 25% premium, 3 hour minimum plus vehicle fee-\$143.35 per hour thereafter)
Deputy	\$404.96	(Applies to all Out-of-County 25% premium, 3 hour minimum plus vehicle fee-\$118.55 per hour thereafter)

Morgue Use Fee:

Base Fee	\$276.00	
Forensic Assistant	\$85.10	(First 1.5 hours normal work day - \$28.37 each half hour thereafter)
Forensic Assistant OT	\$99.46	(First 2 hours-\$24.87 per half hour thereafter)
Deputy Sheriff OT	\$181.52	(First 2 hours-\$45.38 per half hour thereafter)
Sergeant OT	\$219.46	(First 2 hours-\$54.86 per half hour thereafter)

Response to Unabated Disturbance:

Deputy Labor (Per Hour)	\$97.64	(These rates may be used for any billings that involve straight time for listed classifications.)
Sergeant Labor (Per Hour)	\$118.44	

Driving Under the Influence Incidents:

DUI Incident Response	\$386.00	
DUI Pursuits	\$386.00	(Up to the first hour of pursuit; \$193.00 for each additional 30-minute increment.)

Telecommunications Fee:

Comm. Tech	\$67.29	Per Hour (Materials will be billed in addition to fees at actual cost)
Sergeant	\$109.73	Per Hour (Materials will be billed in addition to fees at actual cost)

Taxicab Fees:

Vehicle Permit	\$119.00	
Driver Permit	\$152.00	(Plus State fingerprint fee)
Certificate of Exemption	\$79.75	

SECTION V: All prior or concurrent ordinances and resolutions which relate to the establishment or modification of fees charged by the Sheriff's Office shall remain in full force and effect to the extent not expressly revised herein.

SECTION VI: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions 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 may be declared unconstitutional or invalid.

SECTION VII: This ordinance shall be declared to be in full force and effect from and after sixty (60) days after the date of its passage or July 1, 2014, whichever is greater, and 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 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 22nd day of April 2014, and finally passed and adopted this 22nd day of April 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_____

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors of
The County of Sonoma

ATTEST

VERONICA FERGUSON, 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: 57
(This Section for use by Clerk of the Board Only.)

To: Board Of Supervisor

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Transportation and Public Works, Sonoma County Airport

Staff Name and Phone Number:

Susan Klassen 707-565-2321

Supervisorial District(s):

Fourth District

Title: Proposed Fee Schedule for Airport Land Use

Recommended Actions:

Adopt Resolution establishing reasonable rates and charges for the use of land and facilities at the Charles M. Schulz – Sonoma County Airport effective July 1, 2014.

Executive Summary:

The Airport imposes fees for use of Airport land and facilities, including covered and non-covered aircraft storage, terminal building use, aircraft landing, vehicle parking, fuel flowage, autocross track, security badges, special events, applications to conduct business on the Airport, and late penalties. The Department of Transportation and Public Works staff annually evaluates Airport rates and charges. The proposed fee increases recommended today were reviewed by the Aviation Commission on March 20, 2014.

The Airport fees and charges are imposed for entrance to or use of local government property or the purchase rental or lease of local government property. The fee increases will either partially cover operating costs (Landing Fees, Parking Fees and Hangar Fees) and/or provide the revenue to meet the increased costs associated with operations and regulatory compliance. The increases are apportioned according to standard impacts/costs/measurements such as weight (Landing Fees), time (Parking Fees), and level of security (Terminal Building Rental Fees) or size, location and type (Hangar Fees) and will be imposed equally on all users for particular uses.

For Fiscal Year 2014-2015, the Airport is proposing increases in some of the currently established fees:

1. Hangar Fees: Approximate 3% increase is proposed for most hangar fees, which are specified in the Resolution accompanying this agenda report. Non-covered aircraft storage monthly fees have been adjusted to be more consistent with comparable airports and results in an increase between 0% and 4%. The daily rates for non-covered aircraft storage have been set to one-fifth of the monthly rate, which is also consistent with comparable airports and results in an increase in revenue of less than \$500. The increase is needed to defray on-going maintenance and operating costs associated with the Airport property and facilities. Increased revenue of \$43,048 is anticipated in FY 14-15.
2. Airport Employee Hourly Rate: A \$7.50 (or 6.3%) per hour increase from \$47.50 per hour to \$55.00 per hour is proposed. This hourly rate is used for billing for balloon landings, special events, and drivers

training. The rate consists of regular time for one staff member, regardless of job class and a vehicle. This rate was last increased in 2008 and the increase is needed to cover increased labor and equipment costs. Increased revenue of \$166 is anticipated for FY 14-15.

3. Landing fees: For commercial aircraft less than 12,500 pounds, there is a proposed increase of \$0.02 from \$0.71 to \$0.73 per 1,000 pounds; The airport recommends a new fee of \$1.10 for aircraft over 12,500 to 95,000 pounds, which is consistent with landing fees at similar sized California airports. Landing fees help defray the reasonable general costs associated with operating the Airport. The new fee structure is more consistent with other airport fee structures and aids in record keeping. Increased revenue of \$18,314 is anticipated in FY 14-15.
4. Vehicle Parking Fees: For the discount pass for daily commuters (long-term lot), a \$15 monthly charge increase from the \$85.00 per month rate to \$100 per month is proposed. This represents approximately 17.6% increases over FY 13-14. The last time this fee was increased was in 2008 from \$55.00 per month to \$85 per month. This fee increase impacts 23 commuter parking customers. The other vehicle parking fees were increased in FY 12-13 and remain the same. Increased revenue of \$4,140 is anticipated for FY 14-15.
5. Terminal Building Rental Fees: For the lobby and office space, a \$.05 monthly charge increase from \$1.58 per square foot to \$1.63 per square foot is proposed; for the security building, an \$11.00 monthly charge increase from \$352.00 to \$363.00 is proposed. These represent approximate 3% increases over FY 13-14. The increases are necessary to offset higher expenditures primarily due to the operations of the terminal building and increased passenger levels, which have caused increases in utilities and maintenance expenditures. Increased revenue of \$780 is anticipated for FY 14-15.
6. Ground Lease: The Airport currently has annual ground leases on the east side of the Airport at the rate of \$0.43 per square foot. The Airport proposes to memorialize that fee and add it to the fee schedule. In addition, the Airport proposes to set fees for annual ground leases on the west side section of the Airport at \$0.22 per square foot and south/mid section of the Airport at \$0.32 per square foot. No leases are pending for the west side or south/mid sections at this time. No change in revenue is anticipated for FY 14-15.

The Airport has long-term ground leases with reset to market conditions at their ten (10) year anniversary with the lease rate and rent escalations resetting to market rates. In addition to the ground market rate above, the Airport proposes to memorialize the rent escalation options for the next ten year period and add it to the fee schedule. A yearly increase will be applied to the current market rate by one of the following options available to the tenant: a) The percentage increase equal to the Consumer Price Index – All Items Urban Consumers for San Francisco-Oakland-San Jose percentage yearly increase, this adjustment will be a minimum of two percent (2%) and a maximum of six percent (6%); or b) A four percent (4%) per lease year increase. There is one lease scheduled to reset in FY 14-15, resulting in a projected decrease in ground rents due to a reduction in market rates, with an anticipated decrease in revenues of \$2,576.

7. Lease Application Fees: For month to month concession agreements/leases/licenses there is an increase from \$1,350 to \$1,400; for terminal area lease agreements, operating agreements, and County-owned Hangar Leases (greater than 20,000 sq. ft.) there is an increase from \$3,250 to \$3,375; for commercial ground leases there is an increase from \$6,750 to \$7,000. In FY 14-15, the Airport is adding a new amendment/addendum/ consent fee of \$2,000 in order to better reflect the actual administrative costs. The application fees assist in defraying administrative costs associated with the amendment process. Overall Lease Application Fee Revenue is anticipated to be reduced by \$625 for FY 14-15.
8. Advertising Concession Agreements: Airport staff has been administering the advertising concession

program while the Airport issued a request for proposals (RFP) for advertising services in January 2014, which did not produce a responsive proposal. Currently, the Airport Manager was authorized to enter into month to month agreements with advertisers in 2008. Advertising space is being offered at fair market value depending on size and location of the advertisement. Maximum advertising concession revenue is anticipated to be between \$13,800 and \$15,400 per month with anticipated revenue of \$147,815 for FY 14-15. This amount is lower than the ultimate potential revenues as it will take time for Airport staff to completely fill all advertising locations in the terminal. When this was operated by the Concessionaire the Airport received thirty (30%) percent of the concessions received.

Proposed Rates Comparison with Other Airports :

The Airport conducted a study of fees at other comparable airports during FY 2013-14 in preparation of the next 5-year fee schedule. For the most part, FY 2014-15 rates are those established with the 2009 Board of Supervisor approved 5-year plan. Per the request by the Aviation Commission, a new 5-year plan will be prepared by staff in conjunction with a sub-committee of the Aviation Commission. The subsequent 5-year plan will be presented to the full Aviation Commission at a future meeting. That plan will be brought to the Board of Supervisors for approval in FY 2014-15.

SERVICE IMPROVEMENT PLAN & EXPECTED RESULTS:

1. The Airport is conducting an airport facilities condition inspection. A preventative maintenance plan for hangars will be established and implemented.
2. Airport management conducted a review of the Airport’s organization structure in FY 2013-14. The Airport will submit, to the Board of Supervisor’s, a reorganization plan that reflects the Airport’s projected growth and makes suggestions for a better alignment of duties and addresses future need for increased security and airport rescue and firefighting (ARFF) needs to accommodate potential increase in flights.
3. The Airport will work with Alaska Airlines and several other carriers in an effort to increase air service to current and new destinations.

Prior Board Actions:

4/23/13 Resolution No.13-0164 adopted the 2013-14 Airport Fee Schedule; 4/26/12 Resolution No. 12-0210 adopted the 2012-13 Airport Fee Schedule

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

These increases to certain Airport fees support the County’s Strategic Plan focus area of Economic Development and Environmental Stewardship. The increase in the fees will assist the Airport in covering operational costs.

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	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$

Narrative Explanation of Fiscal Impacts (If Required):

There are no current year impacts. The proposed fee increases result in an estimated \$63,247 in additional revenue for FY 14-15. Advertising revenues are estimated at \$147,815

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:

Fee Resolution; Proposed Airport Fee and Revenue Chart, Airport Fee Comparison Chart

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

Airport Master Fee Schedule 2014-15; Airport Master Fee Schedule 2013-14



County of Sonoma

State of California

Date: April 22, 2014

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Adopting Increases in Certain Rates And Charges For The Use Of Land And Facilities At The
Charles M. Schulz – Sonoma County Airport Effective July 1, 2014**

Whereas, Section 3-16 of the Sonoma County Code provides that rates and charges for use of land and facilities of the Charles M. Schulz – Sonoma County Airport shall be those established from time to time by resolution of this Board of Supervisors; and

Whereas, by Resolution No. 13-0164, dated April 24, 2013 this Board established rates and charges for the land and facilities at the Charles M. Schulz – Sonoma County Airport; and

Whereas, on March 20, 2014, the Aviation Commission held a public meeting during which the proposed new rates and charges schedule for certain Airport fees were discussed and public input was considered, and the Aviation Commission approved of the proposed fee increases.

Now, Therefore, Be It Resolved that the Board finds the California Environmental Quality Act does not apply to the establishment of fees pursuant to this resolution as such fees are for the purpose of meeting operating expenses. (15273, CCR, 21080 PRC)

Be It Further Resolved that to recover the reasonable cost of providing use of Airport land and facilities, it is necessary to increase certain fees as set forth below.

Be It Further Resolved based on information presented to this Board, this Board finds that the proposed fees comply with all legal requirements, including but not limited to Article XIII C of the California Constitution.

Be It Further Resolved effective July 1, 2014, the rate and charge increases at the Charles M. Schulz – Sonoma County Airport shall be levied in the following amounts:

Category	Hangar number	Implementation Schedule					
		0% Jul-09	3% Jul-10	0% Jul-11	3% Jul-12	3% Jul-13	3% Jul-14
Apron D – Per Month							
A	1-11	139	143	143	147	152	156
A	12-25	162	167	167	172	177	177

Resolution #

Date:

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A	18-19	180	185	185	191	197	203
B	26-53	198	204	204	210	216	223
Old Shade	1-21	133	137	137	141	145	150
New Shade	22-39	166	171	171	176	181	187
Ex. Shade	1-2	375	386	386	398	410	422
Ex. Shade - West Unit	3	352	362	362	373	384	396
Butler		94	97	97	100	103	106
Bldg. 303		354	365	365	376	387	398
Port-a-Ports	Pvt. Part	64	66	66	68	70	72
Apron E- Per Month							
C	106-152	304	313	313	323	332	342
D	62-93	395	407	407	419	432	445
E	205-209, 212-215	390	402	402	414	426	439
	223-226, 229-231						
E	210 & 216	536	552	552	569	586	603
E	228 & 232	506	521	521	537	553	570
E	211, 222, 227	452	466	466	480	494	509
G	54-61, 94-101	723	745	745	767	790	814
Ex. Hgr	18-21	2,012	2,072	2,072	2,135	2,199	2,265
Ex. Hgr	22-26	1,560	1,607	1,607	1,655	1,705	1,756
Ex. Hgr	200-204	1,258	1,296	1,296	1,335	1,375	1,416
Ex. Hgr	217-221	1,258	1,296	1,296	1,335	1,375	1,416
Ex. Hgr	Sheriff	1,872	1,928	1,928	1,986	2,046	2,107

Resolution #

Date:

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Apron F- Per Month							
Middle Row	Pvt. Port	64	66	66	68	70	72
North/South Row	Pvt. Port	84	87	87	89	92	95
Space - Vandebos	Pvt. Port	225	232	232	239	246	253
Space - Vance	Pvt. Port	72	74	74	76	79	81
Space - Craven	Pvt. Port	64	66	66	68	70	72
New - Box	Pvt. Port	159	164	164	169	174	179
New - Box	Pvt. Port	239	246	246	254	261	269
New - Box - Turley	Pvt. Port	359	369	369	380	392	403
New - T	Pvt. Port	91	94	94	97	99	102
Port-a-Port	217-227, 233- 242	163	168	168	173	178	183
Storerooms - Per Month							
Small Storeroom		85	88	88	90	93	96
Large Storeroom		155	160	160	164	169	174
Mini Hgr Storeroom		185	191	191	196	202	208

Non-Covered Aircraft Storage by Wing Span

Tie down Taxi Through

Less than 42'/Night

\$10

Less than 60'/Night

\$27

Over 60' but less than 90'/Night

\$33

90' and over/Night

\$41

Less than 42'/Month

\$50

Less than 60'/Month

\$135

Over 60' but less than 90'/Month

\$165

90' and over/Month

\$205

A \$3.00 service fee will be assessed for transient tags if not paid at the Airport and County staff has to mail collection requests to operator.

Resolution #

Date:

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Landing Fees

Hot Air Balloon Land/Launch/Escort without operating agreement (1) \$55.00

Commercial flights - Aircraft-Maximum Gross Weight per 1,000 pounds
Less than 12,500 lbs. \$0.73

All flights-Aircraft-Maximum Weight per 1,000 pounds(2)
Over 12,500 lbs. \$1.10

(1) Recovery escort \$55.00 per hour, with a one hour minimum charge, plus any other necessary documentable expense associated with a response, or Balloonists may execute and comply with operator permit and pay a \$500 per calendar year operating permit fee and have the escort fees waived per the terms of the permit.

(2) Excluding based aircraft

Vehicle Parking Fees

Discount Pass for daily commuters (long-term lot) \$100.00

Commercial Tenants

Lobby and Offices (Terminal building) - Monthly per Sq Ft \$1.63

Security Screening Building - Monthly \$363.00

Long-Term Ground Lease - Annual Rental Rates per Sq Ft.

Eastside Section \$0.43

Westside Section \$0.22

South/Mid Section (no current leases) \$0.32

Note: For long-term ground lease reset to market, tenants have the choice between two options for rent escalators for the reset term. A yearly increase will be applied to the current market rate by one of the following options: a) The percentage increase equal to the Consumer Price Index – All Items Urban Consumers for San Francisco-Oakland-San Jose percentage yearly increase, this adjustment will be a minimum of two percent (2%) and a maximum of six percent (6%); or b) A four percent (4%) per lease year increase.

Application Fees

Monthly Agreements/Concession/Licenses/Leases for non-aeronautical uses \$1,400

Aeronautical Commercial Operating Agreements

One year-plus term Agreements/Licenses/Leases⁽³⁾ \$3,375

Long-term Ground lease for aeronautical and non-aeronautical development \$7,000

Amendment, addendum, or revision of current agreement⁽⁴⁾ \$2,000

(3) Terminal Leases and County-owned Hangars over 10,000 Sq Ft

(4) Excludes monthly agreements

Resolution #
Date:
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Event Permits and Misc Fees

Special Event (use of Airport facility) Fee plus Employee Expense	\$1,300
Special Event Airport Employee Expense	\$55.00
Special Event Airport Employee Overtime Expense	\$72.50

Driver's Training

Airport Employee Hourly Rate	\$55.00
Airport Employee OT Hourly Rate	\$72.50

Be It Further Resolved that landing fees as set forth above are due and payable within twenty (20) days of the last day of the month in which the charges were accrued. Unless otherwise negotiated by contract, a late fee shall be levied in the amount of ten percent (10%) of the amount due for any amount not received in the office of the Sonoma County Airport, 2290 Airport Boulevard, Santa Rosa, CA 95403 by the 25th day of the month due.

Be It Further Resolved that all other buildings and grounds rental shall be by negotiation.

Be it Further Resolved that the Airport Manager, or his designee, is hereby authorized to execute month-to-month and term (up to 18 months) Airport advertising concession agreements.

Be It Further Resolved that if any section, subsection, sentence, clause or phrase of this resolution is for any reason held to be unconstitutional or otherwise invalid, such a decision shall not affect the validity of the remaining portion of this resolution.

Be It Further Resolved that the rates, charges, and authorizations herein established is to remain in full effect until further order of the Board of Supervisors.

Supervisors:

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

So Ordered.

Charles M. Schulz - Sonoma County Airport
 Department of Transportation and Public Works
 Fiscal Year 14-15 Fee and Revenue Summary Chart

Fee Description	FY 14-15	Current	FY 14-15	Per Month	Rate	FY 14-15
	Budget Units of Service	FY 13-14 Rate	Proposed Rate	Dollar Change	Percent Change	Annual Revenue Increase due to Rate Change
<u>HANGARS (NON-COMMERCIAL USE)</u>						
Covered Aircraft Storage (Monthly)						
Hangars 1-11 (745 sq. ft.)	11	\$152	\$156	\$4	2.63%	\$528
Hangars 12-25 (820 sq. ft.)	12	\$177	\$177	\$0	0.00%	\$0
Hangars 18-19 (928 sq. ft.)	2	\$197	\$203	\$6	3.05%	\$144
Hangars 26-53 (954 sq. ft.)	28	\$216	\$223	\$7	3.24%	\$2,352
Old Shade Hangars 1-21 (800 sq. ft.)	21	\$145	\$150	\$5	3.45%	\$1,260
Shade Hangars 22-39 (w. locker/power)	18	\$181	\$187	\$6	3.31%	\$1,296
Executive Shade Hangars 1-2	2	\$410	\$422	\$12	2.93%	\$288
Executive Shade Hangar West 3	1	\$384	\$396	\$12	3.13%	\$144
Butler Hangars	14	\$103	\$106	\$3	2.91%	\$504
Building 303 (PCAM-1,620 sq. ft.)	1	\$387	\$398	\$11	2.84%	\$132
Port-a-Port Spaces (private)	5	\$70	\$72	\$2	2.86%	\$120
Hangars 106-152 (861 sq. ft.)	47	\$332	\$342	\$10	3.01%	\$5,640
Hangars 62-93 (1225 sq. ft.)	32	\$432	\$445	\$13	3.01%	\$4,992
Hangars 205-209, 212-215 (1013 sq. ft.) 223-226, 229-231	16	\$426	\$439	\$13	3.05%	\$2,496
Hangars 210, 216 (1394 sq. ft.)	2	\$586	\$603	\$17	2.90%	\$408
Hangar 228, 232 (1,315 sq. ft.)	2	\$553	\$570	\$17	3.07%	\$408
Hangar 211,222, 227 (1,175 sq. ft.)	3	\$494	\$509	\$15	3.04%	\$540
Hangars 54-61, 94-101 (2046 sq. ft.)	16	\$790	\$814	\$24	3.04%	\$4,608
Executive Hangars 18-21 (3,225 sq. ft.)	4	\$2,199	\$2,265	\$66	3.00%	\$3,168
Executive Hangars 22-26 (3,000 sq. ft.)	5	\$1,705	\$1,756	\$51	2.99%	\$3,060
Executive Hangars 200-204 (2420 sq. ft.)	5	\$1,375	\$1,416	\$41	2.98%	\$2,460
Executive Hangars 217-221(2420 sq. ft.)	5	\$1,375	\$1,416	\$41	2.98%	\$2,460
Sheriff's Hangar (3,000)	1	\$2,046	\$2,107	\$61	2.98%	\$732
Portables(Apron F) Middle Row	9	\$70	\$72	\$2	2.86%	\$216
Portables(Apron F) North/South Row	25	\$92	\$95	\$3	3.26%	\$900
Space - Vandenbos	1	\$246	\$253	\$7	2.85%	\$84
Space - Vance	1	\$79	\$81	\$2	2.53%	\$24
Space - Craven	1	\$70	\$72	\$2	2.86%	\$24
New - Box (Small Box Hangars Apron F)	15	\$174	\$179	\$5	2.87%	\$900
New - Box (Hard Stand Hangars Apron F)	2	\$261	\$269	\$8	3.07%	\$192
New - Box - Turley	1	\$392	\$404	\$12	3.06%	\$144
New - T (private Apron F)	12	\$99	\$102	\$3	3.03%	\$432
Port-a-Port Hangars 217-227, 233-242	20	\$178	\$183	\$5	2.81%	\$1,200
Small Storeroom	2	\$93	\$96	\$3	3.23%	\$72
Large Storeroom	4	\$169	\$174	\$5	2.96%	\$240
Mini-Hangar Storeroom	6	\$202	\$208	\$6	2.97%	\$432

New Fee rates were calculated by increasing the current rate by 3% and then rounding the fee to the closest whole dollar amount. With the exception of Hangars 12 - 25, as they were found to have a higher per square foot rate than comparable hangars - they have no increase for FY 14-15.

Charles M. Schulz - Sonoma County Airport
 Department of Transportation and Public Works
 Fiscal Year 14-15 Fee and Revenue Summary Chart

<u>Fee Description</u>	FY 14-15 Budget Units of Service	Current FY 13-14 Rate	FY 14-15 Proposed Rate	Per Month Dollar Change	Rate Percent Change	FY 14-15 Annual Revenue Increase due to Rate Change
Non-Covered Aircraft Storage by Wing Span						
Tie down Taxi Through						
Less than 42'/Night	200	\$8	\$10	\$2	25.0%	\$400
Less than 60'/Night	20	\$22	\$27	\$5	22.7%	\$100
Over 60' but less than 90'/Night	100	\$32	\$33	\$1	3.1%	\$100
90' and over/Night	20	\$55	\$41	(\$14)	-25.5%	(\$280)
Less than 42'/Month	25	\$48	\$50	\$2	4.2%	\$50
Less than 60'/Month	3	\$135	\$135	\$0	0.0%	\$0
Over 60' but less than 90'/Month	6	\$164	\$165	\$1	0.6%	\$6
90' and over/Month	12	\$199	\$205	\$6	3.0%	\$72
A \$3.00 service fee will be assessed for transient tags if not paid at the Airport and County staff has to mail collection requests to operator.						
Total Aircraft Facilities:						\$ 43,048.00
Landing Fees						
Hot Air Balloon Land/Launch/Escort without operating agreement (1)	2	\$47.50	\$55.00	7.50	15.8%	\$15
Commercial flights - Aircraft-Maximum Gross Weight		<u>Per 1,000 lbs.</u>	<u>Per 1,000 lbs.</u>			
Less than 12,500 lbs.	1,200,000	0.71	0.73	\$0.02	2.9%	\$24
All flights-Aircraft-Maximum Weight						
Over 12,500 lbs. (new fee)	177,000,000		1.10	\$1.10	100.0%	\$194,700
12,500 lbs to 95,000 lbs. (deleted fee)	175,000,000	0.99		(\$0.99)	-100.0%	(\$173,250)
Over 95,000 lbs. (deleted fee)	2,000,000	1.58		(\$1.58)	-100.0%	(\$3,160)
(1) Recovery escort \$55.00 per hour, with a one hour minimum charge, plus any other necessary documentable expense associated with a response, or Balloonists may execute and comply with operator permit and pay a \$500 per calendar year operating permit and have the escort fees waived per the terms of the permit.						
Vehicle Parking Fees						
Discount Pass for daily commuters (long-term lot)	23	\$85.00	\$100.00	\$15.00	17.6%	\$4,140
Commercial Tenants						
Lobby and Offices (Terminal building) - Monthly per Sq Ft	1080 sq ft	1.58	1.63	\$0.05	3.2%	\$648
Security Screening Building - Monthly	1500 sq ft	352.00	363.00	\$11.00	3.1%	\$132
Ground Lease - Annual Rental Rates per Sq Ft.						
Eastside Section		0.43	0.43	\$0.00	0.0%	(\$2,576)
Westside Section (no current leases)			0.22	\$0.00	0.0%	\$0
South/Mid Section (no current leases)			0.32	\$0.00	0.0%	\$0
Application Fees						
Aircraft Storage Waiting List Application Fee (non-refundable)		1st month's rent	1st month's rent	\$0	0.0%	\$0
Concession/Licenses/Lease Agreement - Monthly	5	\$1,350	\$1,400	\$50	3.7%	\$250
Operating/License/Lease ⁽²⁾ Agreement	1	\$3,250	\$3,375	\$125	3.8%	\$125
FBO or Building/Ground Leases	1	\$6,750	\$7,000	\$250	3.7%	\$250
Amendment, addendum, or revision of current agreement	1	\$3,250	\$2,000	(\$1,250)	100.0%	(\$1,250)
(2) Terminal Leases and County-owned Hangar Leases over 20,000 Sq Ft						
Event Permits and Misc Fees						
Special Event (use of Airport facility) Fee plus Employee Exp	15	\$1,300	\$1,300	\$0	0.0%	\$0
Special Event Airport Employee Expense	15	\$47.50	\$55.00	\$8	11.1%	\$113
Special Event Airport Employee Overtime Expense	5	\$72.50	\$72.50	\$0	0.0%	\$0
Driver's Training						
Airport Employee Hourly Rate	5	\$47.50	\$55.00	\$8	16.7%	\$38
Airport Employee OT Hourly Rate	1	\$72.50	\$72.50	\$0	0.0%	\$0
Grant Total:						\$ 63,247.00

Sonoma County Airport
Master Fee Schedule 13-14

I. COVERED AIRCRAFT STORAGE

Category	Hangar Number	Implementation Schedule					
		Jul-09 Year 1 0% Increase	Jul-10 Year 2 3% Inc.	Jul-11 Year 3 0% Inc	Jul-12 Year 4 3% Inc.	Jul-13 Year 5 3% Inc.	Jul-14 Year 6 3% Inc.
Apron D							
A	1-11	\$139	\$143	\$143	\$147	\$152	\$156
A	12-25	\$162	\$167	\$167	\$172	\$177	\$182
A	18-19	\$180	\$185	\$185	\$191	\$197	\$203
B	26-53	\$198	\$204	\$204	\$210	\$216	\$223
Old Shade	1-21	\$133	\$137	\$137	\$141	\$145	\$150
New Shade	22-39	\$166	\$171	\$171	\$176	\$181	\$187
Ex. Shade	1-2	\$375	\$386	\$386	\$398	\$410	\$422
Ex. Shade – West	3	\$352	\$362	\$362	\$373	\$384	\$396
Butler		\$ 94	\$ 97	\$ 97	\$100	\$103	\$106
Bldg. 303		\$354	\$365	\$365	\$376	\$387	\$398
Port-a-Ports	Pvt. Part	\$64	\$66	\$66	\$68	\$70	\$72
Apron E							
C	106-152	\$304	\$313	\$313	\$323	\$332	\$342
D	62-93	\$395	\$407	\$407	\$419	\$432	\$445
E	205-209, 212-215	\$390	\$402	\$402	\$414	\$426	\$439
E	223-226, 229-231						
E	210 & 216	\$536	\$552	\$552	\$569	\$586	\$603
E	228 & 232	\$506	\$521	\$521	\$537	\$553	\$570
E	211, 222, 227	\$452	\$466	\$466	\$480	\$494	\$509
G	54-61, 94-101	\$723	\$745	\$745	\$767	\$790	\$814
Ex. Hgr	18-21	\$2,012	\$2,072	\$2,072	\$2,135	\$2,199	\$2,265
Ex. Hgr	22-26	\$1,560	\$1,607	\$1,607	\$1,655	\$1,705	\$1,756
Ex. Hgr	200-204	\$1,258	\$1,296	\$1,296	\$1,335	\$1,375	\$1,416
Ex. Hgr	217-221	\$1,258	\$1,296	\$1,296	\$1,335	\$1,375	\$1,416
Ex. Hgr	Sheriff	\$1,872	\$1,928	\$1,928	\$1,986	\$2,046	\$2,107
Apron F							
Middle Row	Pvt. Port	\$64	\$66	\$66	\$68	\$70	\$72
North/South Row	Pvt. Port	\$84	\$87	\$87	\$89	\$92	\$95
Space – F771	Pvt. Port	\$225	\$232	\$232	\$239	\$246	\$253
Space – SP248	Pvt. Port	\$72	\$74	\$74	\$76	\$79	\$81
Space – SP247	Pvt. Port	\$64	\$66	\$66	\$68	\$70	\$72
New - Box	Pvt. Port	\$159	\$164	\$164	\$169	\$174	\$179
New - Box	Pvt. Port	\$239	\$246	\$246	\$254	\$261	\$269
New - T	Pvt. Port	\$91	\$94	\$94	\$97	\$99	\$102
Port-a-Port	217-227, 233-242	\$163	\$168	\$168	\$173	\$178	\$183

Sonoma County Airport
Master Fee Schedule 13-14

STOREROOMS	MONTHLY RATE
Small Storeroom	\$ 93.00
Large Storeroom	\$169.00
Mini Hangar Type Storeroom	\$202.00

COMMERCIAL USE HANGARS

Commercial operations in hangars, including subletting of privately-owned hangars, are subject to prior approval by the County and compliance with the Airport Minimum Standards for that type of commercial activity and lease provisions.

AIRPORT LOCKS

Airport tenants using aircraft storage units with a lockable door system or Airport storerooms are required to use Airport issued lock and key sets. The cost for these lock and key sets is non-refundable and the tenant owns the lock and key set.

Lock and Key	\$40.00 per set
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II. NON-COVERED AIRCRAFT STORAGE BY WING SPAN

Tie down Tail to Tail	MONTHLY RATE	NIGHTLY RATE
Less than 42'	\$ 48.00	\$ 8.00
Tie down Taxi Through		
Less than 60'	\$135.00	\$22.00
Over 60' but less than 90'	\$164.00	\$32.00
90' and over	\$199.00	\$55.00

A \$3.00 service fee will be assessed for transient tags if not paid at the Airport and County staff has to mail collection requests to operator.

III. LANDING FEES

Hot Air Balloon Land/Launch/Escort: Recovery escort \$47.50 per hour, with a one-hour minimum charge, plus any other necessary documentable expense associated with a response, or Balloonists may execute and comply with operator permit and pay a \$500.00 per calendar year operating permit fee and have the escort fees waived per the terms of the permit.

Revenue producing commercial flights:

**Sonoma County Airport
Master Fee Schedule 13-14**

Maximum Gross Weight (lbs.) ¹	Amount Per Landing
Less than 12,500 lbs.	\$0.71/1,000 lbs.
12,500 lbs. to 95,000 lbs.	\$0.99/1,000 lbs.
Over 95,000 lbs.	\$1.58/1,000 lbs.

Non-Commercial flights (excluding aircraft based at the Charles M. Schulz - Sonoma County Airport):

Maximum Gross Weight (lbs.) ²	Amount Per Landing
12,500 lbs. to 95,000 lbs.	\$0.99/1,000 lbs.
Over 95,000 lbs.	\$1.58/1,000 lbs.

Fire Suppression Flights:

Aircraft Type ³	Amount Per Landing
OV-10 and C337	\$ 22.00
S2A/T	\$ 45.00
P2 and P3	\$165.00
SP2H	\$165.00
DC-4	\$165.00

A \$3.00 service fee will be assessed for landing fee tags if not paid at the Airport and County staff has to mail collection requests to operator.

IV. VEHICLE PARKING FEES

Long Term	\$9.00 per day (24-hr. period)
Short Term (first two hours free)	\$1.00 per ½ hour (max. of \$12.00 for 24-hr. period)

The Airport Manager is authorized to negotiate rates with the operator of the restaurant for validating parking for their customers when using the short-term parking lot.

Assigned Parking (on Airport)	\$55.00 per month
Discount Pass for daily commuters (long-term lot)	\$85.00 per month
Employee Pass	no charge
Parking Penalties	PAA Schedule ⁴

V. TERMINAL BUILDING USE

In addition to signing a license agreement or lease, each user of the Airport terminal building

¹ Per FAA Advisory Circular Aircraft Data AV 150/5325-5B as amended.

² Per FAA Advisory Circular Aircraft Data AV 150/5325-5B as amended.

³ These aircraft types represent the majority of aircraft flown by Cal Fire. If the aircraft operated by Cal Fire is not shown above, then the Revenue Producing Commercial landing fees shall apply.

⁴ Contract of agreement with the Treasurer/Tax Collector, Parking Administration & Adjudication (PAA) established by Resolution No. 93-1309 to administer the responsibilities of AB 408 Notice of Parking Violations.

Sonoma County Airport
Master Fee Schedule 13-14

lobby, office and storage areas, except car rental tenants, will pay as a minimum the following rates (these rates include utilities except phone):

Lobby and Offices	\$1.58/sq. ft. per month
Security Screening Building	\$352.00 per airline operator per month full service

VI. AUTOCROSS TRACK USE FEE

Single Event Use	\$540 per event
Yearly Use	\$6,425 per year
Anticipated actual airport employee expenses	\$47.50 per hour
Anticipated actual airport employee overtime expenses	\$72.50 per hour

Anticipated Actual Airport Employee Expenses will be estimates, based on discussions between Airport management and event organizers, in advance of the event. The event organizer shall approve unanticipated additional expenses when possible. Any actual, unforeseen and unavoidable actual expenses above the initial estimate incurred by the Airport shall be due and payable by event organizer within 30 days of billing and may result in denial of future event permits if not paid in a timely manner. It is not anticipated that unforeseen costs above the original estimate will develop very often. Also, event organizers should not expect any level of effort by the Airport above that indicated in the estimate.

Both of these charges will be paid in advance of the event. After completion of the event, actual Airport expenses will be calculated. If the actual expenses are less than the anticipated expenses by \$100 or more, a refund will be rebated to the Special Event organizer. Additional unexpected actual expenses will be billed and due/payable by the event organizer within 30 days of billing.

VII. FUEL FLOWAGE FEES

Twelve cents (\$0.12) for each gallon of turbine fuel, aviation gasoline or auto fuel dispensed on the Airport.

VIII. LATE FEE

Monthly rates and monthly charges shall be due and payable on the first day of each month for that month. A late fee shall be levied in the amount of ten percent (10%) of the amount due for any amount not received in the office of the Sonoma County Airport, 2290 Airport Boulevard, Santa Rosa, CA 95403 by the fifth day of the month due.

IX. NON-REFUNDABLE APPLICATION FEES

The following fees are to cover a portion of the administrative costs to process certain types of agreements and to ensure the applicants have the means and desire to enter into the agreement. Application fees shall also apply to proposed assignments of such agreements where the County is being asked to consent to the assignment, and to any amendments of such agreements.

Sonoma County Airport
Master Fee Schedule 13-14

Aircraft Storage Waiting List	First Month's Rent
Lease Concession Agreement (year to year)	\$1,350
Operating or License Agreement (3 year max.) ⁵	\$3,250
FBO Building or Ground Lease Application Fee (3 yrs. +)	\$6,750

In addition, for any agreement that is subject to CEQA, the applicant shall reimburse the Airport its costs for processing the environmental documents.

X. TAXES AND ASSESSMENTS

It shall be conclusively presumed that any aircraft stored at the Sonoma County Airport pursuant to a tie-down agreement, lease, sublease, operating agreement, or other written arrangement with the County are "habitually situated" therein as that term is defined at Revenue and Taxation Code 5362.

XI. SPECIAL EVENT CHARGES (using Airport Facility)

Administrative Fee for Permit Processing and Use of Facilities and Grounds	\$1,300 per day ⁶
Anticipated Actual Airport Employee Expenses	\$47.50 per hour ⁷
Anticipated Actual Airport Employees Overtime Expenses	\$72.50 per hour ⁸

Anticipated Actual Airport Employee Expenses will be estimates, based on discussions between Airport management and event organizers, in advance of the event. The event organizer shall approve unanticipated additional expenses when possible. Any actual, unforeseen and unavoidable actual expenses above the initial estimate incurred by the Airport shall be due and payable by event organizer within 30 days of billing and may result in denial of future event permits if not paid in a timely manner. It is not anticipated that unforeseen costs above the original estimate will develop very often. Also, event organizers should not expect any level of effort by the Airport above that indicated in the estimate.

Both of these charges will be paid in advance of the event. After completion of the event, actual Airport expenses will be calculated. If the actual expenses are less than the anticipated expenses by \$100 or more, a refund will be rebated to the Special Event organizer. Additional unexpected actual expenses will be billed and due/payable by the event organizer within 30 days of billing.

The Airport Facilities Manager is hereby authorized to waive these fees for small events sponsored by non-profit organizations where there is no gate entrance fees charged.

⁵ Excluding Hot Air Balloon operators.

⁶ May include percentage of gross receipts depending on type of event

⁷ Includes vehicle and one employee regardless of classification of employee involved

⁸ Includes vehicle and one employee regardless of classification of employee involved

Sonoma County Airport
Master Fee Schedule 13-14

XII. SECURITY IDENTIFICATION DISPLAY AREA (SIDA) BADGES

SIDA Badge with Background/Finger Print Check (STA & CHRC)	\$115.00
SIDA Badge without Background Check (CHRC only)	\$ 95.00
SIDA Badge without Finger Print Check (STA only)	\$ 65.00
SIDA Badge without Background and Fingerprint Check	\$ 45.00
SIDA Badge Replacement (due to expiration)	\$ 45.00
SIDA Badge Replacement (due to card failure after warranty period)	\$ 25.00
SIDA Badge Replacement (due to card loss) plus penalty	\$ 45.00
Missed Appointment without notification	\$ 20.00

(CHRC – Criminal History Records Check, STA – Security Threat Assessment)

The badges will be replaced free of charge if they fail during the 45 day warranty period. The Airport Manager is authorized to modify the security badge fees during the fiscal year if needed to reflect changes in background check fees from the government and changes in supply costs related to printing. In addition, the Airport Manager is authorized to change or charge fees as necessary to recoup fees resulting from changes in FAA or TSA regulations requiring payment from the Airport.

XIII SIDA BADGE ADMINISTRATIVE REMEDIES

The following administrative remedies will be enforced by the Airport if it is found that a SIDA badge holder has violated TSA regulations and/or Airport regulations. The Airport Manager is authorized to change or charge administrative remedies as necessary resulting from changes in FAA or TSA regulations or requirements. The regulations and security updates are available on the Airport website at www.sonomacountyairport.org.

	Violation	1 st Offense	2 nd Offense
1	Badge is not returned within 72-hours after card expiration, individual's separation from employment, or demand from the Sonoma County Airport or TSA.	\$150	N/A
2	Badge holder is found without their badge while within the SIDA.	\$100	\$200
3	Badge holder is found without their badge while within the AOA.	\$50	\$100
4	Badge holder alters their SIDA badge in any manner by covering up the picture, expiration date, name, or company name.	\$100 and badge revoke	Badge revoke
5	Authorized signer does not ensure that applicant has kept permanent resident card (green card) current	\$100	Badge revoke
6	SIDA badge is not properly displayed while within the secure area.	Written warning	\$100
7	Badge holder does not close security gate properly and it is found left open and unattended.	\$50	\$100
8	Badge holder piggybacks through a secure door or allows another individual to piggyback behind them through a secure door (except if under escort by the badge holder).	\$100	\$200

Sonoma County Airport
Master Fee Schedule 13-14

9	Badge holder allows a different individual to use their SIDA badge or another security access medium (key, gate device, etc.) to access the SIDA or AOA.	Badge revoke	N/A
10	Badge holder, or non badge holder, is found trying to access the Airport premises using an Airport issued gate access media that no longer meets current Airport security guidelines.	\$500	Badge Revoke
11	Badge holder, or non badge holder, is found trying to access a non-Airport issued gate access media that does not meet the current Airport security guidelines	\$1,000, Police summons, badge revoke	\$5,000, Police summons
12	Badge holder does not report their badge lost, stolen or destroyed within 24-hours to the Airport Manager's office.	\$150	\$300
13	Cost of SIDA badge if it is lost or stolen, regardless if it is reprinted	\$100	\$150
14	Reprinting cost of lost or stolen SIDA badge (in addition to the fee in penalty #13)	\$25	\$25
15	Badge holder escorts more than three (3) individuals into the secure area.	\$200	Badge revoke
16	Badge holder escorts more than four (4) individuals into the AOA without prior permission from the Airport Manager.	\$100	\$200
17	Badge holder escorts individual(s) into the SIDA for non-work related purposes (e.g. family members and friends) without prior written permission from the Airport Manager or his/her designee.	Written warning	\$100
18	Badge holder is escorted into the secure area and does not have their assigned SIDA badge with them, or escorts a different SIDA badged individual into the SIDA after they have been issued a badge.	\$100	\$200
19	Badge holder leaves escorted individual(s) unattended within the SIDA.	\$200	\$300
20	Badge holder leaves escorted individual(s) unattended within the AOA.	\$100	\$200
21	Non STS badged individual escorts individuals into the SIDA.	\$250	\$500
22	Non STS badged individual is found unescorted within the SIDA.	\$250	\$500
23	Badge holder does not challenge individual in the SIDA or call the Airport Manager's office or Duty Phone to take over the challenge.	\$100	\$200
24	Authorized Signer or SIDA badge holder does not complete the Annual SIDA badge, gate device, or key audit in the allotted time give to complete such audit(s).	\$200	Badge Revoke
25	Authorized signer or SIDA badge holder does not complete the annual authorized signatory training in the allotted time given to complete such training.	\$200	Badge Revoke
26	Company fails to assign an Authorized Signer for badge sponsorship within 72-hours of request from Airport or when original Authorized Signer has given up their duties.	\$100	\$200
27	Applicant misses SIDA badge fingerprinting or SIDA training appointment without giving prior notice	\$20	\$20
28	Cost to reactivate gate access media if it is deactivated for any reason, including non-payment of Airport dues, no response to annual audits, and/or annual authorized signatory training or for any other reason deemed necessary to protect Airport security	\$10/ea	\$20/ea

Sonoma County Airport
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XIV. AIRPORT OPERATION AREA (AOA) BADGES

AOA Badge - 1st issuance	\$ 40.00
AOA Badge Replacement (due to expiration)	\$ 25.00
AOA Badge Replacement (due to card failure after warranty period)	\$ 25.00
AOA Badge Replacement (due to card loss) plus penalty	\$ 25.00
Missed Appointment without notification	\$ 15.00

The badges will be replaced free of charge if they fail during the 45 day warranty period. The Airport Manager is authorized to modify the security badge fees during the fiscal year if needed to reflect changes in supply costs related to printing. In addition, the Airport Manager is authorized to change or charge fees as necessary to recoup fees resulting from changes in FAA or TSA regulations requiring payment from the Airport.

XV. AOA BADGE ADMINISTRATIVE REMEDIES

The following administrative remedies will be enforced by the Airport if it is found that an AOA badge holder has violated TSA regulations and/or Airport regulations. The Airport Manager is authorized to change or charge administrative remedies as necessary resulting from changes in FAA or TSA regulations or requirements. The regulations and security updates are available on the Airport website at www.sonomacountyairport.org.

	Violation	1st Offense	2nd Offense
1	Badge is not returned within 72-hours after card expiration, individual's separation from employment, or demand from the Sonoma County Airport.	\$150	N/A
2	Badge holder is found without their badge while within the fenced area of the Airport.	\$50	\$100
3	Badge holder alters their AOA badge in any manner by covering up the picture, expiration date, name, company name or hangar number.	\$50	\$100
4	Authorized signer does not ensure that applicant on Sponsor list has kept permanent resident card (green card) current	\$100	Badge Revoke
5	Badge holder, or non badge holder, is found trying to access the Airport premises using an Airport issued gate access media that no longer meets current Airport security guidelines	\$500	Badge Revoke
6	Badge holder, or non badge holder, is found trying to access the Airport premises using a non-Airport issued gate access media that does not meet the current Airport security guidelines	\$1,000, Police summons, Badge revoke	\$5,000, Police summons
7	Badge holder does not wait for a vehicle gate to close before proceeding in or out of Airport property.	\$50	\$100
8	Badge holder tailgates through a vehicle gate or allows another individual to tailgate behind them through a vehicle gate (except if under	\$100	\$200

Sonoma County Airport
Master Fee Schedule 13-14

	escort by the badge holder).		
9	Badge holder allows a different individual to use their AOA badge or another security access medium (key, gate access device, etc), regardless if other individual is STS badged or not, to access the Airport fenced area.	\$100	\$200
10	Non STS badged individual is found within the AOA without a proper badged escort.	\$50	\$100
11	Badge holder does not report their badge lost, stolen or destroyed within 24-hours to the Airport Manager's office.	\$100	\$200
12	Cost of AOA badge if it is lost or stolen, regardless if it is reprinted	\$100	\$150
13	Reprinting cost of lost or stolen AOA badge (in addition to the fee in penalty #12)	\$20	\$20
14	Badge holder escorts more than four (4) individuals onto Airport property without prior permission from the Airport Manager.	\$100	\$200
15	Badge holder is escorted into the AOA because they do not have their assigned AOA badge in their possession.	Written warning	\$50
16	Badge holder leaves escorted individual(s) unattended within the AOA.	\$100	\$200
17	AOA or non STS badged individual, except for TSA and FAA inspectors, escorts individuals into the secure area.	\$250	\$500
18	AOA or non STS badged individual, except for TSA and FAA inspectors, and Airline on-duty flight crew, is found unescorted within the secure area.	\$250	\$500
19	AOA or non STS badges individual, except for TSA and FAA inspectors, walk or drive a vehicle on or across the Airline ramp.	\$50	\$100
20	Authorized Signer or AOA badge holder does not complete the Annual AOA badge gate device, or key audit in the allotted time given to complete such audit(s).	\$200	Badge revoke
21	Authorized signer or badge holder does not complete the annual authorized signatory training in the allotted time given to complete such annual training.	\$200	Badge Revoke
22	Company or hangar tenant fails to assign an Authorized Signer for badge sponsorship within 72-hours of request from Airport, or when original Authorized Signer has given up their duties.	\$100	\$200
23	Applicant misses AOA badge appointment without giving prior notice	\$10	\$10
24	Cost to reactivate gate access media if it is deactivated for any reason, including non-payment of Airport fees, no response to annual audits and/or annual authorized signatory training or for any other reason deemed necessary to protect Airport security.	\$10/ea	\$20/ea

XVI. VIOLATION RESPONSIBILITES

Any person or entity whose actions or failure to act causes the Airport or any agent or employees of the Airport to incur a fine or other sanction imposed by the TSA, FAA or any other agency having jurisdiction over the operation of the Airport, shall be responsible for paying all fines assessed and/or for paying the costs of addressing and/or complying with the sanctions imposed, including required staff time and attorney fees.

Sonoma County Airport
Master Fee Schedule 13-14

XVII. AIRPORT REMOTE GATE ACCESS DEVICES

Due to recent upgrades to the Airport Security System and requirements from TSA, the Airport will no longer be able to sell remote gate access devices to Airport Tenants. For those tenants who have these devices, and these devices are still active in the security system and they are current tenants of the Airport, those devices will continue to function at the gates until such time that the device malfunctions or fails. At that time, the device will be removed from the proximity system. If a tenant fails to respond to the annual audit concerning their remote gate access device, the device will be deactivated and will not be reactivated into the proximity system.

XVIII. DRIVERS TRAINING

Due to Federal Aviation Administration requirements, the Airport is required to provide drivers training annually to any operator who accesses the Airport Movement Area. To comply with this requirement the Airport provides one class per month free of charge to vehicle operators during normal operational hours. Should the vehicle operators need special dates or times for their training, or need to be retrained during the calendar year, the operator shall pay the hourly employee rate as outlined in this resolution. These rates are set at \$47.50 per hour and \$72.50 per hour for training needed after business hours.



County of Sonoma Agenda Item Summary Report

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

Agenda Item Number: 58
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors

Board Agenda Date: April 22, 2014

Vote Requirement: Majority

Department or Agency Name(s): Permit and Resource Management Department

Staff Name and Phone Number:

Melinda Grosch 707-565-2397

Supervisorial District(s):

First

Title: Re-opening of public hearing and reconsideration of Board of Supervisors approval; Cornell Winery Use Permit Application; Guy Davis, Applicant; PRMD File No. UPE07-0008.

Recommended Actions:

Re-open the public hearing to reconsider the Board's approval of the Cornell Winery Use Permit for a 10,000 case winery in a 6,700 square foot winery complex with 10,200 square feet of caves located on a 40-acre parcel at 245 Spring Mountain Summit Trail (formerly Wappo Road) and adjacent properties owned by Henry Cornell (APNs 028-250-007, 028-260-041, 028-260-047, 028-260-023 and 028-260-025) as directed in Judge Gary Nadler's Order Granting Motion for Order for Interlocutory Remand and Stay.

After the close of the hearing, the Board of Supervisors may choose to:

- (1) Adopt a resolution upholding its prior approval of the Use Permit;
- (2) Give direction to staff to return with a resolution that includes revisions to the original Use Permit findings; or
- (3) Give direction to staff to return with a resolution that reverses the prior approval of the Use Permit.

Executive Summary:

Background:

This item is intended to comply with an order from Judge Gary Nadler of the Sonoma County Superior Court directing the Board of Supervisors to re-open the public hearing and reconsider its approval of the Cornell Winery Use Permit. Judge Nadler ruled that this re-opened hearing will give the litigant an opportunity to address deficiencies regarding ex parte contacts and other issues that the litigant claims occurred during the prior hearing. The underlying Use Permit, for a 10,000 case winery on a 40-acre property near the upper end of Mark West Creek, was approved by the Board of Zoning Adjustments in 2010, evaluated in an Environmental Impact Report, and upheld by the Board of Supervisors in December 2012.

The project includes the construction and operation of a 10,000 case winery in two single-story buildings totaling approximately 6,700 square feet in size and a 10,200 square foot cave for barrel storage located on a 40-acre property near the upper end of Mark West Creek with a zoning designation of RRD (Resources and Rural Development) 100 acres/dwelling unit density with the BR (Biotic Resources) combining district. The two winery buildings would be located at 245 Spring Mountain Summit Trail, with other elements of the project located on adjacent parcels owned by the applicant (APNs 028-250-007, 028-260-041, 028-260-047, 028-260-023 and 028-260-025). The project includes public tasting by appointment only with a maximum of fifteen guests per day and ten marketing/winemaker dinners per year with a maximum of ten guests per event.

On September 23, 2010, The Board of Zoning Adjustments unanimously approved the project, and this approval was appealed to the Board of Supervisors. The applicant requested that the Supervisors' hearing be deferred until the applicant could complete additional biological and geological studies. In late 2011, the applicant and County staff agreed that an Environmental Impact Report (EIR) would be prepared prior to consideration by the Board of Supervisors.

On December 4, 2012 the Board of Supervisors heard the appeal and reviewed the EIR. On a straw vote the Board voted unanimously to deny the appeal, uphold the Board of Zoning Adjustments' approval of the project, and certify the EIR. The final action was taken on December 11, 2012.

On December 31, 2012 the petitioner group, New-Old Ways Wholistically Emerging, filed a lawsuit challenging the project approval, and raising three distinct causes of action. The court has not ruled on the first two causes of action, which challenge the project's California Environmental Quality Act (CEQA) compliance and General Plan consistency. The court has not invalidated the EIR, nor directed that the Board set aside its certification of the EIR or approval of the project. The EIR remains certified, and the project remains approved. The approval is stayed by the Court pending the outcome of this hearing.

In the third cause of action, the lawsuit alleges that the Board violated the petitioner's due process right to a fair hearing. The petitioner claims that the Board improperly relied on ex parte communications and information outside the public record that petitioner allegedly had no chance to rebut. The petitioner also challenges statements Supervisor Zane made during the hearing regarding a telephone conversation between her office and Christopher Bonds of the California Department of Water Resources.

With regard to this third cause of action, Superior Court Judge Gary Nadler granted a motion from the applicant and the County for an interlocutory remand to the Board of Supervisors over the petitioner's objections. Judge Nadler ruled that re-opening the public hearing would address the deficiencies that the petitioner alleges occurred during the prior hearing, thus saving the resources of the Court and the parties, and promoting an orderly resolution of the petitioner's third cause of action. Judge Nadler ordered that the Board of Supervisors re-open the public hearing before April 29, 2014 and reconsider its approval of the Cornell Winery Use Permit. Judge Nadler ruled that the hearing must be more than a "rubber stamp" of the prior decision, and must fully comport with the requirements of due process. Judge Nadler ruled that, at the hearing, the petitioner will be provided a meaningful opportunity, within the County's existing framework governing hearing procedures, to address issues raised and to present

its position within the framework of the hearing guidelines.

Issues:

Ex parte contacts

As noted above, the Court has ordered that the Board re-open the public hearing to address deficiencies alleged to have occurred at the prior public hearing, including petitioner's claim that in reaching its decision, the Board improperly considered and relied upon evidence outside the public record to which the petitioner allegedly had no opportunity to respond. This re-opened hearing will provide the petitioner an opportunity to be heard that petitioner asserts it previously did not have.

In Sonoma County, as in other counties and cities in California, resolving land use issues requires a unique appreciation of community values and the context of the proposed development. As in other communities, citizens in Sonoma County expect to be able to communicate with their elected representatives on pending land use matters, and to host visits of project sites and neighboring parcels. Most communications and site visits only result in the expression of general opinions for or against a proposed project, or the repetition of information and arguments already identified in staff reports or elsewhere in the written and oral record. Nonetheless, these contacts can facilitate public discussion, greater understanding on the part of the Board, and resolution of land use disputes.

Ex parte contacts can raise concerns, however, if the Board relies on specific and non-public information that does not exist elsewhere in the record, and that one party does not have an opportunity to rebut. This concern can be alleviated if the specific and non-public information is disclosed at the hearing on the land use application.

To facilitate this hearing and maximize the opportunity for petitioner and other interested parties to address issues and present their positions, staff met with each Board member to identify their ex parte communications to date regarding this project. All written ex parte communications to one or more Board members prior to project approval have already been compiled and made available as part of the administrative record in the litigation. All written ex parte communications to one or more Board members after project approval will be forward to the Clerk of the Board and made available to the public. The oral communications are summarized below, in order of Supervisorial District, and to the best recollection of each supervisor.

First District Supervisor Susan Gorin was elected to but not yet serving on the Board when the Board approved the project in December 2012. Supervisor Gorin did not attend the December 4, 2012 public hearing on the project, and does not recall attending any site visits regarding the project. Supervisor Gorin recalls that Jim Doerksen had a short conversation with her before November 2012 regarding groundwater in the Mark West Creek watershed. Jim Doerksen has worked with the petitioner, as well as with Save Mark West Creek, in opposing the project before both the BZA and the Board. Supervisor Gorin also recalls attending a LandPaths event on the Doerksen Ranch. LandPaths is attempting to purchase and manage the ranch as an open space preserve. Supervisor Gorin does not recall having any other ex parte communications regarding this project.

Former First District Supervisor Valerie Brown recalls that she accepted an invitation from Jim Doerksen for a detailed tour of his property and discussion of the Cornell Winery project. Supervisor Brown also

attended a site visit with the applicant's representatives. Supervisor Brown does not recall learning any specific and non-public information at either site visit that was not part of the oral and written record, and does not recall having any other ex parte communications before the hearing. Supervisor Brown attended the hearing with an open mind.

Second District Supervisor David Rabbitt recalls that on or around November 16, 2011, he accepted an invitation from Jim Doerksen for a site visit and discussion of the Cornell Winery project. Supervisor Rabbitt recalls that he had lunch at the property of Jim and Betty Doerksen, and discussed both this project and the LandPaths acquisition identified above. Supervisor Rabbitt also recalls that he and Jim Doerksen traveled at the request of Jim Doerksen to the gate of the Cornell site. Supervisor Rabbitt has separately encountered Jim Doerksen at various community functions, at which time Jim Doerksen has spoken to him about existing water flows and conditions in Mark West Creek. Supervisor Rabbitt also recalls that on or around October 19, 2012, he had a short site visit with the applicant's representatives. Supervisor Rabbitt does not recall learning any new information during any of these contacts and site visits, and did not rely on any specific ex parte information in voting on the project. During the December 2012 hearing, Supervisor Rabbitt explained that the role of the Board is to be fair and impartial, to look at any piece of property under the regulations in place at the time, and to make decisions based on all the facts in front of the Board.

Third District Supervisor Shirlee Zane recalls that she was contacted more than four years ago and met multiple times with individuals concerned with or opposed to the project. These contacts include, to the best of Supervisor Zane's recollection and records, a meeting organized by Betty Doerksen on or about May 13, 2009, with several interested individuals and groups, a lunch at the Doerksen Ranch with Jim and Betty Doerksen on February 26, 2010, that addressed both the Cornell project and the LandPaths acquisition identified above, and a meeting on or around January 25, 2011, organized by Laura Waldbaum. By contrast, Supervisor Zane recalls that her contact with the applicant's representatives was limited to one site visit before the hearing. With regard to all these communications and site visits, Supervisor Zane recalls asking questions and listening to the positions of the parties, but does not recall learning or relying on any specific information that was not already part of the oral and written record.

Michelle Whitman of Supervisor Zane's office also had a telephone call with Chris Bonds of the Department of Water Resources. That telephone call is referenced below.

Fourth District Supervisor Mike McGuire also visited both the project site and the Doerksen property prior to the hearing. Supervisor McGuire does not recall learning any specific information at these site visits that was not already part of the oral and written record. Supervisor McGuire does not recall any other ex parte contacts prior to the hearing, and did not rely on any ex parte information in hearing and voting on the project. Earlier this year, Supervisor McGuire was at an unrelated meeting in which Jim Doerksen was also in attendance. Jim Doerksen shared some of his views regarding this project and other water-related issues. Supervisor McGuire stated that he was unable to comment due to the ongoing litigation.

Fifth District Supervisor Efren Carrillo similarly accepted an invitation from Jim Doerksen, and visited the Doerksen property on August 10, 2010. In addition, Supervisor Carrillo had a site visit with the applicant's representatives on January 26, 2012. Supervisor Carrillo recalls touring both properties and

asking questions, but does not recall learning any specific information that was not already part of the public record. Supervisor Carrillo does not recall any other ex parte contacts before or after the hearing.

Christopher Bonds

As noted above, petitioner also challenges statements made by Supervisor Zane regarding the conversation her office had with Christopher Bonds of the California Department of Water Resources. Mr. Bonds has submitted a declaration that identifies the following statements by Supervisor Zane that he believes were either incorrect or may be interpreted incorrectly:

- Mr. Bonds was identified as a “senior engineer of the Water Resources Department.” He is a senior engineering geologist with the Department of Water Resources.
- Mr. Bonds was not hired by the initial appellants; he was initially contacted by one of the attorneys for the appellants, but was not hired by anyone to conduct his review.
- Mr. Bonds recalls that his conversation with Supervisor Zane’s office was approximately five minutes long, which he does not consider lengthy.

Mr. Bonds also explained that during the hearing Supervisor Zane paraphrased from Mr. Bonds’ September 7, 2011, comment letter to the Board, where he wrote the following:

“The incorporation of all of the above-mentioned mitigation measures into the winery project are significant and should provide measureable and long-lasting water supply benefits to the watershed. These benefits are in addition to the water supply and conservation benefits discussed in my December 2009 comment letter. Due to the incorporation of numerous significant water mitigation and conservation measures, I believe that the water supply and demand elements of the proposed Cornell Winery project are worthy of your full consideration during the course of the required county approval process.”

These mitigation measures include incorporating a rainwater harvesting system into the design of the proposed winery which, Mr. Bonds explains, he initially suggested to the applicant. Mr. Bonds explained that he had no role in the consideration of the project or its approval, and it would be inaccurate to read Supervisor Zane’s comments to suggest that.

Mr. Bonds did not identify any other statements by Supervisor Zane that were either incorrect or may be interpreted incorrectly beyond his official title, whether he was hired by the appellants, the length of the telephone call, and the paraphrased quote from his comment letter.

Staff has reviewed the transcript and the declarations from Christopher Bonds. Staff concludes that Supervisor Zane inadvertently made incorrect statements in relaying the conversation between Mr. Bonds and Michelle Whitman, but that these inadvertent statements were minor and not material to the Board’s decision.

Use Permit Issues:

As noted above, the EIR is final, certified, and has not been overturned or invalidated by the courts. Nevertheless, by way of background information since the Board’s hearing was nearly 16 months ago, staff has attached the EIR’s summary table of environmental impacts and mitigation measures.

One issue that received considerable attention was groundwater pumping, and the project’s General

Plan consistency and potential impact on nearby wells, ponds, and the North Fork and main stem of Mark West Creek, which provides habitat and spawning area for Coho and steelhead. The Board previously reviewed the EIR and the entire record and made findings in this regard. The Board determined that the project will use groundwater from an existing well that has been supplying water to the applicant's vineyards since 2004 with no known problems. Groundwater pumping for the winery would occur only between November and July, avoiding the critical dry season months of August through October. The project includes significant water conservation measures, including the treatment and reuse of winery process water, and the harvesting, storage, and use of rainwater from impervious surfaces at the winery. Through these measures, the project will result in a net decrease in the existing annual groundwater demand at the project site, and reduce existing groundwater pumping for irrigation of the applicant's vineyards. As a result, the project's decrease in existing groundwater pumping will result in a less than significant impact to Mark West Creek and to coho salmon, steelhead, and other species.

The Board also determined, after reviewing the EIR and the entire record, that the groundwater pumping will not intersect or otherwise draw water away from the North Fork or main stem of Mark West Creek or nearby ponds. The record shows that the estimated peak radius of influence for project pumping would be 92 feet, and the peak radius of combined project and vineyard pumping would be 260 feet. By contrast, the North Fork of Mark West Creek is located approximately 1,000 feet northeast, the main stem of Mark West Creek is located approximately 3,600 feet south, and nearby surface water ponds are located 2,400 and 2,700 feet southwest of the project supply well. In addition, the estimated peak radius of influence from the project well is conservative with respect to the North Fork and main stem of Mark West Creek, because the well's cone of depression will expand upwards, more than towards the creek.

The Board also agreed with the EIR and determined that a constant rate aquifer test is not required for the project. As noted above, the well at issue already exists, and has been supplying water to the applicant's vineyards since 2004 with no known problems. Further, the record shows that a constant rate aquifer test is not a reasonable method for determining groundwater availability at the project site, because the site's underlying bedrock hydrogeology and associated secondary porosity would render any results inaccurate or otherwise inconclusive, and generally unrepresentative of the groundwater conclusions. As a result, the Board found that the project is consistent with the Sonoma County General Plan and complies with the goals, objectives, and policies of the General Plan related to groundwater extraction and management.

Staff is not aware of any information that would change the Board's prior analysis and Use Permit findings. The project's water source and demand remain the same, meaning that the project will still use less water than existing conditions, and thus return more water to the watershed. The Board's findings did not cite or rely on information provided by Christopher Bonds, so no changes are required as a result of his recent declaration. The conclusion remains the same, that the project would not result in significant adverse direct or cumulative impacts to groundwater supply, nearby wells or ponds, aquifer health, or stream base flow, and that a constant rate aquifer test remains inappropriate.

Board Actions:

After the close of the hearing, the Board should reconsider its approval of the Use Permit. The Board

may decide to uphold its prior approval, or to give direction to staff regarding revisions to Use Permit findings, or reversal of the Use Permit. In the event that the Board decides to uphold its prior Use Permit approval, staff has provided a draft resolution to that effect.

Prior Board Actions:

The Board approved the original EIR contract on February 21, 2012, and an amendment to the contract on November 13, 2012. The Board conducted a public hearing on the EIR and the project on December 4, 2011; closed the public hearing; and directed staff to prepare the final resolutions and exhibits for action on December 11, 2012. On December 11, 2012 the Board certified the EIR and approved the project as conditioned.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

The preparation of the EIR and the Project conditions of approval further the goal of supporting agriculture and agricultural businesses as well as the goal of protecting the environment by identifying ways to mitigate project impacts in a sensitive environmental setting, the upper Mark West Creek watershed.

Fiscal Summary - FY 13-14

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

Narrative Explanation of Fiscal Impacts (If Required):

No applicable. This project is an At-Cost project funded by the applicant.

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):

Not applicable.

Attachments:

- Attachment A: Sonoma County Superior Court Order Granting Motion for Order for Interlocutory Remand and Stay on Discover
- Attachment B: Declaration of Christopher Bonds
- Attachment C: Draft EIR, Table II-1, Summary of Environmental Impacts and Mitigation Measures
- Attachment D: Resolution No. 12-0576 denying an appeal and approving the Use Permit
- Attachment E: Draft Resolution

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

- Staff Report for the Board of Zoning Adjustments hearing September 23, 2010
- Actions of the Board of Zoning Adjustments hearing of September 23, 2010
- Staff Report for the Planning Commission/Board of Zoning Adjustments hearing September 6, 2012
- Actions of the Planning Commission/Board of Zoning Adjustments hearing September 6, 2012
- Staff Report for the Board of Supervisors hearing December 4, 2012
- Final Environmental Impact Report (comprised of the Draft EIR and the Response to Comments) and available on-line at:
Draft Environmental Impact Report:
http://www.sonoma-county.org/prmd/docs/eir/henrycornellwinerydeir/henry_cornell_winery_deir.pdf
- Final Environmental Impact Report (Response to Comments):
http://www.sonoma-county.org/prmd/docs/eir/henrycornellwineryfeir/henry_cornell_winery_feir.pdf

1 BRUCE D. GOLDSTEIN #135970
2 County Counsel
3 VERNE BALL #244014
4 Deputy County Counsel
5 County of Sonoma
6 575 Administration Drive, Room 105A
7 Santa Rosa, California 95403-2815
8 Telephone: (707) 565-2421
9 Fax: (707) 565-2624
10 E-mail: verne.ball@sonoma-county.org

11 Attorneys for Respondent
12 Sonoma County Board of Supervisors

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
14 **FOR THE COUNTY OF SONOMA**

15 NEW-OLD WAYS WHOLISTICALLY
16 EMERGING,

17 Petitioner and Plaintiff,

18 v.

19 SONOMA COUNTY BOARD OF
20 SUPERVISORS, and DOES I through X,
21 inclusive,

22 Respondent and Defendants.

23 CORNELL FARMS, LLC and DOES XI
24 through XX, inclusive,

25 Real Parties in Interest.

RECEIVED

FEB 13 2014

County Counsel
COUNTY OF SONOMA

**ENDORSED
FILED**

FEB 13 2014

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA

Case No. SCV 252985

**ORDER GRANTING MOTION FOR
ORDER FOR INTERLOCUTORY
REMAND AND STAY ON DISCOVERY**

Date: January 29, 2014

Time: 3:30 p.m.

Dept.: 17

Honorable Gary Nadler

California Environmental Quality Act
(CEQA)

Real Party in Interest Cornell Farms, LLC's motion for interlocutory remand is granted.

In opposition to this motion, Petitioner argues that such a remand would do nothing to resolve any of the issues raised in the petition, and would only serve to delay adjudication of this matter. Petitioner argues that remand at this time is premature, unauthorized, and that it would "wreak havoc with any orderly judicial determination of the issues that petitioner has properly

Order Granting Motion For Order For
Interlocutory Remand And Stay On Discovery

EXHIBIT A

SCV 252985

1 brought before this Court for resolution." This court determines otherwise. The very cause of
2 action raised by Petitioner, and which is here the subject of this motion, is based upon a violation
3 of due process and general allegations of an unfair hearing. A remand at this juncture would
4 serve to allow the very hearing that Petitioner alleges it was denied, and would serve to more
5 efficiently address the issues that Petitioner raises in its third cause of action.

6 The County of Sonoma (County) issued multiple mitigated negative declarations (MNDs)
7 for the Project which is the subject of this proceeding in 2009 and 2010. Petitioner asserted, in
8 the CEQA approval process, that the Project required a full Environmental Impact Report (EIR)
9 instead of an MND, and submitted evidence to support its position. The County Board of Zoning
10 Adjustments approved the Project and MND on September 23, 2010, and Petitioner appealed to
11 the Board of Supervisors; however, the County "conceded that the Project's potentially
12 significant environmental impacts required" an EIR and then issued a Notice of Preparation of an
13 Environmental Impact Report (NOP) on February 27, 2012; County issued the Draft EIR (DEIR)
14 on August 2012; Petitioner submitted comments but the County issued the Final EIR (FEIR) in
15 "late" November 2012, with the FEIR concluding that there would be no significant impacts; on
16 December 4, 2012 Respondent held a hearing for approval and EIR certification; Respondent
17 tentatively approved the Project via a "straw vote" on December 4, 2012 and then formally
18 approved it on December 11, 2012, issuing a notice of determination (NOD) *Id.*, ¶¶ 21-26.

19 As noted in prior proceedings, Petitioner raises three "causes of action." The first seeks a
20 writ of mandate setting aside the approval, as well as declaratory and injunctive relief, on the
21 ground that the approval violates CEQA. The primary alleged CEQA violations are that the
22 impact analysis is inadequate and lacks substantial evidence; the issue of inconsistency with the
23 Plan; the EIR fails to respond to public comments; the EIR omits crucial studies; the EIR fails to
24 provide a complete Project description; the alternatives analysis is inadequate; and the EIR
25 should have been recirculated. The second cause of action seeks a writ of mandate setting aside
26 the approval, as well as declaratory and injunctive relief, on the ground that the Project is
27 contrary to the Planning and Zoning Law. The third cause of action seeks a writ of mandate as
28 well as declaratory and injunctive relief on the ground that the approval violates Petitioner's due

1 process. It is as to this third cause of action that this motion is made.

2 By this motion, Respondent and Real Party in Interest seek an interlocutory remand and
3 stay on discovery. In the third cause of action, Petitioner originally contended that it and its
4 members have a right to a fair hearing under the U.S. and California constitutions; and that they
5 were denied that right because Respondent was not an impartial decisionmaker. *Id.*, ¶¶ 96-104.
6 Petitioner alleges that one of Respondent's members, Chairwoman Zane (Zane) falsely stated
7 that California Department of Water Resources hydrologist Chris Bonds (Bonds) had been hired
8 by another Project opponent, had discussed the conservation easement with her, had informed
9 her that Project approval would reduce groundwater use, found a sustained pump test irrelevant,
10 and found the EIR water analysis adequate. Petitioner also alleges that Respondent admitted that
11 it relied on ex parte communications and evidence outside the public record, including personal
12 discussions between Zane and Real Party in Interest, so that Respondent improperly used
13 evidence not in the record and demonstrated an appearance of impropriety and bias.

14 In the now-operative first amended petition, it is alleged that Supervisor Zane "repeatedly
15 made false and misleading statements in an attempt to persuade the other Supervisors to approve
16 the Project," including "falsely" stating that "Bonds had been hired by a previous project
17 opponent when in fact he had made no such statement," that "Bonds had discussed the
18 conservation easement with her office," that "Bonds informed her that Project approval would
19 increase water supplies and reduce groundwater use," that "Bonds had determined a sustained
20 pump test was irrelevant," and in general "that Bonds found the EIR's analysis of the Project's
21 water use adequate;" when in fact he had made no such statements and had not reviewed the EIR
22 or know that the easement had been removed from the Project. First Amended Petition, ¶ 101.

23 Petitioner complains that Respondent unfairly and improperly relied on "ex parte
24 communications" and "information outside the public record" because Zane admitted to
25 spending much time walking around the Project site with, and asking questions of, the applicant
26 ex parte, having a "lengthy conversation" outside the record with Bonds; and Rabbitt stated that
27 he is familiar with soil creep and that it differs from landslide. *Id.*, ¶ 103. Petitioner's allegations
28 relating to exhaustion of remedies are found at ¶¶ 52-57 of the amended petition. These assert

1 that no viable remedy was available; that Petitioner had no opportunity to present the due-
2 process arguments; that Supervisor Zane's disclosure took place after the close of the public
3 hearing, giving Petitioner no opportunity to respond or object; that Petitioner was not aware at
4 the time of the hearing that Zane's statements were false; that Petitioner repeatedly tried to reach
5 Bonds to confirm the information but was unable to do so until December 21, 2012, 17 days after
6 the public hearing had closed and 10 days after Respondent had finally approved the Project; that
7 Respondent has no procedure to request reopening of public hearings, and no requirement to
8 make such requests prior to judicial review; that Rule 20 of Respondent's rules of procedure
9 allows a member of the public to request removal of an item from the Consent Calendar but does
10 not provide a procedure for reopening the public hearing; and that in May 2012 Respondent's
11 staff provided a proposal for such a procedure but that has not taken place.

12 It is undisputed that courts may issue an interlocutory remand to the relevant agency in
13 actions for writ of mandate. *Voices of the Wetlands v. State Water Resources Bd., et al.* (2011) 52
14 Cal.4th 499, 525-535. The dispute here concerns, in part, the propriety of an interlocutory
15 remand at this stage of the proceedings: Petitioner asserts that such a remand would be premature
16 because it is a remedy and the court must first determine if in fact there has been a violation.

17 *Voices of the Wetlands* holds that "nothing in subdivision (f) of section 1094.5 purports to
18 limit procedures the court may appropriately employ before it renders a final judgment. A more
19 general statute covers that subject. Code of Civil Procedure section 187, adopted in 1872,
20 broadly provides that whenever the Constitution or a statute confers jurisdiction on a court, 'all
21 the means necessary to carry it [that jurisdiction] into effect are also given; and in the exercise of
22 this jurisdiction, if the course of proceeding *be not specifically pointed out by this code or the*
23 *statute*, any suitable process or mode of proceeding may be adopted which may appear most
24 conformable to the spirit of this code.'" (Italics added.) Subdivision (f) of section 1094.5 does
25 not "specifically point[] out" the prejudgment procedures to be followed in an administrative
26 mandamus action, nor do its terms prohibit the court from "adopt[ing]" a "suitable process or
27 mode of proceeding" when addressing the issues presented. (Code Civ. Proc., § 187.) Hence, we
28 find nothing in subdivision (f)'s language that suggests an intent to limit or repeal Code of Civil

1 Procedure section 187 for purposes of administrative mandamus actions....” [Citations omitted].
2 *Voices of the Wetlands v. State Water Resources Bd., et al.* (2011) 52 Cal.4th 499, 526-527.

3 In this instance, interlocutory remand would address deficiencies alleged to have
4 occurred in the public hearing process; would be an efficient use of the parties’ resources; and
5 would promote an orderly resolution of the proceedings. The court notes, however, that such a
6 hearing must be more than a "rubber-stamp" of a prior unsupported decision. Rather, the hearing
7 shall fully comport with the requirements of due process. *Voices of the Wetlands v. State Water*
8 *Resources Bd., et al.* (2011) 52 Cal.4th 499, 528. At this hearing, Petitioner will be provided a
9 meaningful opportunity, within the existing framework governing hearing procedures, to address
10 issues raised and to present its position within the framework of the hearing guidelines.

11 Petitioner also seeks to pursue discovery by way of a deposition of Christopher Bond.
12 This deposition concerning the third cause of action has been stayed by the court. The deposition
13 shall continue to be stayed, pending further request, if any, following the public hearing as to this
14 matter.

15 Within 90 days from January 29, 2014, Respondent Sonoma County Board of
16 Supervisors shall re-open the public hearing to reconsider its approval of the Cornell Winery Use
17 Permit. The Cornell Winery Use Permit is ordered stayed pending the Sonoma County Board of
18 Supervisors' decision after the re-opened hearing. A case management conference in this action
19 is set for May 15, 2014, at 3:00 p.m., in Department 17.

20 IT IS SO ORDERED.

21
22 Dated:

GARY NADLER

Judge of the Superior Court

23
24 Approved as to form:

FEB 11 2014

25
26 _____
Stephan C. Volker
Attorney for Petitioner

27
28
Order Granting Motion For Order For
Interlocutory Remand And Stay On Discovery

1 **Question #2. Are any of the statements made by Supervisor Shirlee Zane in the**
2 **enclosed Excerpts of the transcript incorrect? If so, please elaborate on what is incorrect,**
3 **and if your opinion(s) have been accurately represented, please explain how and why.**

4 Answer #2. I believe the following statements by Supervisor Zane were either incorrect or
5 may be interpreted incorrectly.

6
7 Page 24

8 The statement “my office actually contacted Chris Bonds, the senior engineer of the Water
9 Resources Department” is incorrect; I am a senior engineering geologist with the California
10 Department of Water Resources.

11 The statement “...but that he was originally hired by the initial appellants in the project” is
12 incorrect; I was not hired by anyone to conduct my reviews.

13
14 Pages 85-86

15 Quoting from an unspecified letter from Mr. Bonds, Supervisor Zane paraphrased the
16 following:

17 “...all of the above mentioned mitigation measures in the winery project are
18 significant and to provide measurable and long-lasting water supply to the existing
19 watershed—paraphrasing—due to the incorporation you are seeking for water mitigation
20 conservation measures, supports—I believe that the water supply on the proposed Cornell
21 Winery, I will give full consideration during the course required in the approval process.”

22
23 I believe Supervisor Zane was referring to my September 7, 2011 comment letter to the
24 Sonoma County Board of Supervisors, page 3, where I wrote the following:

25
26 “The incorporation of all of the above-mentioned mitigation measures into the winery
27 project are significant and should provide measureable and long-lasting water supply
28

1 benefits to the watershed. These benefits are in addition to the water supply and
2 conservation benefits discussed in my December 2009 comment letter. Due to the
3 incorporation of numerous significant water mitigation and conservation measures, I
4 believe that the water supply and demand elements of the proposed Cornell Winery project
5 are worthy of your full consideration during the course of the required county approval
6 process.”

7
8 I believe that Ms. Zane’s comments could be read to suggest that I was going to further
9 consider the project, and to that extent those comments are inaccurate. I had no role in the
10 consideration of the project or its approval.

11
12 Page 87

13 The statement “...so we had a lengthy conversation with Mr. Bonds, who’s the senior
14 engineer at the California Department of Water Resources” is incorrect in the two following
15 ways; my recollection is that the conversation was approximately 5 minutes long, which I would
16 characterize as a short conversation, and second, I am a senior engineering geologist with the
17 California Department of Water Resources.

18
19 The statement:

20 “...He was hired at one point by an appellant earlier on.” is incorrect for the following
21 reason: I was not hired by anyone to conduct my reviews.

22
23 I do not recall the details of my conversation with Michelle Whitman, so I cannot verify the
24 other statements made by Supervisor Zane

1 **Question #3. Please describe how you became involved with the review of the Cornell**
2 **Winery project. The Department's June 6, 2005 comment letter states: "Our comments are**
3 **being provided based on a request for a review of the project by concerned local interests."**
4 **Please identify the groups and/or individuals to which the letter refers.**

5 Answer #3. In 2005, I was contacted by an individual named Kimberly Burr, an attorney
6 who claimed to represent local interests in the vicinity of the project, who asked me to review the
7 Groundwater Availability Study, Cornell Winery and Vineyard, Santa Rosa, California dated July
8 15, 2004 by RGH Geotechnical and Environmental Consultants. I do not recall whether Ms. Burr
9 identified the local interests and have no recollection of who they were.

10
11 **Question #4. Did you suggest that the applicant utilize rainwater harvesting, and wet**
12 **season pumping and storage as water conservation measures for the Cornell Winery**
13 **project?**

14 Answer #4. During a visit to the proposed winery site on November 23, 2009, with John
15 Holdredge, attorney for Cornell Winery, and in my December 21, 2009, comment letter to
16 Sonoma County PRMD, I suggested that the applicant consider incorporating a rainwater
17 harvesting system into the design of the proposed winery. I do not recall suggesting the wet
18 season pumping and storage as a water conservation measure.

19
20 **Question #5. We understand that you have not reviewed the EIR for the Cornell**
21 **Winery Project. If you have an opinion about the current project plans insofar as water**
22 **consumption, water conservation measures, and associated environmental impacts are**
23 **concerned, what is that opinion?**

24 Answer #5. I have no opinion on the current project.

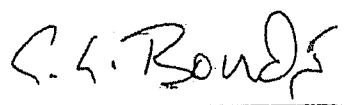
25
26 **Question #6. Is there anything that Mr. Bonds would like to add?**

27 Answer #6. No.

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I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed in Sacramento, California.

Date: February 10, 2014



CHRISTOPHER BONDS

**TABLE II-1
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
A. Summary of the Initial Study: Aesthetics			
<p>Impact 1d: The proposed exterior lighting associated with the Project would have the potential to create a new source of nighttime light in the vicinity.</p>	<p>Potentially Significant</p>	<p>Mitigation Measure 1d: Prior to issuance of building permits, an exterior lighting plan shall be submitted for review and approval by PRMD Project Review staff. The exterior lighting plan shall demonstrate that the Project will not cause substantial nighttime light visible from other locations. Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted. All parking lot lighting fixtures shall be fully cut-off and shall not exceed four feet in height. Lighting shall shut off automatically after closing and security lighting shall be motion-sensor activated.</p>	<p>Less than Significant</p>
A. Summary of the Initial Study: Cultural Resources			
<p>Impact 5b: Land alteration proposed under the Project could affect previously undiscovered subsurface archaeological resources.</p>	<p>Potentially Significant</p>	<p>Mitigation Measure 5b: All building and/or grading permits shall have the following note printed on plan sheets:</p> <p>“In the event that archaeological features such as pottery, arrowheads, midden or culturally modified soil deposits are discovered at any time during grading, scraping or excavation within the property, all work shall be halted in the vicinity of the find and County PRMD Project Review staff shall be notified and a qualified archaeologist shall be contacted immediately to make an evaluation of the find and report to PRMD. PRMD staff may consult and/or notify the appropriate tribal representative from tribes known to PRMD to have interests in the area. Artifacts associated with prehistoric sites include humanly modified stone, shell, bone or other cultural materials such as charcoal, ash and burned rock indicative of food procurement or processing activities. Prehistoric domestic features include hearths, firepits, or house floor depressions whereas typical mortuary features are represented by human skeletal remains. Historic artifacts potentially include all by-products of human land use greater than 50 years of age including trash pits older than fifty years of age. When contacted, a member of PRMD Project Review staff and the archaeologist shall visit the site to determine the extent of the resources and to develop and coordinate proper protection/mitigation measures required for the discovery. PRMD may refer the mitigation/protection plan to designated tribal representatives for review and comment. No work shall commence until a protection/mitigation plan is reviewed and approved by PRMD – Project Review staff. Mitigations may include avoidance, removal, preservation and/or recordation in accordance with California law. Archeological evaluation and mitigation shall be at the applicant’s sole expense.”</p>	<p>Less than Significant</p>

EXHIBIT C

**TABLE II-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
A. Summary of the Initial Study: Cultural Resources (cont.)			
Impact 5c: Land alteration proposed under the Project could affect previously undiscovered paleontological resources.	Potentially Significant	<p>Mitigation Measure 5c: All building and/or grading permits shall have the following note printed on plan sheets:</p> <p>"If paleontological artifacts are found during site development, all earthwork in the vicinity of the find shall cease, and PRMD staff shall be notified so that the find can be evaluated by a qualified paleontologist. When contacted, a member of PRMD Project Review staff and the paleontologist shall visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. No earthwork in the vicinity of the find shall commence until a mitigation plan is approved and completed subject to the review and approval of the paleontologist and Project Review staff. This condition shall be noted on all grading and construction plans and provided to all contractors and superintendents on the job site regarding the procedures to follow in the event that artifacts are found including contact information for PRMD."</p>	Less than Significant
Impact 5d: Land alteration proposed under the Project could affect previously undiscovered subsurface human remains.	Potentially Significant	<p>Mitigation Measure 5d: All building and/or grading permits shall have the following note printed on plan sheets:</p> <p>"If human remains are encountered, excavation or disturbance of the location shall be halted immediately in the vicinity of the find, and the County Coroner contacted. If the Coroner determines the remains are Native American, the Coroner will contact the Native American Heritage Commission (NAHC). The NAHC will identify the person or persons believed to be most likely descended from the deceased Native American. The NAHC will then work with the applicant on re-interring the remains. The applicant shall be responsible for all costs incurred in the removal, identification and reburial of the remains. This condition shall be noted on all grading and construction plans and provided to all contractors and superintendents on the job site regarding the procedures to follow in the event that human remains are found including contact information for the County Coroner's Office."</p>	Less than Significant
A. Summary of the Initial Study: Land Use and Planning			
Impact 10b: The project could conflict with land use plans, policies or regulations adopted for the purpose of avoiding or mitigating an environmental impact.	Potentially Significant	<p>Mitigation Measure 10b: Implement Mitigation Measure B.3 (geotechnical remedies to correct problematic soils) and Mitigation Measure B.4 (geotechnical erosion controls).</p>	Less than Significant

**TABLE II-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
B. Geology, Soils, and Seismicity			
<p>Impact B.1: In the event of a major earthquake in the region, people or structures could be exposed to the potential adverse effects of seismic ground shaking.</p>	<p>Less than Significant</p>	<p>None Required</p>	
<p>Impact B.2: The proposed Project would be constructed on sloping terrain and could be subject to slope instability and potential landsliding.</p>	<p>Less than Significant</p>	<p>None Required</p>	
<p>Impact B.3: Elements of the Project could be located in soils which are either weak, expansive, or prone to creep. These problematic soils could cause long term localized failure of the proposed structures resulting in loss of property, failure of water conveyance facilities, and/or slope failure.</p>	<p>Potentially Significant</p>	<p>Mitigation Measure B.3: As recommended by the applicant's geotechnical engineer: the applicant shall adhere to the recommendation provided by the Project geotechnical engineer to reduce the adverse effects of weak soils, expansive soils and creep-prone soils. The detrimental effects of weak soils shall be remediated by strengthening the soils during grading (i.e., excavating the weak soils and replacing them with properly compacted engineered fill). Expansive soils shall be treated by pre-swelling the expansive soils and covering them with a moisture fixing and confining blanket of properly compacted select fill as defined in the geotechnical recommendations. In order to effectively reduce foundation and slab heave given the expansion potential of the site's soils and bedrock, the applicant shall install a blanket thickness of 30 inches. In exterior slab and paved areas, the select fill blanket shall be no less than 12 inches thick. Fill and/or foundation support shall be used below the creeping soils and, outside buttressed areas, the applicant shall design the foundations to resist stresses imposed by the creeping soils. The applicant shall incorporate into the final Project design plans the recommended geotechnical remedies to correct problematic soils and these controls shall become part of the project.</p>	<p>Less than Significant</p>
<p>Impact B.4: The Project could result in substantial erosion or the loss of topsoil due to concentrated runoff during construction and after Project completion.</p>	<p>Potentially Significant</p>	<p>Mitigation Measure B.4: As recommended by the applicant's geotechnical engineer: The applicant shall implement all geotechnical recommendations associated with diverting surface runoff around slopes and improvements, providing positive drainage away from structures, and installing energy dissipaters at discharge points of concentrated runoff. This can be achieved, for example, by constructing the building pad several inches above the surrounding area and conveying the runoff into manmade drainage elements or natural swales that lead down gradient of the site. The applicant shall incorporate recommended erosion controls into the final Project design plans and the controls shall become part of the Project.</p>	<p>Less than Significant</p>
<p>Impact B.5: The proposed winery buildings, wine caves, and tank pads could be located on unstable geologic materials, which would increase the potential occurrence of ground failure or landsliding.</p>	<p>Less than Significant</p>	<p>None Required</p>	

**TABLE II-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
B. Geology, Soils, and Seismicity (cont.)			
Impact B.6: Elements of the project could be located on soils incapable of adequately supporting the use of septic tanks and leach fields.	Less than Significant	None Required	
Impact B.7: The Project could contribute to cumulative impacts with respect to geology, soils or seismicity.	Less than Significant	None Required	
C. Hydrology and Water Quality			
Impact C.1: Construction and operation of the proposed Project could disturb surface soil and the underlying sandstone bedrock, thereby increasing the rate of erosion and potential for sediment to be released to Mark West Creek.	Less than Significant	None Required	
Impact C.2: If improperly treated or disposed, Project wastewater generated during operation could reduce the water quality of surface water and/or groundwater.	Less than Significant	None Required	
Impact C.3: The Project's proposed pumping of groundwater from the aquifer could diminish the dry season base flow to Mark West Creek.	Less than Significant	None Required	
Impact C.4: The Project's proposed pumping of groundwater from the aquifer could lower water levels in other supply wells resulting in reduced yield or well damage, or draw surface flow from local surface waters, including creek and ponds.	Less than Significant	None Required	
Impact C.5: The proposed Project rainwater harvesting would result in the reduction of surface water available to the Upper Mark West Watershed.	Less than Significant	None Required	
Impact C.6: The Project could contribute to cumulative impacts on hydrology and water quality.	Less than Significant	None Required	

**TABLE II-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
D. Biological Resources			
<p>Impact D.1: The proposed Project could have a substantial adverse effect, either directly or through habitat modifications, on special-status plant species.</p>	<p>Potentially Significant</p>	<p>Mitigation Measure D.1a: The populations of narrow-anthered California brodiaea shall be salvaged and transferred at a 1:1 ratio to suitable habitat on the Cornell Farms property, preferably adjacent to the proposed winery development site. Prior to plant salvage efforts, a five-year mitigation plan shall be developed by a qualified biologist in coordination with the CDFG, and appropriate authorizations from the CDFG shall be obtained. The mitigation plan shall be commenced to the satisfaction of the CDFG and County prior to the initiation of construction of the proposed Project.</p> <p>The mitigation plan shall include information regarding the mitigation site (i.e., site selection process, including alternative sites considered, site location and description, and site preparation activities), procedures for collecting and transferring plants, and maintenance activities (e.g., weeding, erosion control, herbivore control, supplemental watering, etc.), schedule, and methods for determining the need for maintenance. Monitoring objectives and goals, performance criteria, sampling techniques and procedures, monitoring schedule, remedial measures, reporting requirements, long-term protection measures, and funding sources shall also be included in the mitigation plan, as well as any additional information not listed here but identified in the mitigation plan annotated outline developed by the CDFG (CDFG, 1990). The performance criteria shall include, but are not limited to, maximum feasible survival rate of transferred plants, absence of very invasive non-native plant species, and a self-sufficient population with no net decrease in the current number of plants at the end of five years.</p> <p>Mitigation Measure D.1b: Prior to commencement of any construction activities, including construction equipment and vehicle mobilization, a mandatory environmental education program for construction personnel shall be conducted by a qualified biologist. The program shall cover special-status species that are known or have the potential to occur in the vicinity of the proposed winery development site, as well as other sensitive biological resources (e.g., sensitive natural communities, federal and state jurisdictional waters), and the required mitigation measures that must be followed by all construction personnel to avoid or minimize Project effects on these resources. The program shall also cover the penalties for noncompliance with the biological mitigation requirements.</p> <p>The Project applicant shall ensure that the contractor is responsible for ensuring that construction personnel adhere to the biological mitigation requirements. If new construction personnel are added to the Project, the applicant and applicant's contractors shall ensure that all new personnel receive the mandatory training prior to starting work. This may take the form of written instruction and/or use of a video prepared by the qualified biologist covering the same material</p>	<p>Less than Significant</p>

**TABLE II-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
<p>D. Biological Resources (cont.)</p> <p>Impact D.2 (cont.)</p>		<p>Mitigation Measure D.2c: In addition to transferring and planting new oak trees to mitigate for those removed by construction of the Project, the following measures shall be implemented:</p> <ul style="list-style-type: none"> a. A seven-year mitigation plan shall be developed by a certified arborist in coordination with the CDFG, and appropriate authorizations from the CDFG shall be obtained, prior to transferring and planting new oak trees. The mitigation plan shall be commenced to the satisfaction of the CDFG and County prior to the initiation of construction of the proposed Project. The mitigation plan shall include information regarding the mitigation site (i.e., site selection process, including alternative sites considered, site location and description, and site preparation activities), procedures for acorn collection, transplanting and planting trees, and maintenance activities (e.g., weeding, erosion control, herbivore control, supplemental watering, etc.), schedule, and methods for determining the need for maintenance. Monitoring objectives and goals, performance criteria, sampling techniques and procedures, monitoring schedule, remedial measures, reporting requirements, long-term protection measures, and funding sources shall also be included in the mitigation plan, as well as any additional information not listed here but identified in the mitigation plan annotated outline developed by the CDFG (CDFG, 1990). The plan shall provide for the survival of a minimum of three surviving trees for each tree removed or transplanted as a result of the project at the end of the seven-year monitoring period. b. The Project applicant shall permanently protect oak woodland habitat, at a 2:1 ratio on the current Cornell Farms property. The oak woodland, shall be protected under a permanent conservation easement or fee title dedication, to be approved by the CDFG and County, and implemented prior to the issuance of building, grading, or other development permits. A minimum of 0.68 acres shall be protected to compensate for the 0.34 acres disturbed by the proposed winery site. Additional acreage shall be protected at the same ratio for any further impacts to oak woodlands as determined by the County and the vegetation alliance maps once the grading and drainage plans are finalized. The easement or agreement shall specify that the oak woodland habitat is to remain in perpetuity, and shall specify the land management and maintenance practices designed to protect the habitat, a baseline report documenting the existing habitat conditions (i.e. a tree survey conducted by a certified arborist), a habitat monitoring plan, designate the party responsible for all actions related to management and maintenance, and specify limitations and restrictions on land use (i.e. access, fencing, grazing, tree planting or pruning, response to catastrophic events such as wildfire or pest invasion). 	

TABLE II-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
D. Biological Resources (cont.)			
<p>Impact D.2 (cont.)</p>		<p>Mitigation Measure D.2d: The following measures shall be implemented by the Project applicant to avoid potential indirect impacts to sensitive natural communities:</p> <ul style="list-style-type: none"> a. Protective chain-link fencing at least six feet high with signs and flagging shall be erected around all preserved vegetation communities where adjacent to vegetation clearing and grubbing, grading, or other construction activities. The protective fence shall be installed at a minimum of five feet beyond the tree canopy dripline of 20 feet beyond wetlands and other waters. The intent of protection fencing is to prevent inadvertent limb/vegetation damage, root damage and/or compaction or encroachment by construction equipment. The protective fencing shall be depicted on all construction plans provided to contractors and labeled clearly to prohibit entry, and the placement of the fence in the field shall be approved by a certified arborist and/or qualified biologist prior to commencement of any construction activities. The contractor shall maintain the fence to keep it upright, taut and aligned at all times. Fencing shall be removed only after all construction activities are completed. b. Contractors shall avoid using heavy equipment around the sensitive natural communities. Operating heavy machinery around the root zones of trees would increase soil compaction, which decreases soil aeration and, subsequently, reduces water penetration into the soil. All heavy equipment and vehicles shall, at minimum, stay out of the fenced protected zones, unless where specifically approved in writing and under the supervision of a certified arborist and/or qualified biologist. c. Contractors shall not store or discard any construction materials within the fenced protected zones, and shall remove all foreign debris within these areas. In addition, contractors shall avoid draining or leakage of equipment fluids near fenced protected zones. Fluids such as gasoline, diesel, oils, hydraulics, brake and transmission fluids, paint, paint thinners, and glycol (anti-freeze) shall be disposed of properly. 	
<p>Impact D.3: Development of the proposed Project could have a substantial adverse effect on federally protected wetlands.</p>	<p>Potentially Significant</p>	<p>Mitigation Measure D.3: Implement Mitigation Measures D.1b (environmental education program) and Mitigation Measure D.2d (sensitive community protection).</p>	<p>Less than Significant</p>
<p>Impact D.4: The proposed Project could have a substantial adverse effect, either directly or through habitat modifications, on California red-legged frog (CRLF).</p>	<p>Less than Significant</p>	<p>None Required</p>	

**TABLE II-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
D. Biological Resources (cont.)			
<p>Impact D.5: The proposed Project could have a substantial adverse effect, either directly or through habitat modifications, on foothill yellow-legged frog (FYLF) and western pond turtle (WPT).</p>	Potentially Significant	<p>Mitigation Measure D.5: Implement Mitigation Measures D.1b (environmental education program) and D-2d (sensitive community protection).</p>	Less than Significant
<p>Impact D.6: The proposed Project could have a substantial adverse effect, either directly or through habitat modifications, on River Lamprey, Coho Salmon, and Steelhead.</p>	Potentially Significant	<p>Mitigation Measure D.6: Implement Mitigation Measures D.1b (environmental education program) and D.2d (sensitive community protection).</p>	Less than Significant
<p>Impact D.7: The proposed Project could have a substantial adverse effect, either directly or through habitat modifications, to the Northern spotted owl (NSO).</p>	Less than Significant	None Required	
<p>Impact D.8: The proposed Project could have a substantial adverse effect, either directly or through habitat modifications, on special-status birds.</p>	Potentially Significant	<p>Mitigation Measure D.8: The Project applicant shall implement one of the following measures to avoid impacts to nesting birds during construction of the proposed Project:</p> <ul style="list-style-type: none"> a. Conduct vegetation clearing and grubbing, grading, and other construction activities associated with construction of the proposed winery during the non-breeding season (in general, September 1st through January 31st); or b. Conduct preconstruction surveys for nesting birds if construction activities are to take place during the nesting season (in general, February 1st through August 31st). Within the 30-day period prior to ground disturbance activities associated with vegetation clearing and grubbing and grading, a qualified biologist shall conduct weekly surveys, with the last survey being conducted no more than three days prior to the commencement of construction activities to confirm the presence or absence of active nests in the Project vicinity (at least 500 feet around the proposed winery development site, where accessible). If ground disturbance activities are delayed, then additional preconstruction surveys shall be conducted such that no more than three days will have lapsed between the survey and ground disturbance activities. <p>If no active nests are found, no further mitigation would be required following submittal of a survey report letter to the County. However, if active nests are found, species-specific measures shall be prepared by a qualified biologist in coordination with the CDFG, and implemented to prevent the direct loss or abandonment of the active nest. At a minimum, construction activities in the vicinity of a nest shall be deferred until the young have fledged, and an exclusion buffer zone shall be established. A minimum exclusion buffer zone</p>	Less than Significant

**TABLE II-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
D. Biological Resources (cont.)			
Impact D.8 (cont.)		of 50 feet is typically recommended by CDFG for songbird nests, and 200 to 500 feet for raptor nests, depending on the species and location. The perimeter of the exclusion buffer zone shall be fenced or adequately demarcated with staked flagging at 20-foot intervals, and construction personnel shall be restricted from the area. A survey report by the qualified biologist verifying that the young have fledged shall be submitted to the County for review and concurrence prior to initiation of construction activities within the exclusion buffer zone.	
Impact D.9: The proposed Project could have a substantial adverse effect, either directly or through habitat modifications, on special-status bats.	Potentially Significant	<p>Mitigation Measure D.9: Prior to commencement of any construction activities, including construction equipment and vehicle mobilization, the Project applicant shall retain a qualified biologist (i.e., a biologist possessing a Memorandum of Understanding with the CDFG for handling bats) to survey for bats.</p> <p>If no evidence of bats (i.e., direct observation, guano, staining, strong odors) is found, no further mitigation would be required following submittal of a survey report letter to the County. However, if evidence of bats is found, the Project applicant shall implement the following measures to avoid impacts to bats:</p> <ol style="list-style-type: none"> a. An exclusion buffer zone (acceptable in size to the CDFG) shall be created around active bat roosts during the breeding season (in general, April 15 through August 15). Bat roosts initiated during construction are presumed to be unaffected, and no buffer would be necessary. b. Removal of trees showing evidence of bat use shall occur during the period of time least likely to affect bats, as determined by a qualified bat biologist (in general, between February 15 and October 15 for winter hibernacula, and between August 15 and April 15 for maternity roosts). If passive relocation (i.e., excluding bats from roosts) is necessary to prevent impacts to bats due to roost destruction or construction-related disturbances, the relocation shall also be conducted during these periods of time, by a qualified bat biologist in coordination with the CDFG, and appropriate authorizations from the CDFG shall be obtained. c. All special-status bat roosts that are destroyed shall be replaced at a 1:1 ratio with a roost suitable for the displaced species (e.g., bat houses for colonial roosters). The roost shall be monitored for a five year period to ensure proper roosting habitat characteristics (e.g., suitable temperature and no leaks). The roost shall be modified as necessary to provide a suitable roosting environment for the target bat species. 	Less than Significant

TABLE II-1 (Continued)
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation
D. Biological Resources (cont.)			
Impact D.10: The proposed Project would not substantially interfere with wildlife movement or impede the use of wildlife nursery sites.	Less than Significant	None Required	
Impact D.11: Development of the proposed Project could conflict with local policies or ordinances protecting biological resources.	Potentially Significant	Mitigation Measure D.11: Implement Mitigation Measures D.1a through D.1b, Mitigation Measures D.2a through D.2d, Mitigation Measure D.8, and Mitigation Measure D.9.	Less than Significant
Impact D.12: The Project could contribute to cumulative impacts on biological resources.	Less than Significant	None Required	

THE WITHIN INSTRUMENT IS A
CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE

ATTEST: DEC 12 2012

VERONICA A. FERGUSON, Clerk/Secretary
BY *Woodson*
DEPUTY CLERK/ASST SECRETARY

15
Resolution No. 12-0576

County Of Sonoma
Santa Rosa, Ca 95403

Date: December 11, 2012
UPE07-0008 David Hardy

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Denying An Appeal From A Decision Of The Board Of Zoning Adjustments, Approving A Use Permit For The Henry Cornell Winery, A 10,000 Case Winery With Public Tasting By Appointment Only With A Maximum Of Fifteen Guests Per Day And Ten Marketing/Winemaker Dinners Per Year With A Maximum Of Ten Guests Per Event On Property Located At 100, 245, 420, 500, And 560 Wappo Road, Santa Rosa, APNs 028-250-007, 028-260-041, 028-260-047, 028-260-023, And 028-260-025, And Adopting A Mitigation Monitoring Program; Supervisorial District No. 1.

Resolved, that the Board of Supervisors (“the Board”) of the County of Sonoma (“the County”) hereby finds and determines as follows:

**Section 1.
Application And Project.**

1.1 Guy Davis, on behalf of Cornell Farms LLC (“the Applicant”), filed Application UPE07-0008 with the Sonoma County Permit and Resource Management Department (“PRMD”) requesting a use permit to construct and operate a 10,000 case winery with public tasting by appointment only with a maximum of fifteen guests per day and ten marketing/winemaker dinners per year with a maximum of ten guests per event (“the Project”) on property located at 100, 245, 420, 500, and 560 Wappo Road, Santa Rosa, APNs 028-250-007, 028-260-041, 028-260-047, 028-260-023, and 028-260-025, respectively (“the Project Site”); zoned RRD (Resources and Rural Development), B6-100 acre density, BR (Biotic Resource); Supervisorial District No 1. As heard and considered by the Board, the Project includes two single-story winery buildings totaling approximately 6,700 square feet and a 10,200 square foot wine cave for barrel storage. The winery buildings and wine cave would be located on the 245 Wappo Road property (“the Winery Parcel”). Other elements of the Project would be located on the 100, 420, 500, and 560 Wappo Road properties.

Section 2. Procedural History.

2.1 In October 2003, the Applicant filed Application UPE03-0092 for a use permit for a new winery with a maximum annual production capacity of 20,000 cases and public tasting by appointment only on the 420 Wappo Road property. In December 2004, to comply with the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, PRMD staff prepared, noticed, and circulated for public review a mitigated negative declaration for the proposal ("the December 2004 Mitigated Negative Declaration"). On February 10, 2005, the Sonoma County Board of Zoning Adjustments ("the Board of Zoning Adjustments") conducted a duly noticed public hearing on the December 2004 Mitigated Negative Declaration and the proposal. At the hearing, due to neighborhood concerns, the Applicant reduced the requested maximum annual production capacity for the proposed winery from 20,000 cases to 10,000 cases. After the close of the hearing, the Board of Zoning Adjustments adopted the December 2004 Mitigated Negative Declaration and approved the revised proposal. On February 22, 2005, an appeal of the Board of Zoning Adjustments' decision was filed. The appellant contended that the Board of Zoning Adjustments failed to assess cumulative impacts on surrounding lands and the upper Mark West Creek watershed. On June 7, 2005, the Board conducted a duly noticed public hearing on the appeal, took a straw vote to uphold the Board of Zoning Adjustments decision, and continued the matter to July 19, 2005, for final decision. On July 19, 2005, at the recommendation of PRMD staff, the Board continued the matter off calendar so that additional environmental work could be done to more fully address geologic and groundwater issues. In July 2005, the Applicant purchased the Winery Parcel. The Applicant subsequently withdrew Application UPE03-0092 and submitted Application UPE07-0008, proposing to relocate the site of the proposed winery to the Winery Parcel.

2.2 After accepting Application UPE07-0008 as complete for processing, PRMD staff conducted an initial study and determined that a mitigated negative declaration was the appropriate environmental document to analyze the Project under CEQA. In October 2008, PRMD staff prepared, noticed, and circulated for public review a mitigated negative declaration for the Project ("the October 2008 Mitigated Negative Declaration").

2.3 The Board of Zoning Adjustments conducted a duly noticed public hearing on the October 2008 Mitigated Negative Declaration and the Project on November 13, 2008. At the hearing, the Board of Zoning Adjustments heard and received all relevant testimony and evidence presented, orally or in writing,

regarding the October 2008 Mitigated Negative Declaration and the Project. All interested persons were given the opportunity to hear and be heard. Members of the public raised concerns about the impact of the Project on water flows in Mark West Creek and other wells in the Mark West Creek watershed, a landslide on the Winery Parcel in the 2006 storms, and the geologic stability of the proposed sites for the winery buildings and the Project's leach field. In addition, information submitted at the hearing raised questions that could not be answered immediately. As a result, at the conclusion of public testimony, the Board of Zoning Adjustments closed the hearing and continued the matter off calendar to allow PRMD staff and the Applicant time to analyze the new information.

2.4 In response to the concerns raised regarding geology and hydrology, the Applicant undertook further geologic investigation and revised the Project, proposing to develop the Project's leach field at the 560 Wappo Road property instead of at the 245 Wappo Road property, and to install a pipeline beneath Wappo Road to convey the treated water from the proposed domestic wastewater treatment facility to the new leach field location. The Applicant also purchased the 100 Wappo Road property, and proposed to offset winery water use by demolishing the existing residence on the property and relinquishing in perpetuity (i) the right install a vineyard or build any new structure requiring a building permit on the 100 Wappo Road property, (ii) the riparian right to withdraw water directly from Mark West Creek, and (iii) the right to use water from the on-site spring-fed pond or well (other than fire protection), all of which would be formalized in a conservation easement.

2.5 In October 2009, PRMD staff prepared, noticed, and circulated for public review a mitigated negative declaration for the Project as revised ("the October 2009 Mitigated Negative Declaration"). In addition, PRMD engaged additional geotechnical peer review of the Applicant's geotechnical studies. Based on the recommendation of the peer reviewer, and comments received at two duly noticed public hearings before the Board of Zoning Adjustments on November 12, 2009, and February 25, 2010, the Applicant revised the Project in May 2010 to relocate the site of the winery buildings on the Winery Parcel to a knoll just east of Wappo Road. The Applicant also reduced the size of the winery buildings by more than one-half. The Applicant also proposed the following additional water conservation measures:

(a) Harvest rainwater at the winery by collecting rainwater runoff during the rainy season from impervious surfaces (i.e., the roofs of the winery building, covered apron and terrace area, tank pads, and pump house roof) and transporting the rain water to two on-site above-ground storage tanks (total 140,000 gallon

capacity). The stored rain water would be used to irrigate winery landscaping and supplement irrigation of the Applicant's vineyards.

(b) Cease pumping groundwater for winery operations during the months of August, September, and October each year.

(c) Offset winery water use by demolishing the existing residence on the 100 Wappo Road property and relinquishing in perpetuity the right to install vineyards or build any new structure at the 100 Wappo Road property (for which a building permit is required); riparian rights to withdraw water directly from Mark West Creek for the 100 Wappo Road property; and the right to use water from the on-site spring-fed-pond or well (other than for fire protection); all of which would be formalized in a conservation easement ("the water conservation easement on the 100 Wappo Road property").

2.6 On August 9, 2010, PRMD staff prepared, noticed, and circulated for public review a mitigated negative declaration for the Project as further revised ("the August 2010 Mitigated Negative Declaration").

2.7 The Board of Zoning Adjustments conducted a duly noticed public hearing on the August 2010 Mitigated Negative Declaration and the Project on September 23, 2010. At the hearing, the Board of Zoning Adjustments heard and received all relevant testimony and evidence presented, orally or in writing, regarding the August 2010 Mitigated Negative Declaration and the Project. All interested persons were given the opportunity to hear and be heard. At the conclusion of public testimony, the Board of Zoning Adjustments closed the hearing, considered and discussed the August 2010 Mitigated Negative Declaration and the Project, and unanimously adopted the August 2010 Mitigated Negative Declaration and approved a use permit for the Project, subject to specified conditions of approval.

2.8 Within the time and in the manner prescribed by law, New-Old Ways Wholistically Emerging appealed the decision of the Board of Zoning Adjustments on the August 2010 Mitigated Negative Declaration and the Project to the Board ("the Appeal"). The Appeal cites a range of issues associated with geology, hydrology, biology, and traffic.

2.9 Subsequent to the filing of the Appeal, the Applicant and PRMD staff agreed that an environmental impact report ("EIR") would be prepared for the Project to facilitate full public disclosure of the environmental effects of the Project. The Applicant also conducted additional biological and geological

investigations of the Project Site. Based on those investigations, the Applicant concluded that the extensive water conservation measures proposed as part of the Project sufficiently addressed potential concerns about hydrologic impacts. As a result, the Applicant removed from the Project the previous proposal for the water conservation easement on the 100 Wappo Road property, but left all other water conservation measures in place.

2.10 A notice of preparation for the EIR was sent by PRMD staff to the Office of Planning and Research, each responsible and trustee agency, and interested persons on February 27, 2012.

2.11 A draft EIR ("the Draft EIR") was completed for the Project, and a notice of completion filed with the Office of Planning and Research, on August 8, 2012. The Draft EIR was circulated for public review from August 8, 2012, to September 21, 2012 (45 days).

2.12 The Sonoma County Planning Commission ("the Planning Commission") conducted a duly noticed public hearing on the Draft EIR on September 6, 2012. At the hearing, the Planning Commission heard and received all relevant oral and written testimony and evidence presented or filed regarding the Draft EIR. All interested persons were given the opportunity to hear and be heard. At the conclusion of public testimony, the Planning Commission closed the hearing and gave its comments on the Draft EIR.

2.13 A Response to Comments Document ("the Response to Comments Document") was completed for the Project, and released to the public and provided to all responsible and commenting agencies, on November 20, 2012. The Response to Comments Document considered all comments submitted or re-submitted whether or not they pertained to the Draft EIR, and responded to all comments submitted or re-submitted on the Draft EIR. The final EIR for the Project ("the Final EIR"), consisting of the Draft EIR and the Response to Comments Document, was made available for public review starting on November 20, 2012.

2.14 The Board considered the Final EIR and conducted a duly noticed public hearing on the Appeal on December 4, 2012 ("the Board hearing"). At the Board hearing, the Board heard and received all relevant oral and written testimony and evidence presented or filed regarding the Final EIR and the Appeal. All interested persons were given the opportunity to hear and be heard. At the conclusion of public testimony, the Board closed the Board hearing, discussed the Final EIR and the Appeal, and, on a 5-0 straw vote, determined to certify the Final

EIR, deny the Appeal, and approve a use permit for the Project. County Counsel and PRMD staff were directed to return to the Board with resolutions reflecting the consideration and actions of the Board.

2.15 The Board has had an opportunity to review this resolution and hereby finds that it accurately sets forth the intentions of the Board regarding the Appeal and the Project.

2.16 The Board's decisions herein are based upon the testimony and evidence presented to the County orally or in writing prior to the close of the Board hearing ("the record of these proceedings"). Any information submitted after the close of the Board hearing was deemed late and not considered by the Board.

Section 3. CEQA Compliance.

3.1 As noted in Section 2.13 of this resolution, the Final EIR consists of the Draft EIR and the Response to Comments Document.

3.2 The October 2008, October 2009, and August 2010 Mitigated Negative Declarations, and the Draft EIR and Final EIR, were prepared, noticed, and circulated for public review in accordance with all procedural and substantive requirements of CEQA, the State CEQA Guidelines, and local ordinances.

3.3 The Board makes the following specific findings and determinations with respect to the Final EIR:

(a) Appendix B to the Draft EIR, incorporated into the Final EIR and discussed in Section IV.A of the Draft EIR, discloses that the following potential environmental impacts would not occur with the Project and do not require mitigation: Impact 1a, Aesthetics; Impact 1b, Aesthetics; Impact 2b, Agriculture and Forest Resources; Impact 8c, Hazards and Hazardous Materials; Impact 8d, Hazards and Hazardous Materials; Impact 8e, Hazards and Hazardous Materials; Impact 8f, Hazards and Hazardous Materials; Impact 8g, Hazards and Hazardous Materials; Impact 9g, Hydrology and Water Quality; Impact 9h, Hydrology and Water Quality; Impact 9i, Hydrology and Water Quality; Impact 9j, Hydrology and Water Quality; Impact 10a, Land Use and Planning; Impact 11a, Mineral Resources; Impact 11b, Mineral Resources; Impact 12e, Noise; Impact 12f, Noise; Impact 13a, Population and Housing; Impact 13c, Population and Housing; Impact 15b, Recreation; Impact 16a, Transportation/Traffic; Impact 16b,

Transportation/Traffic; Impact 16c, Transportation/Traffic; Impact 16d, Transportation/Traffic; Impact 16e, Transportation/Traffic; and Impact 16f, Transportation/Traffic. Based on the record of these proceedings, the Board finds and determines that the Final EIR's disclosures are supported by substantial evidence.

(b) The Final EIR discloses that the following environmental impacts of the Project are less-than-significant, and do not require mitigation: Impact B.1, Geology, Soils, and Seismicity; Impact B.2, Geology, Soils, and Seismicity; Impact B.5, Geology, Soils, and Seismicity; Impact B.6, Geology, Soils, and Seismicity; Impact B.7, Geology, Soils, and Seismicity; Impact C.1, Hydrology and Water Quality; Impact C.2, Hydrology and Water Quality; Impact C.3, Hydrology and Water Quality; Impact C.4, Hydrology and Water Quality; Impact C.5, Hydrology and Water Quality; Impact C.6, Hydrology and Water Quality; Impact D.4, Biological Resources; Impact D.7, Biological Resources; Impact D.10, Biological Resources; Impact D.12, Biological Resources. In addition, Appendix B of the Draft EIR, incorporated into the Final EIR and discussed in Section IV.A of the Draft EIR, discloses that the following environmental impacts of the Project are less-than significant, and do not require mitigation: Impact 1c, Aesthetics; Impact 2a, Agriculture and Forest Resources; Impact 2c, Agriculture and Forest Resources; Impact 2d, Agriculture and Forest Resources; Impact 2e, Agriculture and Forest Resources; Impact 3a, Air Quality; Impact 3b, Air Quality; Impact 3d, Air Quality; Impact 3e, Air Quality; Impact 4b, Biological Resources; Impact 4d, Biological Resources; Impact 5a, Cultural Resources; Impact 6e, Geology and Soils; Impact 7a, Greenhouse Gas Emissions; Impact 8a, Hazards and Hazardous Materials; Impact 8b, Hazards and Hazardous Materials; Impact 8h, Hazards and Hazardous Materials; Impact 9a, Hydrology and Water Quality; Impact 9b, Hydrology and Water Quality; Impact 9c, Hydrology and Water Quality; Impact 9d, Hydrology and Water Quality; Impact 9e, Hydrology and Water Quality; Impact 9f, Hydrology and Water Quality; Impact 10c, Land Use and Planning; Impact 12a, Noise; Impact 12b, Noise; Impact 12c, Noise; Impact 12d, Noise; Impact 13b, Population and Housing; Impact 14a, Public Services; Impact 15a, Recreation; Impact 16g, Transportation/Traffic; Impact 17a, Utilities and Service Systems; Impact 17b, Utilities and Service Systems; Impact 17c, Utilities and Service Systems; Impact 17d, Utilities and Service Systems; Impact 17f, Utilities and Service Systems; and Impact 17g, Utilities and Service Systems. Based on the record of these proceedings, the Board finds and determines that the Final EIR's disclosures are supported by substantial evidence.

(c) The Final EIR discloses that the Project poses certain significant or potentially significant adverse environmental impacts that can be mitigated to less

than significant levels. Those impacts are fully and accurately summarized in Exhibit "A," attached hereto and incorporated herein by this reference. The Board finds that changes or alterations have been required in, or incorporated into, the Project through the conditions of approval imposed herein that will, in fact, mitigate those impacts to less than significant levels as set forth in Exhibit "A." Based on these disclosures and findings, the Board determines that the potentially significant adverse environmental impacts of the Project summarized in Exhibit "A" have been eliminated or reduced to a point where they would clearly have no significant effect on the environment.

(d) The Final EIR determines that the Project will not result in any potentially significant adverse environmental impacts that cannot be avoided by the performance of the specified mitigation measures. Based on the record of these proceedings, the Board finds and determines that the Final EIR's determination is supported by substantial evidence.

(e) The Final EIR evaluates a range of reasonable alternatives. Those alternatives are fully and accurately summarized in Exhibit "B," attached hereto and incorporated herein by this reference.

(f) There is no substantial evidence in the record of these proceedings that any environmental impact that might arguably be anticipated to occur as a result of the Project has not been adequately examined in the Final EIR.

3.4 The Board has considered the comments received after release of the Draft EIR but before the close of the Board hearing regarding project impacts and the responses to those comments prepared by PRMD staff, the County's environmental consultant, and other parties. The Board finds and determines that those comments and responses do not constitute "significant new information" within the meaning of CEQA and the State CEQA Guidelines so as to require recirculation of the Final EIR. The Board finds and determines that the comments and responses do not disclose any of the following:

(a) A new significant environmental impact resulting from the Project or from a new mitigation measure proposed to be implemented. The comments do not demonstrate any new significant adverse impact resulting from the Project, and the responses clarify or amplify the Final EIR's findings regarding the Project's less-than-significant impacts.

(b) A substantial increase in the severity of an environmental impact that will not be mitigated to a level of insignificance through adopted mitigation

measures. None of the comments disclose a substantial increase in the severity of any of the previously-identified impacts.

(c) A feasible project alternative or mitigation measure that clearly would lessen the significant environmental impacts of the Project, but the Applicant will not adopt it. None of the comments relate to a mitigation measure or alternative rejected by the Applicant.

(d) That the Draft EIR was so fundamentally and basically inadequate and conclusory in nature that public review and comment on the Draft EIR was in effect meaningless. This is clearly not the case. The Draft EIR was approximately 225 pages long, included about 125 additional pages of appendices, and discussed project impacts, mitigation measures, and alternatives at great length.

3.5 The Board has considered the comments and arguments received in writing and at the Board hearing regarding the potential impact of groundwater pumping from the Project supply well on the North Fork and main stem of Mark West Creek and nearby ponds, and makes the following specific findings and determinations with regard to that potential impact. Pumping of the Project supply well for winery operations would be limited to the months of November through July. The estimated radius of influence associated with pumping from the Project supply well for winery operations in the peak month (March) would be 92 feet. Further, the estimated radius of influence associated with any combined groundwater pumping for winery operations and irrigation of the Applicant's vineyards would be 260 feet. The North Fork of Mark West Creek is located approximately 1,000 feet northeast, the main stem of Mark West Creek is located approximately 3,600 feet south, and nearby surface water ponds are located approximately 2,400 feet and 2,700 feet southwest of the Project supply well. Consequently, these surface waters are located well beyond the estimated radius of influence of the Project supply well. Groundwater pumping from the Project supply well for winery operations would therefore not cause a radius of pumping influence that would intersect or otherwise draw water away from the North Fork or main stem of Mark West Creek or nearby ponds. Further, as stated by hydrologist Edwin Lin at the Board hearing, the estimated radius of pumping influence associated with pumping from the Project supply well is conservative with respect to the North Fork and main stem of Mark West Creek because the cone of depression will expand upwards, more than towards the creek.

3.6 Based on the foregoing findings and determinations and the record of these proceedings, the Board finds and determines that there is no substantial evidence before it that the Project, as mitigated by the measures included in the

conditions of approval imposed herein, will have a significant effect on the environment and that certification of the Final EIR is appropriate and mandated by CEQA. The Board further finds and determines, after consideration of the environmental effects of the Project as shown in the Final EIR, that it is reasonable and appropriate to deny the Appeal and approve a use permit for the Project.

3.7 To ensure that the mitigation measures and project revisions identified in the Final EIR are implemented, the Board is required by CEQA and the State CEQA Guidelines to adopt a program for monitoring or reporting on the revisions the Board has required in the Project and the measures the Board has imposed to mitigate or avoid significant environmental effects. A mitigation monitoring and reporting program for the Project (“the Mitigation Monitoring Program”) is incorporated into the conditions of approval imposed herein. The Mitigation Monitoring Program will be implemented in accordance with all applicable requirements of CEQA and the State CEQA Guidelines.

Section 4.

General Plan, Area Plan, and Zoning Consistency.

4.1 The Project is consistent with the Sonoma County General Plan 2020 (“the General Plan”) for the following reasons:

(a) The Project is consistent with the Resources and Rural Development land use category. The Winery Parcel has a Resources and Rural Development land use designation in the General Plan. Wineries are allowed in the Resources and Rural Development land use category as processing facilities related to resource production. The proposed winery would primarily process grapes grown on the Applicant’s adjoining vineyards. Recreational and visitor serving uses are also allowed in the Resources and Rural Development land use category so long as they are consistent with the purpose and intent of the Resources and Rural Development land use category. The proposed public tasting by appointment only and ten marketing/winemaker dinners per year are intended to promote and market wines produced by the proposed winery.

(b) The Project complies with the following goal and objective of the Land Use Element of the General Plan related to geology and hydrology:

Goal LU-7: Prevent unnecessary exposure of people and property to environmental risks and hazards. Limit development on lands that are especially vulnerable or sensitive to environmental damage.

Objective LU-7.1: Restrict development in areas that are constrained by the natural limitations of the land, including but not limited to, flood, fire, geologic hazards, groundwater availability, and septic suitability.

The Applicant has conducted extensive geologic investigations at the Project Site, which were reviewed by two County-retained professional geotechnical consulting firms. The investigations concluded that it is feasible to design and engineer the winery buildings so that they would be safe for building occupants in an earthquake. The Applicant has conducted septic suitability tests for a location on the 560 Wappo Road property that has been approved by PRMD's Well and Septic Division.

(c) The Project complies with the following goals, objective, and policies of the Public Safety Element of the General Plan related to safety:

Goal PS-1: Prevent unnecessary exposure of people and property to risks of damage or injury from earthquakes, landslides and other geologic hazards.

Objective PS-1.2: Regulate new development to reduce the risks of damage and injury from known geologic hazards to acceptable levels.

Policy PS-1f: Require and review geologic reports prior to decisions on any project which would subject property or persons to significant risks from the geologic hazards shown on Figures PS-1a through PS-1i and related file maps and source documents. Geologic reports shall describe the hazards and include mitigation measures to reduce risks to acceptable levels. Where appropriate, require an engineer's or geologist's certification that risks have been mitigated to an acceptable level and, if indicated, obtain indemnification or insurance from the engineer, geologist, or developer to minimize County exposure to liability.

Goal PS-3: Prevent unnecessary exposure of people and property to risks of damage or injury from wildland and structural fires.

Objective PS-3.2: Regulate new development to reduce the risks of damage and injury from known fire hazards to acceptable levels.

Policy PS-3b: Consider the severity of natural fire hazards, potential damage from wildland and structural fires, adequacy of fire protection and mitigation measures consistent with this element in the review of projects.

Policy PS-3l: Require automatic fire sprinkler systems or other on-site fire detection and suppression systems in all new residential and commercial structures, with exceptions for detached utility buildings, garages, and agricultural exempt buildings.

The Project Site is located in an area subject to wildland fires and geologic hazards. The winery buildings would be located on a knoll where some brush clearing has occurred, providing a buffer around the proposed winery. The knoll site was recommended by a County-retained professional geotechnical consulting firm as providing a stable location for the winery buildings. The winery buildings themselves would be constructed of fire-resistant materials such as stone and fiber-cement or other fire-resistant siding. The Project is required to conform to the County Fire Safe Standards' requirements for commercial uses related to fire sprinklers, emergency vehicle access, and water supply. In addition to the fire safety requirements, the Project is required to mitigate potential geologic hazards by complying with the geological reports prepared by the Applicant and reviewed by the County-retained professional geotechnical consulting firms.

(d) The Project complies with the following goals, objectives, and policies of the Open Space and Resource Conservation and Water Resources Elements of the General Plan related to erosion and water quality:

Goal OSRC-11: Promote and encourage soil conservation and management practices that maintain the productivity of soil resources.

Policy OSRC-11b: Include erosion control measures for any discretionary project involving construction or grading near waterways or on lands with slopes over 10 percent.

Policy OSRC-11d: Require a soil conservation program to reduce soil erosion impacts for discretionary projects that could increase waterway or hillside erosion. Design improvements such as roads and driveways to retain natural vegetation and topography to the extent feasible.

Goal WR-1: Protect, restore and enhance the quality of surface and groundwater resources to meet the needs of all reasonable beneficial uses.

Policy WR-1g: Minimize deposition and discharge of sediment, debris, waste and other pollutants into surface runoff, drainage systems, surface water bodies, and groundwater.

Policy WR-1h: Require grading plans to include measures to avoid soil erosion and consider upgrading requirements as needed to avoid sedimentation in stormwater to the maximum extent practicable.

The Project includes erosion control measures, some of which are already in place at the Project Site, including wattles and mats. The conditions of approval imposed herein address distribution of roof run-off water, require surfacing of the road to avoid run-off of soils and sediments into Mark West Creek, and require use of native plants for landscaping and a landscaping plan for the area downhill from the winery buildings to better retain soils and avoid sedimentation into the North Fork of Mark West Creek. In addition, Low Impact Development requirements of the Regional Water Quality Control Board and PRMD's Engineering and Water Resources Division will result in best management practices being implemented as a part of the grading permit.

(e) The Project complies with the following goal, objective, and policies of the Water Resources Element of the General Plan related to groundwater extraction and management:

Goal WR-2: Manage groundwater as a valuable and limited shared resource.

Objective WR-2.1: Conserve, enhance and manage groundwater resources on a sustainable basis that assures sufficient amounts of clean water required for future generations, the uses allowed by the General Plan, and the natural environment.

Policy WR-2a: Encourage and support research on and monitoring of local groundwater conditions, aquifer recharge, watersheds and streams where needed to assess groundwater quantity and quality.

Policy WR-2d: Continue the existing program to require groundwater monitoring for new or expanded discretionary

commercial and industrial uses using wells. Where justified by the monitoring program, establish additional monitoring requirements for other new wells.

Policy WR-2e (formerly RC-3h): Require proof of groundwater with a sufficient yield and quality to support proposed uses in Class 3 and 4 water areas. Require test wells or the establishment of community water systems in Class 4 water areas. Test wells may be required in Class 3 areas. Deny discretionary applications in Class 3 and 4 areas unless a hydrogeologic report establishes that groundwater quality and quantity are adequate and will not be adversely impacted by the cumulative amount of development and uses allowed in the area, so that the proposed use will not cause or exacerbate an overdraft condition in a groundwater basin or subbasin. Procedures for proving adequate groundwater should consider groundwater overdraft, land subsidence, saltwater intrusion, and the expense of such study in relation to the water needs of the project.

The Project will use groundwater drawn from an existing well on the Winery Parcel to supply water for winery operations. The well has been supplying water to the Applicant's vineyards since 2004 with no known problems. The groundwater would be pumped and stored from November through July for use year-round. In addition, rainwater harvested at the winery would be used to irrigate winery landscaping and supplement irrigation of the Applicant's vineyards. The Project would also treat winery process water to supplement irrigation of the Applicant's vineyards. As a result, the Project would result in a net decrease in the annual groundwater demand at the Project Site and would reduce existing groundwater pumping for irrigation of the Applicant's vineyards. Further, the Board specifically finds and determines that the Final EIR and two groundwater availability studies conducted for the Project, a 2004 study by RGH Consultants and a 2006 study by Todd Engineers, show that there is sufficient groundwater for the Project and that overall the Project would reduce rather than increase groundwater use. Further, the Board concurs with the Response to Comments Document's conclusion in Master Response HYD-1 that a constant rate aquifer test is not a reasonable methodology for determining groundwater availability at the Project Site because the Project Site's underlying bedrock hydrogeology and associated secondary porosity would render the results inaccurate or otherwise inconclusive and generally unrepresentative of the groundwater conditions. The Board therefore finds and determines that a constant rate aquifer test is not required for the Project. Finally, the Board finds and determines that no test well is required for the Project because groundwater has

been demonstrated to be adequate and, as noted above, the well to be used for winery operations is an existing well that has been supplying water to the Applicant's vineyards since 2004. The conditions of approval imposed herein require on-going monitoring and reporting to PRMD of groundwater elevations and quantities of groundwater extracted for the Project.

4.2 The Project is consistent with the Franz Valley Area Plan ("the Area Plan"). The Winery Parcel is designated Resource Conservation in the Area Plan. The Area Plan considers land in the Resource Conservation Planning Unit suitable for agriculture. In addition, the Project will avoid critical habitat areas, will not be visible from public roads or scenic vistas, will be geologically stable, and will not disturb cultural resources.

4.3 The Project is consistent with the Sonoma County Zoning Code ("the Zoning Code") for the following reasons:

(a) The Project is consistent with the RRD (Resources and Rural Development) zoning district. The Winery Parcel has an RRD zoning designation in the Zoning Code. Processing of agricultural products of a type grown on site or in the immediate area is allowed in the RRD zoning district with a use permit. Tasting rooms for products grown or processed on-site are also allowed in the RRD zoning district with a use permit.

(b) The Project is consistent with the BR (Biotic Resource Combining District) zoning district. The southeast corner of the Winery Parcel has a BR zoning designation in the Zoning Code. The Project would not be detrimental to BR zoned areas on- and off-site since all development would be located at least 150 feet away from designated critical habitat areas.

(c) The establishment, maintenance, and operation of the Project will not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the area for the following reasons:

(1) Traffic generated by the Project will not have a significant effect on local public roads because the number of trips for winery operations will be less than 20 per day.

(2) Potential noise impacts of the Project will be insignificant due to the approximate distance of 1,300 feet to the closest receptors. Further, the Project's use of a cave for storage will avoid the need for storage refrigeration units.

(3) The Proposed Winery will not be visible from public viewsheds.

(4) Exterior lighting is required to be low mounted, downward casting, and fully shielded to prevent glare. Lighting cannot wash out structures or any portions of the Winery Parcel. Lighting fixtures cannot be located at the periphery of the Winery Parcel and cannot spill over onto adjacent properties or into the night sky. Flood lights are not permitted.

**Section 5.
Evidence in the Record.**

4.1 The findings and determinations set forth in this resolution are based upon the record of these proceedings. References to specific statutes, ordinances, regulations, reports, or documents in a finding or determination are not intended to identify those sources as the exclusive basis for the finding or determination.

Now, Therefore, Be It Further Resolved, based on the foregoing findings and determinations and the record of these proceedings, the Board hereby declares and orders as follows:

1. The foregoing findings and determinations are true and correct, are supported by substantial evidence in the record, and are adopted as hereinabove set forth.
2. The Final EIR is certified in Resolution No. 12-0575. PRMD staff is directed to file a notice of determination in accordance with CEQA and the State CEQA Guidelines.
3. The Appeal is denied.
4. A use permit for the Project is approved, subject to the conditions of approval set forth in Exhibit "C," attached hereto and incorporated herein by this reference.
5. The Mitigation Monitoring Program, as set forth in Exhibit "C," is adopted. PRMD staff is directed to undertake monitoring in accordance with the Mitigation Monitoring Program to ensure that required mitigation measures and project revisions are complied with during project implementation.
6. The Clerk of the Board is designated as the custodian of the documents and other materials that constitute the record of the proceedings upon

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which the Board's decisions herein are based. These documents may be found at the office of the Clerk of the Board of Supervisors, 575 Administration Drive, Room 100A, Santa Rosa, CA 95403.

Supervisors:

Brown: Aye Rabbitt: Aye McGuire: Aye Carrillo: Aye Zane: Aye

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

So Ordered.

Exhibit "A"
**Potentially Significant Impacts That Can Be Mitigated
To A Less-Than-Significant Level**

The Final EIR identifies the following significant or potentially significant adverse environmental impacts of the Project that can be mitigated to a less-than-significant level:

AESTHETICS

Impact 1.d: The proposed exterior lighting associated with the Project would have the potential to create a new source of nighttime light in the vicinity. This would be a potentially significant impact.

The August 2010 Initial Study identified a potentially significant impact associated with the Project's effects on nighttime views.

Finding

Based upon the Final EIR and the entire record, the Board finds that the implementation of Mitigation Measure 1d from the August 2010 Initial Study, as modified by the Final EIR, will ensure that this impact will be less than significant. Mitigation Measure 1d has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the potentially significant impact on the environment.

Rationale

Mitigation Measure 1d imposes constraints on the types of lighting that may be installed at the Project site, which will reduce the impacts from light and glare to a level that is less than significant. In addition, Mitigation Measure 1d requires the Applicant to submit an exterior lighting plan for review by PRMD staff that demonstrates that the Project will not cause substantial nighttime light visible from other locations. The performance standard required by Mitigation Measure 1d is feasible. Both the constraints on the types of lighting and the implementation of the performance standard will reduce the impacts from light and glare to a level that is less than significant.

CULTURAL RESOURCES

Impact 5b, 5c, and 5d: Land alteration proposed under the Project could affect previously undiscovered subsurface archaeological resources, subsurface paleontological resources, or subsurface human remains. This would be a potentially significant impact.

The August 2010 Initial Study identified a potentially significant impact associated with the potential of the Project to encounter undiscovered subsurface archaeological resources, paleontological resources, or human remains.

Finding

Based upon the Final EIR and the entire record, the Board finds that the implementation of Mitigation Measure 5b, 5c, and 5d from the August 2010 Initial Study, as modified by the Final EIR, will ensure that this impact will be less than significant. Mitigation Measures 5b, 5c, and 5d have been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the potentially significant impact on the environment.

Rationale

No historical resources, archaeological resources, or human remains were identified in surveys or in records searches. A cultural resource report was prepared by Tom Origer & Associates for the original project site west of Wappo Road, and a subsequent field reconnaissance was conducted by ESA to determine if resources were located at the revised winery site on the east side of Wappo Road. Although archaeological surveys of the Project site did not identify any archaeological resources, project construction activities could disturb undiscovered archaeological resources. Mitigation Measure 5b requires that if archaeological materials are discovered, construction would cease in the immediate vicinity of the find and measures will be taken to evaluate and protect the resource. Implementation of Mitigation Measure 5b will reduce potential impacts to archaeological resources from the Project's construction activities to a less-than-significant level.

Although no paleontological resources are known to exist in the immediate vicinity of the Project Site, Project construction activities could disturb undiscovered paleontological resources. Mitigation Measure 5c requires that if paleontological materials are discovered, construction would cease in the

immediate vicinity of the find and measures will be taken to protect the resource. Implementation of Mitigation Measure 5c will reduce potential impacts to undiscovered unique paleontological resources from the Project's construction activities to a less-than-significant level.

There is no indication that the Project Site has been used for human burial purposes in the recent or distant past. It is unlikely that human remains would be encountered during project construction. In the unlikely event that human remains are discovered during subsurface activities, Mitigation Measure 5d requires that construction work halt and the Sonoma County coroner be contacted to evaluate the remains. Implementation of Mitigation Measure 5d will reduce potential impacts to undiscovered human remains from the Project's construction activities to a less-than-significant level.

LAND USE AND PLANNING

Impact 10b: The Project could conflict with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental impact. This would be a potentially significant impact.

The August 2010 Initial Study found that the Project could conflict with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental impact.

Finding

Based upon the Final EIR and the entire record, the Board finds that the implementation of project modifications and mitigation measures to address geology, hydrology, and water quality impacts will ensure that this impact will be less than significant. These mitigation measures have been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the potentially significant impact on the environment.

Rationale

The request for a winery complies with the Resource and Rural Development General Plan designation and the RRD zoning designation.

Although the request for the approval of a winery is consistent with County land use plans and policies, mitigation measures are appropriately being required to address potential impacts in the areas of geology, water quality, and hydrology. The mitigation measures identified in Section IV of the EIR and this Resolution will mitigate potential conflicts to a level that is less than significant.

GEOLOGY, SOILS, AND SEISMICITY

Impact B.3: The Final EIR found that elements of the Project could be located in soils which are either weak, expansive, or prone to creep, and that these problematic soils could cause long term localized failure of the proposed structures resulting in loss of property, failure of water conveyance facilities, and/or slope failure. This would be a potentially significant impact.

The Final EIR finds that the Project site contains weak, expansive, and creep-prone soils. These soils could have detrimental effects to proposed building foundations, tank pads, pipelines, and roadways.

Finding

Based upon the Final EIR and the entire record, the Board finds that Mitigation Measure B.3 will ensure that this impact will be mitigated to a level that is less than significant. Mitigation Measure B.3 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the potentially significant impact on the environment.

Rationale

Mitigation Measure B.3 requires that the applicant comply with numerous specific recommendations stated in the RGH 2010 report, which are standard and feasible engineering practices to address common geotechnical issues. RGH's recommendations have been reviewed by the County's consultants, and will mitigate Impact B.3 to a level that is less than significant.

The Board concurs in the Final EIR's finding that the slopes supporting the proposed winery and associated facilities would not become unstable due to the Project development. The slope stability analysis conducted by RGH Consulting,

together with the July 2, 2010 peer review by Cotton Shires and Associates, Inc., and the peer review also conducted by the County EIR consultant's geologist constitutes substantial evidence to reach this conclusion. As explained by geologist Peter Hudson at the hearing before the Board, the June 2010 drilling logs suggest that issues of creep should be addressed, but do not suggest that there are additional issues of slope instability, nor will the identified creep affect the stability of the proposed building site.

Impact B.4: The Project could result in substantial erosion or the loss of topsoil due to concentrated runoff during construction and after Project completion. This would be a potentially significant impact.

The Final EIR finds that during the construction of the Project, the use of heavy machinery for grading, trenching, cave drilling, facilities installation, and other proposed activities would disturb surface topsoil layers and cause conditions that accelerate natural soil erosion rates on the Project Site. Potential increases in rates of erosion could occur during the construction of the Project because soil would be exposed.

Finding

Based upon the Final EIR and the entire record, the Board finds that Mitigation Measure B.4 will ensure that this impact will be mitigated to a level that is less than significant. Mitigation Measure B.4 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the potentially significant impact on the environment.

Rationale

Measures required by the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance will reduce erosion. Compliance with the Construction General Permit would ensure that the proposed construction activities would include BMPs to manage stormwater and control sediment and other pollutants from leaving the Project construction site. In addition, Mitigation Measure B.4 requires that the Applicant implement all geotechnical recommendations in the 2010 RGH report associated with diverting surface runoff around slopes and improvements, providing positive drainage away from structures, and installing energy dissipaters at discharge points of concentrated runoff.

Mitigation Measure B.4 requires the implementation of commonly used and technically feasible design improvements for reducing erosion effects. Mitigation Measure B.4 acknowledges that final Project design plans are not complete at this time, and as such, specifies the erosion controls identified in the measure shall be included in the final Project design plans and the controls shall be implemented as part of the Project. RGH's recommendations have been reviewed by the County's consultants, and the Board finds that there is substantial evidence to conclude these measures will mitigate Impact B.4 to a level that is less than significant.

BIOLOGICAL RESOURCES

Impact D.1: The proposed Project could have a substantial adverse effect, either directly or through habitat modifications, on special-status plant species. This would be a potentially significant impact.

The Final EIR finds that narrow-anthered California brodiaea, a California Native Plant Society List 1B.2 species, is present on the Project Site and will be impacted by development. The Final EIR further finds that encroachment by construction vehicles, equipment, or personnel during vegetation clearing and grubbing, grading, and construction of the winery could have impacts on special-status plant species.

Finding

Based upon the Final EIR and the entire record, the Board finds that Mitigation Measures D.1a and D.1b will ensure that this impact will be mitigated to a level that is less than significant. Mitigation Measures D.1a and D.1b have been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the potentially significant impact on the environment.

Rationale

Mitigation Measure D.1a requires, first, that the populations of narrow-anthered California brodiaea be salvaged and transferred at a 1:1 ratio to suitable habitat on the Cornell Farms property. Second, in addition to this salvage, Mitigation Measure D.1a requires a five-year mitigation plan to be developed by a

qualified biologist, in coordination with CDFG, with specific performance criteria based on existing CDFG guidance. The mitigation plan's requirements include the maximum feasible survival rate of transferred plants, an absence of very invasive non-native plant species, and a self-sufficient population with no net decrease in the current number of plants by the end of five years. The plan will be developed pursuant to CDFG guidance, and must be commenced to the satisfaction of the CDFG and the County prior to the initiation of construction of the proposed Project. Project construction is contingent upon implementation of the mitigation plan to the satisfaction of both CDFG and the County. Mitigation Measure D.1a does not rely solely on salvage, as planting from seed has been suggested as appropriate mitigation by the Applicant's consultant, Ted Winfield, and is feasible. In light of the required review of the mitigation plan by CDFG, and in light of the combination of salvage and specific performance criteria for replacing plants that cannot be salvaged (no net loss in the current number of plants and a self-sufficient population after five years), the Board finds that the mitigation is definite and feasible. As a result, impacts to narrow-anthered California brodiaea will be mitigated to a level that is less than significant.

Mitigation Measure D.1b requires numerous specific requirements to prevent impacts to sensitive biological resources and requires that the applicant's contractors be educated about these resources by a qualified biologist. The requirements include construction personnel's adherence to designated limits of the proposed winery development site and a prohibition on going outside these limits, restricting off-road travel to designated work areas, requiring appropriate disposal of garbage, prohibiting pets and firearms in the work area, and disallowing vehicles or construction equipment outside designated work areas. With Mitigation Measure D.1b, impacts from encroachment by construction vehicles, equipment, or personnel during vegetation clearing and grubbing, grading, and construction of the winery will be less than significant.

Impact D.2: The proposed Project could have a substantial adverse effect on sensitive natural communities. This would be a potentially significant impact.

The Final EIR finds that oak woodland is the only sensitive natural community found within the limits of the proposed winery development site that would be impacted by the Project. The Final EIR also finds that oak woodlands, as well as other sensitive natural communities outside the limits of the proposed winery development site could be inadvertently affected by encroachment by construction vehicles, equipment, or personnel during vegetation clearing and grubbing, grading, and construction of the winery.

Finding

Based upon the Final EIR and the entire record, the Board finds that Mitigation Measures D.2a, D.2b, D.2c, and D.2d, will ensure that this impact will be mitigated to a level that is less than significant. Mitigation Measures D.2a, D.2b, D.2c, and D.2d have been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the potentially significant impact on the environment.

Rationale

Mitigation Measure D.2a requires numerous specific requirements to prevent impacts to sensitive biological resources and requires that the applicant's contractors be educated about these resources by a qualified biologist. The requirements include construction personnel's adherence to designated limits of the proposed winery development site and a prohibition on going outside these limits, restricting off-road travel to designated work areas, requiring appropriate disposal of garbage, prohibiting pets and firearms in the work area, and disallowing vehicles or construction equipment outside designated work areas. With Mitigation Measure D.1a, impacts from encroachment by construction vehicles, equipment, or personnel during vegetation clearing and grubbing, grading, and construction of the winery will be less than significant.

The findings in the Final EIR with respect to on-site impacts to oak woodland are based on conservative assumptions. The Final EIR notes that transplanting provides immediate ecological and aesthetic benefits, and requires transplantation, but assumes for the purposes of mitigation requirements that salvaging existing trees will not be successful. Mitigation Measure D.2b and D.2c require a tree survey, maximum feasible avoidance, and if avoidance is not feasible, transplantation of the trees as well as the planting of new trees. A mitigation plan, which must be approved by CDFG and the County, must provide for the survival of a minimum of three surviving trees for each tree removed or transplanted by the end of a seven-year monitoring period. In addition to this mitigation, Mitigation Measure D.2c requires a permanent conservation easement or fee title dedication, to be approved by the CDFG and County, to protect oak woodland at a 2:1 ratio.

Mitigation Measure D.2d implements measures to ensure protected vegetation communities will not be impacted, including a protective chain-link fencing at least six feet high with signs and flagging where these communities are

adjacent to vegetation clearing and grubbing, grading, or other construction activities.

Accordingly, Mitigation Measures D.2a, D.2b, D.2c, and D.2d, will ensure that this impact will be mitigated to a level that is less than significant.

Impact D.3: Development of the proposed Project could have a substantial adverse effect on federally protected wetlands. This would be a potentially significant impact.

The Final EIR finds that construction and operation of the Project could indirectly impact potentially jurisdictional wetlands and other waters through increased sedimentation and hydrological modifications.

Finding

Based upon the Final EIR and the entire record, the Board finds that Mitigation Measures D.3 (requiring implementation of Mitigation Measures D.1b and D.2d), in combination with required BMPs and the Project's stormwater improvements, will ensure that this impact will be mitigated to a level that is less than significant. Mitigation Measure D.3 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the potentially significant impact on the environment.

Rationale

The proposed winery development site does not contain any potentially jurisdictional wetlands or other waters, but some are located elsewhere on the Cornell Farms property and in the surrounding area. There would be no direct impacts (i.e., placement of fill material), but there could be indirect impacts.

Compliance with the BMPs outlined in the approved grading and erosion control plan prepared for the Project as part of the County permitting process and SWPPP prepared for the Project as part of the NPDES General Construction Activity Storm Water Permit, the Project's stormwater improvements, and Mitigation Measures D.1b and D.2d will reduce potential significant impacts to jurisdictional wetlands and other waters to a level that is less than significant.

Impact D.5: The proposed Project could have a substantial adverse effect, either directly or through habitat modifications, on foothill yellow-legged frog

(FYLF) and western pond turtle (WPT). This would be a potentially significant impact.

The Final EIR finds that potential increases in erosion could result in additional sediment entering potentially suitable aquatic habitats for FYLF and WPT. The Final EIR also finds that potential accidental or unintentional runoff of toxic materials or other harmful substances (e.g., fuels, lubricants, coolants, etc.) could decrease water quality and thus have an adverse impact on habitat.

Finding

Based upon the Final EIR and the entire record, the Board finds that Mitigation Measures D.5 (requiring implementation of Mitigation Measures D.1b and D.2d), in combination with required BMPs and the Project's stormwater improvements, will ensure that this impact will be mitigated to a level that is less than significant. Mitigation Measure D.5 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the potentially significant impact on the environment.

Rationale

FYLF and WPT were not found on the Project site during the protocol-level survey for CRLF or during the various other field surveys. Nonetheless, potentially suitable habitat for FYLF and WPT is present in the Project vicinity and occurrences of these species are recorded from Mark West Creek.

Compliance with the BMPs outlined in the approved grading and erosion control plan prepared for the Project as part of the County permitting process and SWPPP prepared for the Project as part of the NPDES General Construction Activity Storm Water Permit, the Project's stormwater improvements, and Mitigation Measures D.1b and D.2d will reduce potential significant impacts to potential habitat to a level that is less than significant.

Impact D.6: The proposed Project could have a substantial adverse effect, either directly or through habitat modifications, on River Lamprey, Coho Salmon, and Steelhead. This would be a potentially significant impact.

The Final EIR finds that no direct adverse effects to river lamprey, coho salmon, or steelhead or its designated critical habitat are anticipated from

construction and operation of the Project. However, it also finds that these species as well as critical habitat for steelhead, could be indirectly affected.

Finding

Based upon the Final EIR and the entire record, the Board finds that Mitigation Measures D.6 (requiring implementation of Mitigation Measures D.1b and D.2d), in combination with required BMPs and the Project's stormwater improvements, will ensure that this impact will be mitigated to a level that is less than significant. Mitigation Measure D.6 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the potentially significant impact on the environment.

Rationale

The Board concurs in the Final EIR's finding that the Project will not have an adverse impact to habitat due to groundwater pumping. The Project would result in a net decrease in annual groundwater pumping at Cornell Farms compared to existing conditions, including a reduction of existing groundwater pumping during the critical dry season months of August through October. The minor impact to wet season flows due to rainwater harvesting would not be significant. Thus, the Board finds that the Project will not result in a reduction in the base flow to Mark West Creek that would decrease the habitat availability for juvenile coho salmon and steelhead. The Project's decrease in groundwater pumping will benefit, and not adversely impact habitat in Mark West Creek.

On the other hand, potential increases in erosion could result in additional sediment entering suitable aquatic habitat for river lamprey, coho salmon, and steelhead, causing turbidity and loss of benthic productivity and fish habitat. Compliance with the BMPs outlined in the approved grading and erosion control plan prepared for the Project as part of the County permitting process and SWPPP prepared for the Project as part of the NPDES General Construction Activity Storm Water Permit, the Project's stormwater improvements, and Mitigation Measures D.1b and D.2d will reduce potential significant impacts to habitat in Mark West Creek to a level that is less than significant.

Impact D.8: The proposed Project could have a substantial adverse effect, either directly or through habitat modifications, on special-status birds. This would be a potentially significant impact.

The Final EIR finds that the vegetation communities on and in the vicinity of the proposed winery development site support potentially suitable nesting habitat for a number of special-status bird species.

Finding

Based upon the Final EIR and the entire record, the Board finds that Mitigation Measure D.8 will ensure that this impact will be mitigated to a level that is less than significant. Mitigation Measure D.8 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the potentially significant impact on the environment.

Rationale

While no special-status bird species were found actively nesting during field surveys conducted in 2011, birds could establish nests prior to the commencement of construction activities. The Project Site also provides potential roosting and foraging habitat for special status birds.

Mitigation Measure D.8 requires that the applicant either conduct vegetation clearing and grubbing, grading, and other construction activities during the non-breeding season, or that the applicant have a qualified biologist conduct repeated surveys prior to ground disturbance, and that species-specific measures be prepared by a qualified biologist in coordination with the CDFG to prevent the direct loss or abandonment of any active nest. At a minimum, appropriate and staked buffers would be established around active nests. With Mitigation Measure D.8, the potentially significant adverse effect on special status birds will be mitigated to a level that is less than significant.

Impact D.9: The proposed Project could have a substantial adverse effect, either directly or through habitat modifications, on special-status bats. This would be a potentially significant impact.

The Final EIR finds that the Project could have a potentially significant impact on bats, which have been observed on the Project site.

Finding

Based upon the Final EIR and the entire record, the Board finds that Mitigation Measure D.9 will ensure that this impact will be mitigated to a level

that is less than significant. Mitigation Measure D.9 has been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the potentially significant impact on the environment.

Rationale

Mitigation Measure D.9 requires a survey for bats prior to the commencement of construction activities by a biologist deemed qualified by the CDFG, and Mitigation Measure D.9 imposes specific requirements if bats are found. These requirements include an exclusion buffer zone, appropriate time constraints on tree removal and exclusion from roosts, and the installation of replacement roosts at a 1:1 ratio to those impacted. Mitigation Measure D.9 is intended to address potentially changing conditions, and to ensure that special-status bats are detected and protected at the time of Project construction. With Mitigation Measure D.9, the potentially significant adverse effect on special status bats will be mitigated to a level that is less than significant.

Impact D.11: Development of the proposed Project could conflict with local policies or ordinances protecting biological resources. This would be a potentially significant impact.

Section IV.D of the EIR concludes that construction and operation of the Project could conflict with the intent of some of the goals, objectives, and policies in the General Plan or the Franz Valley Area Plan without mitigation.

Finding

Based upon the Final EIR and the entire record, the Board finds that the mitigation measures discussed in this resolution will ensure that this impact will be mitigated to a level that is less than significant. These mitigation measures have been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the potentially significant impact on the environment.

Rationale

The Board concurs in the Final EIR's finding that the implementation of the mitigation measures prescribed in this resolution, along with measures incorporated into the Project by the applicant, and compliance with the grading

and erosion control plan and SWPPP prepared for the Project, would ensure compliance with these plans and that any potential adverse effects of the proposed Project on biological resources protected by local goals, objectives, and policies would be mitigated to a less-than-significant level.

Impact D.12: The Project could contribute to cumulative impacts on biological resources. This would be a potentially significant impact.

The Final EIR finds that Mark West Creek has been adversely affected by land use practices within the watershed, and that the Project could contribute to these impacts.

Finding

Based upon the Final EIR and the entire record, the Board finds that the mitigation measures discussed in this Resolution would eliminate biological impacts or reduce them to a level that is not cumulatively considerable. These mitigation measures have been incorporated into the Conditions of Approval. Accordingly, changes or alterations have been required in, or incorporated into, the Project that will mitigate or avoid the impact on the environment.

Rationale

The Project will not adversely impact Mark West Creek. Based on the record, the Board has no basis to conclude that the Project's net decrease in groundwater pumping will result in a cumulatively considerable impact. Nor can the Board conclude based on the record that the minor impact to wet season flows due to rainwater harvesting will amount to a cumulatively considerable impact.

The mitigation measures identified in the Final EIR take into account not only whether Project impacts are significant, but the need to reduce cumulative impacts to a level that is not cumulatively considerable. Compliance with the required regulatory permits; the conservative oak woodlands mitigation, the stormwater improvements, and water conservation measures; and the implementation of the identified mitigation measures reduces the magnitude of the Project's specific contribution to existing cumulative impacts to a level that would either not be present at all or would not be cumulatively considerable.

Exhibit "B" **Alternatives**

The purpose of the discussion of alternatives in an EIR is to provide a reasonable range of potentially feasible alternatives that would attain most of the project objectives, and that are capable of substantially lessening or avoiding a significant environmental effect of the project. Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment, the discussion must focus on alternatives that are capable of avoiding or substantially lessening one or more significant impacts of the project. However, where, as here, a project will not have significant environmental impacts, an EIR must still examine a reasonable range of alternatives. The range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. CEQA provides that "The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project." (CEQA Guidelines, § 15126.6, subd. (f).)

Statement of Project Objectives

The Project objectives, set forth in the Final EIR, are as follows:

1. Construct and operate a winery capable of producing 10,000 cases of a variety of high quality wines annually, using primarily the wine grapes grown on the existing Cornell Farms vineyards that immediately abut the proposed winery property;
2. Develop caves to reduce the above-ground winery footprint and provide optimum cellar conditions for wine on-site (e.g., temperature and humidity);
3. Operate custom on-site wine production facilities (e.g., small fermentation tanks) to provide maximum flexibility and control in winemaking operations, to provide for optimum wine quality, and reduce transportation time and costs, and associated transportation impacts;
4. Provide for on-site wine tasting (by appointment only and on a limited basis) in proximity to the existing Cornell Farms vineyards to enhance the wine tasting experience for visitors;
5. Reduce water consumption through use of extensive water conservation measures, including rain water harvesting and re-use, wet season groundwater pumping and storage for use during the dry season, and process wastewater treatment and re-use. The intent of these measures is to reduce net water use to below existing use levels; and
6. Develop an environmentally-sensitive project through proper sizing, siting, reduced energy use, and incorporation of stormwater and landscaping

improvements, water consumption-reducing technologies in wine production, water conservation measures described above, and other sustainable elements.

Project Impacts

As set forth more fully in the Final EIR and in Exhibit "A" to this resolution, with the imposition of identified mitigation measures, the Project would not result in any significant or potentially significant adverse environmental impacts to the environment. With the incorporation of mitigation measures, all potentially significant project impacts have been reduced to a less than significant level.

Where, as here, a project will not have any significant adverse environmental impacts, CEQA still requires that an EIR consider a reasonable range of project alternatives.

Findings Regarding Alternatives

PRMD's staff and the County's EIR consultants screened numerous alternatives, and the Final EIR analyzed in detail five, including two versions of a No Project Alternative, two versions of a Water Use Alternative, and an alternative to reduce the amount of production and/or reduce the project's footprint. The Final EIR identifies Alternative (1A), No Project—No Subsequent Development Alternative, as the environmentally superior alternative, although it would not meet the Applicant's project objectives. In accordance with State CEQA Guidelines § 15126.6(e)(2), the Final EIR identifies Alternative (2B), Water Use Alternative with Conservation Easement, as the most environmentally superior alternative among the other alternatives considered. The Board concurs in the discussion and conclusions of the EIR in this regard.

The Board finds that the Final EIR satisfies the requirements of CEQA by providing a reasonable range of alternatives, each of which is intended to address means by which adverse impacts of the Project could be lessened. Pursuant to Public Resources Code Section 21002 and State CEQA Guideline section 15091(a), the Board finds that the Project would not result in any significant environmental effects that could be avoided or substantially lessened through any of the alternatives identified in the Final EIR. The Board further finds that Alternatives 1A and 1B would not meet the objectives of the Project, including the objective to create a winery to produce 10,000 cases of wine annually, and producing a full enhanced wine variety.

SONOMA COUNTY BOARD OF SUPERVISORS
EXHIBIT C
Final Conditions of Approval and Mitigation Monitoring Program

Date: December 11, 2012

File No.: UPE07-0008

Applicant: W. Guy Davis for Cornell Farms LLC

APNs: 028-250-007, 028-260-041, 028-260-047, 028-260-023 and 028-260-025.

Address: 100, 245, 420, 500 and 560 Wappo Road, Santa Rosa

Project Description: The applicant requests a winery with a maximum annual production capacity of 10,000 cases on a 40-acre parcel, one of seven contiguous legal parcels owned by the applicant. The proposal includes construction of two single-story buildings totaling approximately 6,700 square feet and a 10,200 square foot cave for barrel storage. A new water tank would be constructed for fire protection and domestic use. The buildings and cave would contain all winery operations and equipment. Excess soils not re-used at the winery site would be disposed off-site at a location approved to receive them. The project is to be in substantial conformity with the applicant's Project Description in the Draft EIR published on August 8, 2012; the Preliminary Grading, Drainage and Erosion Control Plan dated December 6, 2011, prepared by Atterbury & Associates, Inc.; the Site Plan, Floor Plan, and Elevations dated April 29, 2010, prepared by Backen Gillam architects; the Summary of the Proposed Water Use and Mitigation prepared by Atterbury & Associates, Inc., dated June 3, 2010; and the Preliminary Landscape Plan dated June 15, 2010 prepared by Prunuske Chatham, Inc., and supplemented as appropriate.

Tasting would be by appointment only and a maximum of 15 visitors at a time (and no more than 15 guests on any given day) may be hosted in the winery and caves. Ten annual winemaker/marketing events with ten or fewer guests are allowed. There would be three full time employees, with four additional employees to help during harvest and crush. Crushing operations would take place in a covered area outside on a crush pad. Normal hours of operation (non-crush) for the winery would be 8:00 a.m. to 5:00 p.m., Monday through Friday. During harvest season (typically mid September through October), the winery could operate up to seven days a week, 24 hours a day.

Rainwater from the roofs of the winery buildings is to be stored in two 70,000 gallon tanks and used for irrigation of the winery landscaping, and to provide supplemental water for irrigation of the Cornell Farms vineyards. In addition, the winery process wastewater would be treated using a small patented aerobic treatment system, stored in a water tank, and used to provide supplemental water for irrigation in the Cornell Farms vineyards. Domestic wastewater from staff and customers would be processed using a conventional septic system with disposal in a leach field that would be located at 560 Wappo Road. Plumbing for the wastewater will be placed in Wappo Road; the line will extend 3,000 feet from the winery treatment site. The existing Cornell Farms production supply well on the ridge to the northeast on the 420 Wappo Road property will supply the winery with water for winery operations.

A total of 8 parking spaces are proposed at the winery. Wappo Road would be improved from St. Helena Road to the proposed winery parking area to provide all-weather access and comply with County Fire Safe Standards. Stormwater collection and control and landscaping improvements are proposed at the winery site and along Wappo Road.

PRIOR TO PERMIT ISSUANCE AND CONSTRUCTION

Prior to issuance of any permits (grading, building, etc.) evidence must be submitted by the applicant/owner and verified by the Permit and Resource Management Department (PRMD) staff that all of the following pre-issuance conditions have been met.

Within five working days after project approval, the applicant shall pay a mandatory Notice of Determination filing fee of \$50 (or latest fee in effect at time of payment) for County Clerk processing, and \$2919 (or latest fee in effect at the time of payment) because an Environmental Impact Report was prepared, for a total of \$2,969 made payable to Sonoma County Clerk and submitted to PRMD. If the required filing fee is not paid for a project, the project will not be operative, vested, or final and any local permits issued for the project will be invalid (Section 711.4(c)(3) of the Fish and Game Code.) NOTE: If the fee is not paid within five days after approval of the project, it will extend time frames for CEQA legal challenges. (Note: Fees are subject to change January 1, 2013).

BUILDING:

1. The applicant shall apply for and obtain building related permits from PRMD. The necessary applications appear to be, but may not be limited to, site review, building permit, and grading permit.
2. A building permit shall be required for all cave portals and any mechanical/electrical systems associated with the caves.
3. The applicant shall include these Conditions of Approval on (a) separate sheet(s) of the building and grading permit plan sets.
4. Prior to initiation of the approved use, the project shall comply with the accessibility requirements set forth in the most recent California Building Code (CBC), as determined by the PRMD Building Division. Such accessibility requirements shall apply to all new construction and remodeling and, where required by the CBC, to retrofitting of the existing structure.

TRANSPORTATION AND PUBLIC WORKS:

"The conditions below have been satisfied" BY _____ DATE _____

5. Prior to issuance of any building permit which results from approval of this application, a development fee (Traffic Mitigation Fee) shall be paid to the County of Sonoma PRMD Engineering Division, as required by Section 26, Article 98 of the Sonoma County Code.
6. Prior to constructing any improvements within County Road Right of Way, the applicant shall obtain an Encroachment Permit from the Permit and Resource Management Department.

GRADING AND STORM WATER:

"The conditions below have been satisfied" BY _____ DATE _____

7. Grading and/or building permits require review and approval by the Grading and Storm Water Section of PRMD prior to issuance. Grading permit applications shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations.
8. A Drainage Report for the proposed project shall be prepared by a civil engineer, currently registered in the State of California, be submitted with the grading and/or building permit, and be subject to review and approval by the Grading and Storm Water Section of PRMD. The Drainage Report shall include, at a minimum, a project narrative, on- and off-site hydrology maps, hydrologic calculations, hydraulic calculations, pre- and post-development analysis for all existing and proposed drainage facilities. The Drainage Report shall abide by and contain all applicable items in the Drainage Report Required Contents (DRN-006) handout.

9. Drainage improvements shall be designed by a civil engineer, currently registered in the State of California, and in accordance with the Sonoma County Water Agency Flood Control Design Criteria. Drainage improvements shall be shown on the grading/site plans and be submitted to the Grading and Storm Water Section of PRMD for review and approval. Drainage improvements shall maintain off-site natural drainage patterns, limit post-development storm water levels and pollutant discharges in compliance with PRMD's best management practices guide, and shall abide by all applicable standards and provisions of the Sonoma County Code and all other relevant laws and regulations. Drainage improvements shall not adversely affect adjacent properties or drainage systems. Pre-development hydrology shall be retained.
10. The applicant shall provide grading plans, prepared by a civil engineer currently registered in the State of California, which clearly indicate the nature and extent of the work proposed and include all existing and proposed land features, elevations, roads, driveways, buildings, limits of grading, adequate grading cross sections and drainage facilities such as swales, channels, closed conduits, or drainage structures. The Grading Plans shall abide by and contain all applicable items from the Grading Permit Required Application Contents (GRD-004) handout.
11. As part of the Grading Plans, the applicant shall include an erosion prevention/sediment control plan which clearly shows best management practices to be implemented, limits of disturbed areas, vegetated areas to be preserved, pertinent details, notes, and specifications to prevent damages and minimize adverse impacts to the environment. Appropriate Best Management Practices shall be implemented during construction activities to effectively prevent and minimize polluted storm water discharges. Tracking of soil or construction debris into the public right-of-way shall be prohibited. Runoff containing concrete waste or by-products shall not be allowed to drain to the storm drain system, waterway(s), or adjacent lands. The erosion prevention/sediment control plan shall abide by and contain all applicable items in the Grading Permit Required Application Contents (GRD-004) handout.
12. Residue or polluted runoff from the crush pad or from production areas/activities shall not be allowed to drain directly to the storm drain system, waterway(s) or adjacent lands.
13. Runoff from waste receptacles or outside washing areas shall not be allowed to drain directly to the storm drain system, waterway(s) or adjacent lands. Areas used for waste receptacles and outside washing areas shall be separated from the rest of the project site by grade breaks that prevent storm water run-on. Any surface water flow from a waste receptacle or outside washing area shall not be permitted to enter the storm drain system without receiving appropriate treatment.
14. A State Mining Permit may be required for the excavation of the wine caves. A separate Grading Permit will be required to place the spoils from the wine caves excavation on-site. If the spoils from the wine caves excavation are placed off-site, then the receiving property must be legally able to accept the spoils.
15. The project shall obtain coverage under the State Water Resource Control Board's General Construction Permit (General Permit). Documentation of coverage under the General Permit must be submitted to the Grading and Storm Water Section of PRMD prior to issuance of any grading permit for the proposed project.
16. The following dust control measures will be included in the project:
 - a. Water or other dust palliative will be applied to unpaved portions of the construction site, unpaved roads, parking areas, staging areas and stockpiles of soil daily as needed to control dust.
 - b. Trucks hauling soil, sand and other loose materials over public roads will cover the loads, or will keep the loads at least two feet below the level of the sides of the container, or will wet the load sufficiently to prevent dust emissions.
 - c. Paved roads will be swept as needed to remove any visible soil that has been carried onto

them from the project site.

Condition Compliance: Building/grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above notes are printed on the building, grading and improvement plans. The applicant shall be responsible for notifying construction contractors about the requirement for dust control measures to be implemented during construction. If dust complaints are received, PRMD staff shall conduct an on-site investigation. If it is determined by PRMD staff that complaints are warranted, the permit holder shall implement additional dust control measures as determined by PRMD or PRMD may issue a stop work order. (Ongoing during construction)

REGIONAL WATER QUALITY CONTROL BOARD:

"The conditions below have been satisfied" BY _____ DATE _____

17. The project shall incorporate Low Impact Development techniques and use landscape-based Best Management Practices sized to treat and/or infiltrate the storm water runoff volume from all impervious surfaces (e.g. roads, roofs, walkways, patios) produced from the 85th percentile 24-hour storm event, as determined from the local historical rainfall record or using the maximized capture storm water volume for the area, from the County Best Management Practices Guide.

HEALTH:

"The conditions below have been satisfied" BY _____ DATE _____

Water:

18. Prior to building permit issuance, the applicant shall cause the proposed water supply system to be evaluated for potential contamination or pollution via backflow by an American Water Works Association certified Cross Connection Control Specialist. The recommendations for cross connection control shall, at a minimum, meet the requirements of the California Plumbing Code and subsequent editions adopted by Sonoma County. A copy of the report must be submitted to the Project Review Health Specialist for review.
19. Prior to building permit issuance, provide the Project Review Health Specialist with the bacteriological (E. Coli and total coliform) arsenic and nitrate analysis results of a sample of your water tested by a California State-certified lab. If the analysis shows contamination, the applicant will be required to treat the well per County requirements and re-test the well. If the contamination cannot be cleared from the well, destruction under permit of this department may be required. Copies of all laboratory results must be submitted to the Project Review Health Specialist.
20. Prior to the issuance of any building permit, an easement is required to be recorded for this project to provide Sonoma County personnel access to any on-site water well serving this project and any required monitoring well to collect water meter readings and groundwater level measurements. Access shall be granted Monday through Friday from 8:00 a.m. to 5:00 p.m. All easement language is subject to review and approval by PRMD Project Review and County Counsel prior to recordation.

Septic:

21. Prior to building permit issuance, a permit for the winery sewage disposal system shall be obtained. The system may require design by a Registered Civil Engineer or Registered Environmental Health Specialist and both soils analysis, percolation and wet weather testing may be required. Wet weather groundwater testing may also be required. The sewage system shall meet peak flow discharge of the wastewater from all sources granted in the Use Permit and any additional sources from the parcel plumbed to the disposal system. If a permit for a standard, innovative or experimental sewage disposal system sized to meet all peak flows cannot be issued, then the applicant shall revise the project (fees apply and a hearing may be required) to amend the Use Permit to a reduced size, not to exceed the on-site disposal capabilities of the project site and attendant easements. The Project Review Health Specialist shall receive a final clearance

from the District Specialist or Liquid Waste Specialist that all required septic system testing and design elements have been met.

22. Application for wastewater discharge requirements shall be filed by the applicant with the North Coast Regional Water Quality Control Board. Documentation of acceptance of a complete application with no initial objections or concerns by the Regional Water Quality Control Board shall be submitted to Project Review Health prior to building, grading for ponds or septic permit issuance (if Regional Water Board Staff have objections or concerns then the applicant shall obtain Waste Discharge Requirements prior to building permit issuance). A copy of the waste discharge permit shall be submitted to the Project Review Health Specialist prior to issuance of a certificate of occupancy or project operation. An application may be printed from: <http://www.waterboards.ca.gov/northcoast/geninfo/genwinerywdr/wine.html>
23. Toilet facilities shall be provided for patrons and employees. A copy of the floor plan showing the location of the restrooms shall be submitted to the Project Review Health Specialist prior to issuance of building permits. For planned tenant improvements, installed central water and wastewater lines the length of the building with appropriate breakout floor design is acceptable.

Consumer Protection:

24. Prior to the issuance of building permits and the start of any construction, plans and specifications for any food facility that serves food to the public must be submitted to, and approved by, the Environmental Health Division of the Health Services Department. Contact the Environmental Health Division at 565-6544 for information. The PRMD Project Review Health Specialist shall receive a letter of approval from the Environmental Health Division to verify compliance with requirements of the California Uniform Retail Food Facility Law (CURFFL).

Noise:

25. Prior to the issuance of building permits noise barrier walls shall be shown on the building plans around the mechanical area in accordance with the project description.

PLANNING:

"The conditions below have been satisfied" BY _____ DATE _____

26. This Use Permit allows the applicant to operate a winery with a maximum annual production capacity of 10,000 cases with tasting by appointment only for a maximum of 15 people at a time. (and no more than 15 guests on any given day), The Use Permit allows construction of two buildings totalling 6,700 square foot and a 10,200 square feet cave for barrel storage. The permitted hours of operation are 8:00 a.m. to 5:00 p.m., to include processing and administrative offices, except during crush and for wine maker dinners. The marketing/winemaker dinners will be limited to preparing dinners for wine industry sales and marketing representatives at a frequency not to exceed ten dinners per year with a maximum number of ten dinner guests at one time. Such dinners shall conclude by 10 p.m. Other than the ten marketing/winemaker dinners, special events and industry-wide events are prohibited. Separate Zoning Permits for special events are also prohibited without modification of this Use Permit. The project is to be in substantial conformity with the applicant's Project Description in the Draft EIR published on August 8, 2012; the Preliminary Grading, Drainage and Erosion Control Plan dated December 6, 2011, prepared by Atterbury & Associates, Inc.; the Site Plan, Floor Plan, and Elevations dated April 29, 2010, prepared by Backen Gillam architects; the Summary of the Proposed Water Use and Mitigation prepared by Atterbury & Associates, Inc., dated June 3, 2010; and the Preliminary Landscape Plan dated June 15, 2010 prepared by Prunuske Chatham, Inc., and supplemented as appropriate., and all subsequent studies upon which this approval was based, located in File# UPE07-0008, as modified by these conditions.
27. The applicant shall pay all applicable development fees prior to issuance of building permits.
28. Prior to building permit issuance, development on this parcel is subject to the Sonoma County Fire Safe Standards and shall be reviewed and approved by the County Fire Marshal/Local Fire

Protection District. Said plan shall include, but not be limited to: emergency vehicle access and turn-around at the building site(s), addressing, water storage for fire fighting, and fire break maintenance around all structures.

29. Prior to grading or building permit issuance or prior to exercising this approval, whichever comes first, the property owner(s) shall execute and record a Right-to-Farm declaration on a form provided by PRMD.
30. Construction of new or expanded non-residential development on shall be subject to Workforce Housing Requirements pursuant to 26-89-045 of the Sonoma County Code.
31. At the time of submitting a building permit application, the applicant shall submit to PRMD a Condition Compliance Review Fee deposit (amount to be determined consistent with the ordinance in effect at the time). In addition, the applicant shall be responsible for payment of any additional compliance review fees that exceed the initial deposit (based upon hours of staff time worked) prior to final occupancy being granted.
32. Prior to issuance of a grading permit for the winery building or building or grading permits for the wine cave, the applicant shall submit a landscape plan for review and approval by the County Design Review Committee. The plan shall make abundant use of native plants indigenous to the property and the upper Mark West Creek watershed and shall encourage re-growth of native shrubs and trees in the area downhill from the winery site, consistent with the fire safety and Vegetation Management Plan requirements of the County Fire Marshal. Invasive exotic species shall be prohibited.

Condition Compliance: Building/grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the Design Review Committee has approved a landscape plan, and the approved plan is included a sheet or sheets on the building and/or grading plans. Occupancy of the winery or the wine cave shall not occur until the approved landscaping measures are completed.

33. A Water Conservation Plan shall be submitted for all buildings prior to building permit issuance, subject to PRMD review and approval. The Water Conservation Plan shall include, at a minimum, proposals for low-flow fixtures. The measures in the plan shall be implemented and verified by PRMD staff prior to Certificate of Occupancy.
34. A Water Conservation Plan shall be submitted for all landscaping prior to building permit issuance, subject to PRMD review and approval. The Water Conservation Plan shall comply with all provisions of the County Low Water Use Landscaping Ordinance and the County Water Efficiency Landscaping Ordinance (WELO) as applicable. The measures in the plan shall be implemented and verified by PRMD staff prior to Certificate of Occupancy.
35. To further reduce greenhouse gas emissions, the applicant shall: include roof-mounted solar panels in the project that will reduce estimated electricity usage by 30 percent; planting 42 or more new hardwood trees and 16 or more new conifers to replace the loss of 17 hardwoods and three conifers, as well as additional landscaping in the area downslope of the original winery site at 245 Wappo (the area of the dormant landslide). In addition, the applicant shall restore grubbed oak woodland and chaparral, which will increase oxygen production and carbon sequestration.

Condition Compliance: The applicant shall include the location of the 42 or more hardwood trees and the 16 or more new conifers on the landscaping plan to be included with the building permits for the project buildings. PRMD staff shall not approve the building permits for issuance unless the trees, and the irrigation system to maintain them in their early years, are shown on the plans. Construction drawings for the winery buildings shall include details that show the location of the solar panels and the calculations of energy usage. PRMD staff shall not approve the building permits for issuance unless the plans show the requisite solar energy system. The buildings shall not be cleared for final occupancy until the staff planner verifies in the field that the trees have been planted and the solar energy system is installed.

36. Transportation of excavation materials and construction equipment and supplies shall occur only between the hours of 9:00 a.m. and 4:30 p.m. (off-peak hours).
37. The applicant shall abide by Construction Standards No 1 through 6 of the Tree Protection Ordinance (Section 26-88-010 (m) of the Zoning Ordinance). The standards shall be printed on Building, Grading, and Improvement Plans.
38. **Mitigation Measure 1d:** Prior to issuance of building permits, an exterior lighting plan shall be submitted for review and approval by PRMD Project Review staff. The exterior lighting plan shall demonstrate that the Project will not cause substantial nighttime light visible from other locations. Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. Lighting shall not wash out structures or any portions of the site. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky. Flood lights are not permitted. All parking lot lighting fixtures shall be fully cut-off and shall not exceed four feet in height. Lighting shall shut off automatically after closing and security lighting shall be motion-sensor activated.

Condition Compliance/Mitigation Monitoring: PRMD shall not issue the building permit until an exterior night lighting plan has been reviewed and approved by PRMD Project Review staff and is consistent with the approved plans and County Design Standards. The Permit and Resource Management Department shall not sign off the Building Permit for occupancy until a site inspection of the property has been conducted that indicates all lighting improvements have been installed according to the approved plans and conditions. If light and glare complaints are received, the Permit and Resource Management Department shall conduct a site inspection and require the property be brought into compliance or procedures to revoke the permit and terminate the use shall be initiated.

39. **Mitigation Measure 5b:** All building and/or grading permits shall have the following note printed on plan sheets:

"In the event that archaeological features such as pottery, arrowheads, midden or culturally modified soil deposits are discovered at any time during grading, scraping or excavation within the property, all work shall be halted in the vicinity of the find and County PRMD Project Review staff shall be notified and a qualified archaeologist shall be contacted immediately to make an evaluation of the find and report to PRMD. PRMD staff may consult and/or notify the appropriate tribal representative from tribes known to PRMD to have interests in the area. Artifacts associated with prehistoric sites include humanly modified stone, shell, bone or other cultural materials such as charcoal, ash and burned rock indicative of food procurement or processing activities. Prehistoric domestic features include hearths, firepits, or house floor depressions whereas typical mortuary features are represented by human skeletal remains. Historic artifacts potentially include all by-products of human land use greater than 50 years of age including trash pits older than fifty years of age. When contacted, a member of PRMD Project Review staff and the archaeologist shall visit the site to determine the extent of the resources and to develop and coordinate proper protection/mitigation measures required for the discovery. PRMD may refer the mitigation/protection plan to designated tribal representatives for review and comment. No work shall commence until a protection/mitigation plan is reviewed and approved by PRMD – Project Review staff. Mitigations may include avoidance, removal, preservation and/or recordation in accordance with California law. Archeological evaluation and mitigation shall be at the applicant's sole expense."

Condition Compliance/Mitigation Monitoring: PRMD staff shall not sign off on plans for issuance of permits unless the above notation is included on the building and grading plans.

40. **Mitigation Measure 5c:** All building and/or grading permits shall have the following note printed on plan sheets:

"If paleontological artifacts are found during site development, all earthwork in the vicinity of the find shall cease, and PRMD staff shall be notified so that the find can be evaluated by a qualified paleontologist. When contacted, a member of PRMD Project Review staff and the paleontologist

shall visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. No earthwork in the vicinity of the find shall commence until a mitigation plan is approved and completed subject to the review and approval of the paleontologist and Project Review staff. This condition shall be noted on all grading and construction plans and provided to all contractors and superintendents on the job site regarding the procedures to follow in the event that artifacts are found including contact information for PRMD."

Condition Compliance/Mitigation Monitoring: PRMD staff shall not sign off on plans for issuance of permits unless the above notation is included on the building and grading plans. .

41. **Mitigation Measure 5d:** All building and/or grading permits shall have the following note printed on plan sheets:

"If human remains are encountered, excavation or disturbance of the location shall be halted immediately in the vicinity of the find, and the County Coroner contacted. If the Coroner determines the remains are Native American, the Coroner will contact the Native American Heritage Commission (NAHC). The NAHC will identify the person or persons believed to be most likely descended from the deceased. Native American. The NAHC will then work with the applicant on re-interring the remains. The applicant shall be responsible for all costs incurred in the removal, identification and reburial of the remains. This condition shall be noted on all grading and construction plans and provided to all contractors and superintendents on the job site regarding the procedures to follow in the event that human remains are found including contact information for the County Coroner's Office."

Condition Compliance/Mitigation Monitoring: PRMD staff shall not sign off on plans for issuance of permits unless the above notation is included on the building and grading plans.

42. **Mitigation Measure B.3:** As recommended by the applicant's geotechnical engineer: The applicant shall adhere to the recommendation provided by the Project geotechnical engineer to reduce the adverse effects of weak soils, expansive soils and creep-prone soils. The detrimental effects of weak soils shall be remediated by strengthening the soils during grading (i.e., excavating the weak soils and replacing them as properly compacted engineered fill). Expansive soils shall be treated by pre-swelling the expansive soils and covering them with a moisture fixing and confining blanket of properly compacted select fill as defined in the geotechnical recommendations. In order to effectively reduce foundation and slab heave given the expansion potential of the site's soils and bedrock, the applicant shall install a blanket thickness of 30 inches. In exterior slab and paved areas, the select fill blanket shall be no less than 12 inches thick. Fill and/or foundation support shall be used below the creeping soils and, outside buttressed areas, the applicant shall design the foundations to resist stresses imposed by the creeping soils. The applicant shall incorporate into the final Project design plans the recommended geotechnical remedies to correct problematic soils and these controls shall become part of the project.

Condition Compliance/Mitigation Monitoring: PRMD staff shall not sign off on grading or building permits until the geologic mitigation measures contained in the geotechnical reports are shown on and incorporated into the grading and building plans for the project.

43. **Mitigation Measure B.4:** The applicant shall implement all geotechnical recommendations associated with diverting surface runoff around slopes and improvements, providing positive drainage away from structures, and installing energy dissipaters at discharge points of concentrated runoff. This can be achieved, for example, by constructing the building pad several inches above the surrounding area and conveying the runoff into manmade drainage elements or natural swales that lead down gradient of the site. The applicant shall incorporate recommended erosion controls into the final Project design plans and the controls shall become part of the Project.

Condition Compliance/Mitigation Monitoring: Building/grading permits for ground disturbing activities shall not be approved for issuance by Project Review staff until the above note is printed on the building, grading and improvement plans. The applicant shall be responsible for notifying

construction contractors about the requirement for dust and/or erosion control measures to be implemented during construction. If dust or erosion complaints are received, PRMD staff shall conduct an on-site investigation. If it is determined by PRMD staff that complaints are warranted, the permit holder shall implement additional dust and/or erosion control measures as determined by PRMD or PRMD may issue a stop work order. (Ongoing during construction)

44. **Mitigation Measure D.1a:** The populations of narrow-anthered California brodiaea shall be salvaged and transferred at a 1:1 ratio to suitable habitat on the Cornell Farms property, preferably adjacent to the proposed winery development site. Prior to plant salvage efforts, a five-year mitigation plan shall be developed by a qualified biologist in coordination with the California Department of Fish and Wildlife (CDFW, formerly the Department of Fish and Game) and appropriate authorizations from the CDFW shall be obtained. The mitigation plan shall be commenced to the satisfaction of the CDFW and County prior to the initiation of construction of the proposed Project.

The mitigation plan shall include information regarding the mitigation site (i.e., site selection process, including alternative sites considered, site location and description, and site preparation activities), procedures for collecting and transferring plants, and maintenance activities (e.g., weeding, erosion control, herbivore control, supplemental watering, etc.), schedule, and methods for determining the need for maintenance. Monitoring objectives and goals, performance criteria, sampling techniques and procedures, monitoring schedule, remedial measures, reporting requirements, long-term protection measures, and funding sources shall also be included in the mitigation plan, as well as any additional information not listed here but identified in the mitigation plan annotated outline developed by the CDFW (CDFW, 1990). The performance criteria shall include, but are not limited to, maximum feasible survival rate of transferred plants, absence of very invasive non-native plant species, and a self-sufficient population with no net decrease in the current number of plants at the end of five years.

Condition Compliance/Mitigation Monitoring: PRMD staff shall not sign off on plans for issuance of permits unless the above biotic mitigation measures are included as notes on the building and grading plans. Construction shall not commence until the qualified biologist and the CDFW informs PRMD staff in writing of the approval of the mitigation and monitoring plan.

45. **Mitigation Measure D.1b:** Prior to commencement of any construction activities, including construction equipment and vehicle mobilization, a mandatory environmental education program for construction personnel shall be conducted by a qualified biologist. The program shall cover special-status species that are known or have the potential to occur in the vicinity of the proposed winery development site, as well as other sensitive biological resources (e.g., sensitive natural communities, federal and state jurisdictional waters), and the required mitigation measures that must be followed by all construction personnel to avoid or minimize Project effects on these resources. The program shall also cover the penalties for noncompliance with the biological mitigation requirements.

The Project applicant shall ensure that the contractor is responsible for ensuring that construction personnel adhere to the biological mitigation requirements. If new construction personnel are added to the Project, the applicant and applicant's contractors shall ensure that all new personnel receive the mandatory training prior to starting work. This may take the form of written instruction and/or use of a video prepared by the qualified biologist covering the same material presented in the initial education program. At a minimum, the mitigation requirements that shall be followed by construction personnel include:

- a. Construction personnel will adhere to designated limits of the proposed winery development site and will not go outside these limits.
- b. Project-related vehicles and construction equipment will restrict off-road travel to designated work areas.
- c. The contractor will provide closed garbage containers for the disposal of all food-related trash items (e.g., wrappers, cans, bottles, food scraps). All garbage will be removed daily from the work area. Construction personnel will not feed or otherwise attract wildlife to the work area.
- d. No pets or firearms will be allowed in the work area.

- e. To prevent possible resource damage from hazardous materials such as motor oil or gasoline, construction personnel will not service vehicles or construction equipment outside designated work areas.

Condition Compliance/Mitigation Monitoring: PRMD staff shall not sign off on plans for issuance of permits unless the above biotic mitigation measures are included as notes on the building and grading plans. Construction shall not commence until the qualified biologist informs PRMD staff that the required training measures have been completed, as evidenced by training sign-in sheets for construction personnel.

46. **Mitigation Measure D.2b:** Prior to commencement of any construction activities, including construction equipment and vehicle mobilization, the Project applicant shall retain a certified arborist to tag and assess all trees within the limits of the proposed rain gardens. Trees shall be tagged to correspond with a tree exhibit map. Also, the genus and species of the trees, size of the trees at DBH, and structure and vigor of the trees shall be determined, and an evaluation of the trees' resource value (i.e., locating trees deserving protection) shall be completed. All trees shall receive a visual tree assessment (VTA – meaning tree observations shall be from the ground and that no special devices [e.g., increment borers, drills, resistographs, etc.] shall be used). Following completion of the tree survey, the arborist shall prepare a report that shall at a minimum provide a description of the general character of the trees within the limits of the proposed rain gardens and identify opportunities and constraints for preservation. The report shall be provided to the County for review.

Based on the results of the tree survey, the proposed rain gardens shall be sited, to the maximum extent feasible, to avoid impacts to oak woodlands and individual oak trees. If avoidance is not feasible, the Project applicant shall transfer or plant new oak trees consistent with Mitigation Measure D.2c below.

Condition Compliance/Mitigation Monitoring: PRMD staff shall not sign off on plans for issuance of permits unless the above biotic mitigation measures are included as notes on the building and grading plans. Construction shall not commence until the qualified biologist informs PRMD staff that the required survey and design measures have been completed.

47. **Mitigation Measure D.2c:** In addition to transferring and planting new oak trees to mitigate for those removed by construction of the Project, the following measures shall be implemented:
- a. A seven-year mitigation plan shall be developed by a certified arborist in coordination with the CDFW, and appropriate authorizations from the CDFW shall be obtained, prior to transferring and planting new oak trees. The mitigation plan shall be commenced to the satisfaction of the CDFW and County prior to the initiation of construction of the proposed Project. The mitigation plan shall include information regarding the mitigation site (i.e., site selection process, including alternative sites considered, site location and description, and site preparation activities), procedures for acorn collection, transplanting and planting trees, and maintenance activities (e.g., weeding, erosion control, herbivore control, supplemental watering, etc.), schedule, and methods for determining the need for maintenance. Monitoring objectives and goals, performance criteria, sampling techniques and procedures, monitoring schedule, remedial measures, reporting requirements, long-term protection measures, and funding sources shall also be included in the mitigation plan, as well as any additional information not listed here but identified in the mitigation plan annotated outline developed by the CDFW (CDFW, 1990). The plan shall provide for the survival of a minimum of three surviving trees for each tree removed or transplanted as a result of the project at the end of the seven-year monitoring period.
 - b. The Project applicant shall permanently protect oak woodland habitat, at a 2:1 ratio on the current Cornell Farms property. The oak woodland, shall be protected under a permanent conservation easement or fee title dedication, to be approved by the CDFW and County, and implemented prior to the issuance of building, grading, or other development permits. A minimum of 0.68 acres shall be protected to compensate for the 0.34 acres disturbed by the proposed winery site. Additional acreage shall be protected at the same ratio for

any further impacts to oak woodlands as determined by the County and the vegetation alliance maps once the grading and drainage plans are finalized. The easement or agreement shall specify that the oak woodland habitat is to remain in perpetuity, and shall specify the land management and maintenance practices designed to protect the habitat, a baseline report documenting the existing habitat conditions (i.e. a tree survey conducted by a certified arborist), a habitat monitoring plan, designate the party responsible for all actions related to management and maintenance, and specify limitations and restrictions on land use (i.e. access, fencing, grazing, tree planting or pruning, response to catastrophic events such as wildfire or pest invasion).

Condition Compliance/Mitigation Monitoring: PRMD staff shall not sign off on plans for issuance of permits unless the above biotic mitigation measures are included as notes on the building and grading plans. Construction shall not commence until the qualified biologist and the CDFW informs PRMD staff in writing of the approval of the mitigation and monitoring plans, and the conservation easement (or equivalent deed restriction) is recorded.

48. **Mitigation Measure D.2d:** The following measures shall be implemented by the Project applicant to avoid potential indirect impacts to sensitive natural communities:

- a. Protective chain-link fencing at least six feet high with signs and flagging shall be erected around all preserved vegetation communities where adjacent to vegetation clearing and grubbing, grading, or other construction activities. The protective fence shall be installed at a minimum of five feet beyond the tree canopy dripline of 20 feet beyond wetlands and other waters. The intent of protection fencing is to prevent inadvertent limb/vegetation damage, root damage and/or compaction or encroachment by construction equipment. The protective fencing shall be depicted on all construction plans provided to contractors and labeled clearly to prohibit entry, and the placement of the fence in the field shall be approved by a certified arborist and/or qualified biologist prior to commencement of any construction activities. The contractor shall maintain the fence to keep it upright, taut and aligned at all times. Fencing shall be removed only after all construction activities are completed.
- b. Contractors shall avoid using heavy equipment around the sensitive natural communities. Operating heavy machinery around the root zones of trees would increase soil compaction, which decreases soil aeration and, subsequently, reduces water penetration into the soil. All heavy equipment and vehicles shall, at minimum, stay out of the fenced protected zones, unless where specifically approved in writing and under the supervision of a certified arborist and/or qualified biologist.
- c. Contractors shall not store or discard any construction materials within the fenced protected zones, and shall remove all foreign debris within these areas. In addition, contractors shall avoid draining or leakage of equipment fluids near fenced protected zones. Fluids such as gasoline, diesel, oils, hydraulics, brake and transmission fluids, paint, paint thinners, and glycol (anti-freeze) shall be disposed of properly.

Condition Compliance/Mitigation Monitoring: PRMD staff shall not sign off on plans for issuance of permits unless the above biotic mitigation measures are included as notes on the building and grading plans. Construction shall not commence until the qualified biologist informs PRMD staff that the required fencing measures have been completed.

49. **Mitigation Measure D.8:** The Project applicant shall implement one of the following measures to avoid impacts to nesting birds during construction of the proposed Project:

- a. Conduct vegetation clearing and grubbing, grading, and other construction activities associated with construction of the proposed winery during the non-breeding season (in general, September 1st through January 31st); or
- b. Conduct preconstruction surveys for nesting birds if construction activities are to take place during the nesting season (in general, February 1st through August 31st). Within the 30-day period prior to ground disturbance activities associated with vegetation clearing and grubbing

and grading, a qualified biologist shall conduct weekly surveys, with the last survey being conducted no more than three days prior to the commencement of construction activities to confirm the presence or absence of active nests in the Project vicinity (at least 500 feet around the proposed winery development site, where accessible). If ground disturbance activities are delayed, then additional preconstruction surveys shall be conducted such that no more than three days will have lapsed between the survey and ground disturbance activities.

If no active nests are found, no further mitigation would be required following submittal of a survey report letter to the County. However, if active nests are found, species-specific measures shall be prepared by a qualified biologist in coordination with the CDFW, and implemented to prevent the direct loss or abandonment of the active nest. At a minimum, construction activities in the vicinity of a nest shall be deferred until the young have fledged, and an exclusion buffer zone shall be established. A minimum exclusion buffer zone of 50 feet is typically recommended by CDFW for songbird nests, and 200 to 500 feet for raptor nests, depending on the species and location. The perimeter of the exclusion buffer zone shall be fenced or adequately demarcated with staked flagging at 20-foot intervals, and construction personnel shall be restricted from the area. A survey report by the qualified biologist verifying that the young have fledged shall be submitted to the County for review and concurrence prior to initiation of construction activities within the exclusion buffer zone.

Condition Compliance/Mitigation Monitoring: PRMD staff shall not sign off on plans for issuance of permits unless the above biotic mitigation measures are included as notes on the building and grading plans. Construction shall not commence until the qualified biologist informs PRMD staff that the required fencing, buffer zone, and reporting measures have been completed.

50. **Mitigation Measure D.9:** Prior to commencement of any construction activities, including construction equipment and vehicle mobilization, the Project applicant shall retain a qualified biologist (i.e., a biologist possessing a Memorandum of Understanding with the CDFW for handling bats) to survey for bats.

If no evidence of bats (i.e., direct observation, guano, staining, strong odors) is found, no further mitigation would be required following submittal of a survey report letter to the County. However, if evidence of bats is found, the Project applicant shall implement the following measures to avoid impacts to bats:

- a. An exclusion buffer zone (acceptable in size to the CDFW) shall be created around active bat roosts during the breeding season (in general, April 15 through August 15). Bat roosts initiated during construction are presumed to be unaffected, and no buffer would be necessary.
- b. Removal of trees showing evidence of bat use shall occur during the period of time least likely to affect bats, as determined by a qualified bat biologist (in general, between February 15 and October 15 for winter hibernacula, and between August 15 and April 15 for maternity roosts). If passive relocation (i.e., excluding bats from roosts) is necessary to prevent impacts to bats due to roost destruction or construction-related disturbances, the relocation shall also be conducted during these periods of time, by a qualified bat biologist in coordination with the CDFW, and appropriate authorizations from the CDFW shall be obtained.
- c. All special-status bat roosts that are destroyed shall be replaced at a 1:1 ratio with a roost suitable for the displaced species (e.g., bat houses for colonial roosters). The roost shall be monitored for a five year period to ensure proper roosting habitat characteristics (e.g., suitable temperature and no leaks). The roost shall be modified as necessary to provide a suitable roosting environment for the target bat species.

Condition Compliance/Mitigation Monitoring: PRMD staff shall not sign off on plans for issuance of permits unless the above biotic mitigation measures are included as notes on the building and grading plans. Construction shall not commence until the qualified biologist informs PRMD staff that the required fencing, buffer zone, and reporting measures have been completed.

PRIOR TO OCCUPANCY OR USE

HEALTH:

"The conditions below have been satisfied" BY _____ DATE _____

51. Prior to occupancy, backflow prevention devices shall be installed on the water supply system as recommended, after concurrence with the hazard evaluation and recommendations for cross connection control report by PRMD.
- a. This condition shall not be signed off until the Project Review Health Specialist receives a letter from the cross connection control specialist stating that backflow prevention has been installed as recommended.

52. Prior to building occupancy, all wastewater plumbing shall be connected to a sewage disposal system that has been constructed under permit for the proposed use by the Well and Septic Section of PRMD.

This condition shall not be signed off until the Project Review Health Specialist receives a final clearance from the district specialist that all required septic system testing, design elements, construction inspections and any required operating permits have been met.

FIRE AND EMERGENCY SERVICES:

"The conditions below have been satisfied" BY _____ DATE _____

53. Prior to occupancy, written approval that the required Fire Safe Standards measures or improvements have been installed shall be provided to PRMD from the County Fire Marshal/Local Fire Protection District.

ONGOING OPERATIONAL CONDITIONS

HEALTH:

"The conditions below have been satisfied" BY _____ DATE _____

54. The property owner or lease holder shall have the backflow prevention assembly tested by an American Water Works Association certified Backflow Prevention Assembly Tester at the time of installation, repair, or relocation and at least on an annual schedule thereafter.
55. A safe, potable water supply shall be provided and maintained.
56. Groundwater elevations and quantities of groundwater extracted for this project shall be monitored and reported to PRMD pursuant to Section WR-2d (formally RC-3b) of the Sonoma County General Plan and County policies. In addition, the applicant shall install a water meter on the winery to meter all water use associated with the winery operation. Readings from the meter shall be taken monthly by the applicant, and a report on water use shall be reported in conjunction with the reports required by Section WR-2d. In the event that water use exceeds 0.42 acre feet per year, PRMD may bring this matter back to the Board of Zoning Adjustments for review of additional measures to reduce water use. If water use exceeds 0.42 acre feet per year by more than 10 percent, PRMD shall bring this matter back to the Board of Zoning Adjustments for review of additional measures to reduce water use.
57. Maintain the annual operating permit for any alternative (mound or pressure distribution) or experimental septic system installed per Sonoma County Code 24-32 and all applicable Waste Discharge Requirements set by the Regional Water Quality Control Board.

58. Use of the on-site wastewater disposal system shall be in accordance with the design and approval of the system.
59. The applicant shall comply with applicable hazardous waste generator, underground storage tank, above ground storage tank and AB2185 (Hazardous Materials Handling) requirements and maintain any applicable permits for these programs.
60. Prior to providing any food service or allowing any patron/customer food consumption on site, the applicant shall obtain approval from the Environmental Health Division of the Health Services Department. This approval applies to marketing dinners, food sample and wine tasting, catered services or other sales or services of food or beverages that apply under the CURFFL regulations. The applicant shall maintain all required Food Industry Permits. Catered meals and appetizers featuring local foods and food products offered in conjunction with marketing or promotional activities are not open to drop-in guests and shall not be noticed to the general public.
61. All future sewage disposal system repairs shall be completed in the Designated Reserve areas and shall meet Class I Standards. Alternate reserve areas may be designated if soil evaluation and testing demonstrate that the alternative reserve area meets or exceeds all of the requirements that would have been met by the original reserve area.
62. To ensure that no neighbors are affected by odors caused by the residues of the grape crush (pomace), the residues must be removed from the site, or composted, or disced into the soil within two days of being crushed. If pomace is to be disposed of, it shall be disposed of in a manner that does not create a discharge to surface water, or create nuisance odor conditions, or attract nuisance insects or animals, according to the following priority:
 - a. Pomace shall be composted and land applied, or land applied and disced into the soil on vineyards or agricultural land owned or controlled by the applicant.
 - b. Pomace shall be sold, traded or donated to willing soil amendment or composting companies that prepare organic material for use in land application.
 - c. Pomace shall be transported to the County's composting facility at the Central Disposal Site (or any future location) in a fashion that allows the pomace to be used by the County's composting program.

Pomace shall not be disposed of into the County solid waste landfill by direct burial, except where all possibilities to dispose according to priorities a. through c. above have been exhausted. In all cases, care shall be taken to prevent contamination of pomace by petroleum products, heavy metals, pesticides or any other material that renders pomace unsuitable for composting with subsequent land application. Land application, placement of pomace into a composting facility or disposal shall occur within two days of being crushed.

Condition Compliance: If the Permit and Resource Management Department receives complaints regarding objectionable odors, PRMD staff would investigate the complaint and if the condition is violated the Use Permit may be subject to modification.

Noise:

63. Noise shall be controlled in accordance with the standards set in the Noise Element of the Sonoma County General Plan.
64. Noise shall be controlled in accordance with the following as measured at the exterior property line of any affected residential or sensitive land use:

Hourly Noise Metric ¹ , dBA	Daytime	Nighttime
	(7 a.m. to 10 p.m.)	(10 p.m. to 7 a.m.)
L50 (30 minutes in any hour)	45	40
L25 (15 minutes in any hour)	50	45

L08 (4 minutes 48 seconds in any hour)	55	50
L02 (72 seconds in any hour)	60	55

¹ The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level. The L02 is the sound level exceeded 72 seconds in any hour.

65. Amplified sound and the very loud musical instruments (such as horns, drums and cymbals) are not permitted outdoors. The quieter, non-amplified musical instruments (such as piano, stringed instruments, woodwinds, flute, etc) are allowed outdoors when in compliance with the Noise Element of the Sonoma County General Plan.

Solid Waste:

66. All garbage and refuse on this site shall be accumulated or stored in non-absorbent, water-tight, vector resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity to completely close the lid, and shall not be filled beyond a gross weight of 50 pounds (80 pounds if serviced by a mechanical lifting device). All garbage and refuse on this site shall not be accumulated or stored for more than seven calendar days, and shall be properly disposed of to a County Transfer Station or County Landfill before the end of the seventh day. Please note that the Local Enforcement Agency (at Environmental Health) bills at an hourly rate for enforcement of violations of the solid waste requirements.

PLANNING:

"The conditions below have been satisfied" BY _____ DATE _____

67. This use shall be constructed, maintained, and operated in conformance with all applicable county, state, and federal statutes, ordinances, rules, and regulations. A violation of any applicable statute, ordinance, rule or regulation shall be a violation of the Use Permit, subject to revocation.
68. The applicant shall include these Conditions of Approval on separate sheets of plan sets to be submitted for building and grading permit applications.
69. Within 90 days from issuance of a Certificate of Occupancy or if no building permit is required, within 90 days of issuance of the Use Permit, all owners, managers, and employees selling alcoholic beverages at the establishment shall complete a certified training program in responsible methods and skills for selling alcoholic beverages. The certified program shall meet the standards of the California Department of Alcoholic Beverage Control or other certifying/licensing body, which the State may designate. New owners, managers, and employees shall complete the training course within 30 days of the date of ownership or employment and every third year thereafter. Records of successful completion for each owner, manager, and employee shall be maintained on the premises and presented upon request by a representative of the County.
70. No 18-wheel trucks or trucks with two trailers ("doubles") shall serve the winery facility.
71. The winery shall provide advanced notice to neighbors of periods of elevated haul traffic, such as removal of excavated materials or importation of grapes.
72. The applicant shall participate in future County-approved (or Sotoyome RCD) hydrological monitoring in the upper Mark West Creek water shed east of Calistoga Road.
73. To minimize winery water use, the applicant shall use steam cleaning for barrel maintenance and ozonated water to sanitize winery equipment.

74. The two 70,000 gallon rainwater catchment tanks shall be used for landscaping irrigation around the winery, and, to the extent reasonably practical, excess water not needed for landscape irrigation shall be pumped and used for vineyard irrigation in the vineyard situated on 420 Wappo Road between August 1 and October 30 of each year.
75. The applicant shall pump and store up to 102,000 gallons of water from the wells on 420 Wappo Road between November 30 and August 1 of each year. This water shall be used in the winery between August 1 and October 30 of each year to mitigate any increased draw from the wells because of winery operations during those months.
76. Appointments for tasting shall be made at least 24 hours in advance. Posting the telephone phone number for appointments at the entry to Wappo Road from St. Helena Road is prohibited.
77. Use of a residence at 100 Wappo Road as a vacation rental is prohibited.
78. Winemaker/marketing events shall take place at the winery buildings or caves at 245 Wappo Road. Use of the residence or grounds at 100 Wappo Road for such activities or other types of special events is prohibited.
79. Prior to commencement of construction activities, the applicant shall document the surface condition of St. Helena Road by photography or videography or other means for a distance of 0.25 mile from the intersection with Wappo Road in both directions, and provide that documentation to the County Department of Transportation and Public Works. If, after the project is complete, the Director of the Department of Transportation and Public Works determines that roadway deterioration has occurred on that section of St. Helena Road as a result of project construction, the applicant shall be responsible to have that section of St. Helena Road resurfaced to restore the pavement to at least pre-construction condition, unless the resurfacing is already expected to occur within a year or sooner in conjunction with other planned or proposed roadway improvements.
80. To the extent it is available, winery treated process water shall always be used prior to harvested rainwater for irrigation of the winery landscaping to ensure adequate tank capacity to maximize capture and reuse on the project landscaping and vineyard of winery treated process water generated by the project.
81. Any proposed modification, alteration, and/or expansion of the use authorized by this Use Permit shall require the prior review and approval of PRMD or the Board of Supervisors, as appropriate. Such changes may require a new or modified use permit and additional environmental review.
82. The Director of PRMD is hereby authorized to modify these conditions for minor adjustments to respond to unforeseen field constraints provided that the goals of these conditions can be safely achieved in some other manner. The applicant must submit a written request to PRMD demonstrating that the condition(s) is infeasible due to specific constraints (e.g. lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. The Director of PRMD shall consult with affected departments and agencies and may require an application for modification of the approved permit. Changes to conditions that may be authorized by the Director of PRMD are limited to those items that were not adopted as mitigation measures or that were not at issue during the public hearing process. Any modification of the permit conditions shall be documented with an approval letter from the Director, and shall not affect the original permit approval date or the term for expiration of the permit.
83. If any changes to plans, drawings, documents or specifications required pursuant to any conditions herein specified occur, these changes shall be brought to the appropriate department for review and approval prior to any construction or improvements. Also, these conditions shall be reviewed by all departments involved in the initial approval of the subject plans, drawings, documents or specifications that are proposed for change.
84. This permit shall be subject to revocation or modification by the Board of Zoning Adjustments if:
(a) the Board finds that there has been noncompliance with any of the conditions or (b) the Board finds that the use for which this permit is hereby granted constitutes a nuisance. Any such

revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-92-120 and 26-92-140 of the Sonoma County Code.

85. If this Use Permit has not been vested within four (4) years after the date of the granting thereof, or for such additional period as may be specified in the permit, such permit shall become automatically void and of no further effect, provided however, that upon written request by the applicant prior to the expiration of the four- year period the permit approval may be extended for not more than one (1) year by the authority which granted the original permit pursuant to Section 26-92-130 of the Sonoma County Code.



County of Sonoma
State of California

Date: April 22, 2014

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Upholding The Decision Denying An Appeal From A Decision Of The Board Of Zoning Adjustments, Approving A Use Permit For The Henry Cornell Winery, A 10,000 Case Winery With Public Tasting By Appointment Only With A Maximum Of Fifteen Guests Per Day And Ten Marketing/Winemaker Dinners Per Year With A Maximum Of Ten Guests Per Event On Property Located At 100, 245, 420, 500, And 560 Spring Mountain Trail (formerly Wappo Road), Santa Rosa, APNs 028-250-007, 028-260-041, 028-260-047, 028-260-023, And 028-260-025, And Adopting A Mitigation Monitoring Program; Supervisorial District No. 1.

Whereas, the Board of Supervisors (“the Board”) of the County of Sonoma (“the County”) hereby finds and determines as follows:

Whereas, On December 11, 2012, the Board adopted Resolution No. 12-0576, denying an appeal from a decision of the Board of Zoning Adjustments; approving a use permit for the Henry Cornell Winery, a 10,000 case winery with public tasting by appointment only with a maximum of fifteen guests per day and ten marketing/winemaker dinners per year with a maximum of ten guests per event (“the Project”) on property located at 100, 245, 420, 500, and 560 Spring Mountain Summit Trail (formerly Wappo Road), Santa Rosa, APNs 028-250-007, 028-260-041, 028-260-047, 028-260-023, and 028-260-025; and adopting a mitigation monitoring program. On December 11, 2012, the Board also adopted Resolution No. 12-0575, certifying the environmental impact report for the Project.

Whereas, Resolutions No. 12-0575 and 12-0576 include lengthy recitations of the Project’s procedural history, as well as detailed findings regarding its compliance with the California Environmental Quality Act (“CEQA”) and its consistency with the Sonoma County General Plan, Franz Valley Area Plan, and Sonoma County Zoning Code. The Board hereby incorporates Resolutions No. 12-0575 and 12-0576 as if fully set forth herein by this reference.

Whereas, On December 31, 2012 a lawsuit was filed challenging the Project approval. Among other claims, the lawsuit alleges that the Board violated the petitioner’s due process right to a fair hearing when it approved the Project in 2012. With regard to this claim, Superior Court Judge Gary Nadler granted a motion from the applicant and the

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Date:

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County for an interlocutory remand to the Board to re-open the public hearing and reconsider its approval of the Cornell Winery Use Permit. Judge Nadler ruled that, at the hearing, the petitioner must be provided a meaningful opportunity, within the County's existing framework governing hearing procedures, to address issues raised and to present its position within the framework of the hearing guidelines.

Whereas, On April 22, 2014, the Board re-opened the public hearing to reconsider its approval of the Project ("the re-opened Board hearing"). At the re-opened Board hearing, the Board heard and received all relevant oral and written testimony and evidence presented or filed regarding the Project. All interested persons were given the opportunity to hear and be heard. The petitioner was provided a meaningful opportunity, within the County's existing framework governing hearing procedures, to address issues raised and to present its position within the framework of the hearing guidelines.

Whereas, At the conclusion of public testimony, the Board closed the re-opened Board hearing and discussed the Project and the information presented during the hearing. The Board determined that any incorrect statements made during the December 4, 2012 Board hearing were inadvertent and not material to the Board's decision. The Board determined to adopt a resolution upholding its prior approval of the Use Permit.

Whereas, The Board has had an opportunity to review this resolution and hereby finds that it accurately sets forth the intentions of the Board regarding the re-opened Board hearing and the Project.

Whereas, The Board's decisions herein are based upon the testimony and evidence presented to the County orally or in writing prior to the close of the re-opened Board hearing ("the record of these proceedings"). Any information submitted after the close of the Board hearing was deemed late and not considered by the Board.

Whereas, The findings and determinations set forth in this resolution are based upon the record of these proceedings. References to specific statutes, ordinances, regulations, reports, or documents in a finding or determination are not intended to identify those sources as the exclusive basis for the finding or determination.

Now, Therefore, Be It Resolved that based on the foregoing findings and determinations and the record of these proceedings, the Board hereby declares and orders as follows:

1. The foregoing findings and determinations are true and correct, are supported by substantial evidence in the record, and are adopted as hereinabove set forth.

2. The Board's December 11, 2012 decision denying an appeal from a

Resolution #

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decision of the Board of Zoning Adjustments, approving a use permit for the Project, and adopting a mitigation monitoring program is upheld.

Be It Further Resolved The Clerk of the Board is designated as the custodian of the documents and other materials that constitute the record of the proceedings upon which the Board's decisions herein are based. These documents may be found at the office of the Clerk of the Board of Supervisors, 575 Administration Drive, Room 100A, Santa Rosa, CA 95403.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.