

MARK WEST CITIZENS ADVISORY COUNCIL
Meeting Minutes, DECEMBER 8, 2021, 6:00 pm
Zoom Meeting
Video Available Send request to MarkWestCAC@gmail.com

A) Call to Order: Chair Fies called to order, the regular meeting of Mark West Citizens Advisory Council at 6:00 pm.

1. Roll Call: Members present: Chair Karen Fies, Roni Berg, Willie Lamberson, Pete Lescure, Brad Sherwood
Others:

- Jen Mendoza, Field Representative Representing Supervisor James Gore, 4th District, County of Sonoma
- Aggie Maggio, Secretary, Mark West Citizens Advisory Council (MWCAC)
- Stephanie Bisordi, incoming council member, representing the Fulton community, replacing outgoing council member Berg. Bisordi, a very active member of the Mark West Chamber, is part of the fifth-generation, family-owned Bisordi Ranch in Fulton. She and her husband Rob, created the Lunches for Life Savers program (lunches for first-line hospital workers in the Mark West community) and were awarded the Spirit of Sonoma Award in June of 2021.
- Heidi Would, incoming council member, representing the Mark West Chamber of Commerce, replacing outgoing council member Lescure, is a Wikiup resident, also very active in the Mark West Chamber. She is an active community member, having started a neighborhood watch program and working with other council members on the Wikiup Open Space.

2. Approval of Minutes:

On a motion by Berg, second by Lamberson, the minutes of the regular MWCAC meeting, November 11, 2021, were approved. The motion carried on a voice vote. (5-0)

B) Presentations: Action Items

Procedure: 1. Presentation 2. Questions by council members 3. Questions/comments from the public

1. Special Presenter Supervisor Gore

Supervisor Gore started with appreciation of all the council members.

Redistricting:

- A commission of diverse leaders from different ethnic backgrounds, have been working on the redistricting process. There was a lot of disagreement but their work was ultimately accomplished.
- Changes to District 4: moving some of northwest Santa Rosa into Supervisor Hopkins district. District 4 now includes Chanate, all of the Coffey Park area, Mark West area, Larkfield and Wikiup. Losing some of Fulton; the dividing line in Fulton is the railroad tracks.
- Biggest focus: Get Roseland and Moorland in the Santa Rosa District (District 3). While the voting population of that district still leans toward a majority of Caucasian people; the general population is 42% Latino and 41% Caucasian. It is the first time in Sonoma County's history and it reflects the future. The trend lines show the majority of the population in Sonoma County will be Latino by 2050.

State of Mark West, Larkfield, Wikiup Area:

- Gore plans to host a meeting about the State of District 4, maybe sometime in the spring, followed by separate analysis of different areas in the district.
- Will partner with the Council for this area. Example ~ in terms of fire resiliency, identifying what's on the ground and what's not.
- The county put \$500,000 into Sonoma Fire District doing the upper Mark West fire shed (home hardening, calming areas for fuel reduction, etc.) At the same time the county got a grant from FEMA for \$37 million (with \$13 million in local money leveraged by the County).
- Three areas identified for extensive work (home hardening, calming and vegetation management around houses). Larkfield up to upper Mark West is the primary one.
- Purpose: analyze all that's been done and is being done, before moving forward.
- We know we have resources. And we know there is more need.

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Water:

- Still in a drought. We need to review how we're doing with Cal Am Water. Can be part of the review.
- Ground water reserves are strong. Mark West area is part of the Santa Rosa Plains Ground Water Sustainability Area. Decisions made by their plan will impact this area. They are probably moving more towards project water as opposed to well water.
- Larkfield can accept water from the water system and can also use their ground water. Goal ~ Make sure there is sustainable recharge. He wants a community voice on the table moving forward.

Wikiup Commons:

- Acknowledged Willie Lamberson, especially, and others, on their work on Wikiup Commons.
- The owners are currently working with Ag and Open Space. It is in the appraisal process and things are going well with good communications. This is a top priority for Gore and for Ag and Open Space. Hopefully by the end of January they will know if it's really a green light.
- If it's a go, then it's time to discuss how it fits the goals of the community and assess where to go from there. He will not move ahead without working with the community leaders on this project.

Infrastructure:

- Need to go back and look at all the avenues of money, get a true estimate and analysis of what goes where.
- There is a lot of PG&E tier one money, PG&E tier 2 infrastructure money and the pavement preservation program.
- At a State of the Area meeting, Gore wants to be able to say that he and Jen Mendoza have solidified where money is firm, where flexible, where it is and how it can be worked, to get the most improvements out of it.

Repaving Old Larkfield area.

- Gore has about \$1.6 million available for a future pavement program in the area. He wants to grow it into \$2 million. He will work on leveraging that money and also promote a worst/first program prioritizing needs.
- Would like to create a different pavement program through Public Works that focuses on these community streets. It is very difficult for the County to make decisions on county and community roads.

In Closing:

- Gore's current personal goal is to slow down, enjoy the holidays and hopes "all will slow down and heal, finding peace in the chaos, while fighting in the trenches with all."
- He is running for another term.
- Comment on redistricting: "The irony, is that all it was about was dividing city streets and creating population."
- A lesser-known fact is that he's probably had less calls in seven years, from city residents, than he's had in the last week from Mark West area and Geyserville, because "direct governance is where it's at." 90% of supervisor work is in unincorporated areas.
- The goal of the State of the District is to create a plan for future.

Council Questions/Comments& Responses:

- Comment: Roni Berg is co-chair of the Wikiup Open Space committee for Wikiup. Also have team of six dedicated civilians on the committee. We really appreciate all your work in helping the community and working with them. Response: It's important to work as a team. He would like to meet the committee members.
- Also, Jen Mendoza told Gore that some homes in the Londonberry area are being taken by Mark West Creek. He is working with the Regional Water Board, looking at major studies to be able to get money to the area.
- Question: Bisordi Ranch and Berg home now in District 5. How do we rationalize Fulton?
Response: Area is based on Cal Am Water Franchise Fees, which include Fulton.
Comment: This fact may be helpful when looking at expanding Council area of influence.

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- Comment: Next mission: "New Redwood Parkway," instead of the "Old Redwood Highway" (traffic calming). Work to get it into the general plan.
Response, Mendoza: More on that in the January meeting.
- Gore: Defined by the money pots. Will find the most flexible to get things done. General fund is more flexible.
Comment: Planning with storm water mitigation can cause the project to help pay for itself by selling storm water mitigation credits to developers.

Resolutions and appreciation of outgoing council members Roni Berg and Pete Lescure

Council Chair Fies read the resolutions, publicly appreciating Roni Berg and Pete Lescure, signed by Supervisor Gore and the Council members. Both are Founding Members of the Council since its formation in 2016.

Appreciation for Council Member Roni Berg

- First Vice Chair. Locally known as the mayor of Fulton.
- Spent countless hours providing policies and procedures for the council including creating and serving on the Neighborhood Improvement Funding Program subcommittee.
- Served as a liaison between the Council and the County, concerning issues such as the budget.
- Always, with a positive attitude, worked to provide solutions to issues of the community.
- Using her skills as a graphic designer, designed the Council website and various public outreach materials
- Never says "No"

Appreciation for Council Member Pete Lescure

- Appointed by the Mark West Chamber, representing the Mark West, Wikiup, Larkfield community.
- Spent countless hours creating policies and procedures for the council, including creating and serving on the Neighborhood Improvement Funding Program subcommittee.
- Developed a long, strong relationship between the local business community and the Council.
- Brought his engineering background to the issues and resolutions.
- Proudly represented the Mark West Chamber of Commerce interests at Council meetings which proved critical on infrastructure issues.
- Always brought his creative business intellect and creative solutions to the meetings, especially important when managing community issues, including his engineering back ground which has proved critical during discussions relating to infrastructure projects.

Supervisor Gore also expressed his appreciation and respect for Berg and her continuous work in Fulton and Lescure's fire and grit on important issues and work leading up to the creation of the Council. He also included the late Jim Boulter in appreciating his work leading up to the creation of the Council.

Adjustment to Agenda: Item 3. is before Item 2.

3. Chair Fies: Presentation/Discussion, Council budget FY 22/23, Starts on July 1, 2022
Paul Hower, Fiscal Representative, Transportation and Public Works and Chair Fies:

Hower shared a Power Point Presentation: Cal Am Water Co Franchise Fee Budget

FY 2021-2022 Projected Fees:	\$34,000
Projected Interest	<u>4,000</u>
	\$38,000
Budgeted Expenses:	
Professional Services (Staff, etc.)	\$ 8,000.00
Other Contract Services (Area work projects)	42,973.88
Larkfield Resilience Fund	7,026.12
Office Supplies	<u>300.00</u>

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\$58,300.00

Pending Projected FY 2022-2023 Projected Fees:	\$34,000
Projected Interest	<u>4,000</u>
	\$ 38,000
Budgeted Expenses:	
Professional Services (Staff, etc.)	\$ 8,300
Other Contract Services (Area work projects)	50,000
Office Supplies	<u>300</u>
	\$58,300

Current Fund Balance: \$249,150.20

Hower actually expects higher franchise fees to come in, based on what happened last year. If so, he will program that into the 2022/23 budget.

Expenses, so far, are less than what was budgeted. This occurs annually which is why there is a fund balance.

Council Comments/Questions& Responses:

Question: Why interest rate of 1.6%? Seems quite low.

Response: Interest comes in after the fact. It is a lower rate, a general fund type. We have GASB (Governmental Accounting Standards Board), a basic government accounting service adjustment. One year will be recognized and credited for a prior year's debit. It goes back and forth like that. It's a month-by month-breakdown. No adjustment this year, yet; only one credit, in October. It will build up pretty quickly. Nothing can be credited until the budget is approved. The \$4,000 of interest is just the budgeted amount, not the final figure. They will be actual after approval.

Administration of this budget is not paid for by the Council. It is paid from a different fund within the County.

On a motion by Lescure, seconded by Berg, it was agreed to replicate this year's budget, for next year.
The motion carried on a voice vote. (5-0)

2. Gary Helfrich of Permit Sonoma: New Ordinance for Vacation Rentals (VRBOs) Sonoma County

The Board of Supervisors directed staff to create listening sessions, have public outreach to address public concerns, create a new process for policy development, and gather concerns and recommendations from the public before taking outlines to the planning commission. Permit Sonoma still needs to hear from other District 4 communities. The goal is to develop an ordinance that is flexible to different challenges, while allowing the rental of homes on a transient basis, and keeping consistent with community character.

People are frustrated with response to complaints. Noise is the number one issue, then parking and trash.
Need to fix both the ordinance and the County practices.

Permit Sonoma will be hiring a third-party vendor to begin to provide a 24/7 hotline for complaints.

- Same one Marin County uses and highly recommended
- 800 number to call with complaints
- Service contacts the property owners, making sure action is taken
- Following up with the complainant, making sure the situation is resolved and closing the loop
- It takes the burden off of Code Enforcement, documents complaints and protects operators of rentals from situations that are really disagreements between neighbors.
- The three strikes rule, if necessary, will be able to revoke vacation rental permits.

Business license will be required.

- Renewed annually

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- Would still issue a zoning permit, where the zoning permits vacation rentals.
- Allows for better progressive types of enforcement: Prefer to help with compliance rather than revocation.

Evacuation of Properties

- Property owners will be accountable for evacuation of their property, if needed.
- Steep consequences for not completely vacating.
- Early evacuation of renters will be required before mandatory notices.
- A property manager may be permanently decertified for noncompliance.

Other policies under development

- Road geometrics, such as no permits where roads do not meet standards
- Proximity of rentals to each other: It's complex and they are working on it.
- Fairly strict parking standards: Mostly challenges in the Russian River area and Fitch Mountain

Council Comments/Questions & Responses:

Comment: There are still about 19 empty lots in Larkfield Estates.

- Neighbors appreciate that vacation rentals are currently not allowed in the zones.
- Ask that that policy be continued.
- There are still many challenges to the rebuilds and prefer the owners to have the opportunity to rebuild without vacation renters challenging that.

Response: The urgency ordinances are beyond the scope of Permit Sonoma and have to be reauthorized annually. Though many working there also lost homes, and want to see the urgency ordinances kept in place, the Board of Supervisors have to do that. Continue working with Supervisor Gore.

Question: Noise ordinance? Will the business license be collecting transient occupancy taxes (TOT)?

Response: You need to be registered for TOT in order to apply for the license.

Response: No County noise ordinance, however zoning permits allow us to apply the general plan noise standard to a property. They are strict, 45 decibels at night. 65 is the normal speaking amount.

Also, the standard is that complaints must be responded to within 30 minutes.

Question: Are neighbors notified when an application for a vacation rental is received?

Response: Currently, applicants must notify every neighbor within 300 feet of their property. It is being modified to say "or the nearest 20 neighbors, whichever is greater." Also, when a license is renewed, all the neighbors get notification with a certified letter, with contact information for the property manager and owner.

Comment: Appreciated vacation rentals while waiting for rebuild. Glad to have them and also realized how the vacation rental density can affect neighborhoods.

Responses to Public's Comments via Chat:

- With regards to control of ratios, one goal was to find a way to control the density and proximity of vacation rentals. Density is tough in unincorporated areas where there are no defined boundaries. Proximity is easier to regulate, so looking at that.
- With regards to housing values, it's a controversial conversation. Studies have concluded that it doesn't have any effect, mostly because it's hard to get fine data. General data shows that many vacation rentals are homes that are already second homes, so not taking from housing stock. There may be more impact in cities. Fires had much more effect on property values.
- The town of Sonoma banned vacation rentals anywhere except historic commercial zones. It has to be associated with historic renovation of the property. Similar in Sebastopol.

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- Difference between homes and bedrooms within a home: These are called hosted rentals. It was the classic business model that Airbnb was based on and it has morphed into something different. Have had almost zero complaints; or with traditional Bed and Breakfasts (B&B).
- Sonoma County does not have a business license for B&B. They have zoning permits and use permits.
- The plan is to have the first reading of the draft ordinance with the planning commission on January 20 with anticipation that it will go to the BOS late spring.
- Send emails directly to gary.helfrich@sonoma-county.org
- Google Sonoma County or go to the Sonoma County website and search vacation rentals. <https://sonomacounty.ca.gov/Home/> There is a contact box within that page.
- Another option: <https://sonomacounty.ca.gov/PRMD/Regulations/Vacation-and-Hosted-Rentals/Contact-Us/>
- For complaints, go to the above website, click on “Complaints” on the list on the left side of the page.
- Complaint of a neighbor renting out more bedrooms than are actually bedrooms, creating parking problems and owner not responding to neighbors. Possibly illegal on a septic system.
 - Response: Permits are based on septic capacities. Some are violating the Code Enforcement. That’s also a building code issue. It’s important for people to file complaints.
- Owners pay taxes: 15% TOT besides their regular property taxes. Generally, that program brings in \$10 to \$12 million per year into the county.
- Provide comments early and often. Helfrich’s phone: (707) 565-2404. He prefers email, to create a record.
- He cannot do anything about complaints. For complaints, contact Code Regulations (see above)
- County tracts vacation rentals using a company called Webscreen and monitors vacation rentals. Have a fee if they are operating without a permit. Compliance has improved due to the Webscreening.

C) Presentations of Referrals from Permit Sonoma: ACTION ITEM None

Consideration of proposed projects will proceed as follows: 1. Presentation by project applicant 2. Questions by Councilmembers 3. Questions and comments from the public 4. Response by applicant, if required 5. Comments by Council members 6. Resolution, ACTION, if indicated.

D) Council Member Announcements/Information/Discussions/Disclosures: Information only, unless stated

1. Continuation of Road Diet Discussion: Jen Mendoza will report on the Nov 5 “walk-about” in January.
2. January 2022 and March through December 2022 will be hybrid meetings. The physical location will be at the Mark West School District Office, The Learning Center, 305 Mark West Springs Road, Santa Rosa
(NOTE: February 2022 will be Zoom only)
3. Lescure: Public works is looking at Lavell Rd. flooding and will get a maintenance crew out there.

E) Subcommittee Reports & Discussions: ACTION ITEM

1. Neighborhood Improvement Funding Program (NIFP) Subcommittee (Berg/Lescure)
Need new members for this subcommittee. Chair Fies volunteered.
2. Rebuild/Fire Mitigation Subcommittee (Sherwood/Fies) See Supervisor Gore’s presentation above.
Farber and Sherwood were supposed to meet regarding repaving Old Larkfield but had to reschedule due to a Guerneville spill. It’s on the top of the list.
3. Community Services District (CSD) Subcommittee (Sherwood/Lamberson)
Lamberson. Taking a back seat until get the Wikiup golf course area is squared away.
4. Wikiup Open Space (Lamberson/Berg)
 - Berg: Lamberson is the one who has been pivotal with this issue and brought the community together.

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- Lamberson: Tony Korman was at last community meeting. The final language is at the appraiser and hoping for some kind of conclusion by the end of the year. He is not privy to the exact language but says that there's some park like language written into the easement conditions. Louise at Ag and Open Space is a good contact to make suggestions.
 - Comment from Chat: Can the golf course be included as open space in the general plan?
 - Berg will continue to participate on this committee.
5. Sonoma County General Plan for Mark West Area (Lescure/Lamberson)
- Lamberson: County is finishing up on other plans and probably won't start any work until next year.
 - Lescure: Make sure something gets in the general plan about the "New Redwood Parkway" (Old Redwood Hwy. in Larkfield)
 - Will need a new member for this subcommittee.

F) Public Comments on Non-Agenda Items:

1. Catherine Dodd sent an email to the council members. Karen Fies noted the points:
Some Action Items don't state a specific item being discussed so maybe violation of Brown Act?
Chair Fies: Sometimes there is no specific action planned, simply a general discussion. Only need to state specific items that need to be acted on.
Replacement of Cal Am electric meter readers. She described the issue.
Chair Fies: Not the council jurisdiction so cannot respond. See below: Margaret Digenova, Cal American Water

2. Community Member: Any information on the areas that were potentially considered for low-income housing?
Mendoza: The county has identified some properties that can have the zoning changed so there could be more density. Only giving them availability. Not purchasing them
Chat: That's one reason why vacation rentals should be stopped at this point.

G) Pending Items: Updates when available

1. Utilities & Water, Margaret DiGenova:
 - The meters referred to above are AMI meters. It was approved for some districts. She's pretty sure not here. Before anything like that would happen, there would be an opt out period.
 - Reminder: Some rain brought some green but the drought is still strong.
 - Reminder: Cal Am partners with the Sonoma Marin Saving Water Partnership, a regional group, and they provide buckets and other devices to help to save water. Available at the Cal Am office.
2. "HAWK" light in front of Larkfield Shopping Center:
When the new one comes in, the County is hoping to have some kind of sensors for the fire trucks to be able to stop the traffic before pulling out onto Old Redwood Hwy.
3. Continuation of discussion: Turn lane at Somers Rd. No update at this time. (TBD)

H) Correspondence: Information Only **None**

I) Future Agenda Items: Potential projects and/or suggestions for future MWCAC meetings

1. Possibility of an update on the COPE program in Wikiup (TBD)
2. Chamber presentation (January)
3. Traffic Discussion Continuation and "Walk-about" report. (January)
4. Possible speaker on home hardening and vegetation management (TBD)
5. Possible community clean up? Maybe partnership with the Chamber. (TBD) Discussed possibilities
6. List of unmet needs projects for Larkfield/Mark West/Wikiup (Presentation: Sherwood/Lamberson) (TBD)
7. Council discussion on expanding the area of influence of the MWCAC (Feb or March)

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J) Adjournment: ACTION ITEM

There being no other business to discuss, on a motion by Lamberson, seconded by Lescure, the meeting was adjourned at 8:13pm.

Approved Date:

Chair

MWCAC MEETINGS: 6:00 PM—SECOND WEDNESDAY OF THE MONTH

Hybrid Meetings until further notice.

Mark West School District Office, The Learning Center, 305 Mark West Springs Road, Santa Rosa
(NOTE: Location or time may change due to anticipated greater community participation.)

Be sure to check the MWCAC website for meeting agenda, location & time

sonomacounty.ca.gov/Mark-West-Citizens-Advisory-Council
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