

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

April 13, 2010

The Board of Directors of the Northern Sonoma County Air Pollution Control District met this date in adjourned session at 8:30 a.m., with the following members present: Directors Kerns, Zane, Kelley, Carrillo, Brown

Chair Brown presiding.

Present: Veronica A. Ferguson, County Administrator  
Steven M. Woodside, County Counsel

CONSENT CALENDAR

DEVELOPMENT SERVICES

- 10-0286
1. Northern Sonoma County Air Pollution Control District (N.S.C.A.P.C.D.) Budgetary Adjustment
    - a. Resolution for budgetary adjustment increasing appropriations in the N.S.C.A.P.C.D. Fiscal Year 2009-10 adopted budget with a transfer of \$15,000 from reserves (N.S.C.A.P.C.D.-General, 689018) to cover the unanticipated cost of a replacement ozone analyzer, resulting in a projected year-end fund balance of \$1,017,339

- 10-0288
6. Supplement to Military Leave Pay
    - a. Concurrent resolution to extend the County's Policy to Supplement Pay and Health and Welfare Benefits for Regular Employees on Active Military Duty in Support of Military Operations in Iraq or Afghanistan, through April 19, 2011

UNANIMOUS

4:48 Board adjourned in memory of Rev. James E. Coffee. The meeting was adjourned to April 20, 2010 at 8:30 a.m.

Board adjourned to April 8, 2008 at 8:30 a.m.

Respectfully submitted,

Carol Woodson  
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

SONOMA COUNTY WATER AGENCY

April 13, 2010

The Board of Directors of the Sonoma County Water Agency met this date in adjourned session at 8:30 a.m., with the following members present:  
Directors Kerns, Zane, Kelley, Carrillo, Brown

Chair Brown presiding.

Present: Veronica A. Ferguson, County Administrator  
Steven M. Woodside, County Counsel

CONSENT CALENDAR

DEVELOPMENT SERVICES

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Carol Woodson  
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS  
COMMUNITY DEVELOPMENT COMMISSION

April 13, 2010

The Board of Commissioners of the Community Development Commission met this date in adjourned session at 8:30 a.m., with the following members present:  
Commissioners Kerns, Zane, Kelley, Carrillo, Brown

Chair Brown presiding.

Present: Veronica A. Ferguson, County Administrator  
Steven M. Woodside, County Counsel

CONSENT CALENDAR

DEVELOPMENT SERVICES

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Respectfully submitted,

Carol Woodson  
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF SUPERVISORS

COUNTY OF SONOMA

April 13, 2010

The Board of Supervisors of the County of Sonoma met this date in adjourned session at 8:30 a.m., with the following members present:  
Supervisors Kerns, Zane, Kelley, Carrillo, Brown

Chair Brown presiding.

Present: Veronica A. Ferguson, County Administrator  
Steven M. Woodside, County Counsel

Call to order and pledge of allegiance

Board member announcements and reports on meetings and other activities:

Supervisor Zane attended North Bay Watershed Association conference; attended ribbon cutting at Stripe and Seal; spoke to “Why I Love the Library” essay finalists; requested the Board adjourn in memory of Rev. James Coffee.

Supervisor Carrillo also spoke in memory of Rev. Coffee, attended his service; took the County Administrator on a District 5 tour; attended a Social Advocates For Youth function; and attended Northern California Center for Well Being event.

CONSENT CALENDAR

DEVELOPMENT SERVICES

FIRE AND EMERGENCY SERVICES

2. Speedway Sonoma, L.L.C. Fire Protection Services Agreement
  - a. Approve and authorize the Chair to execute a four year agreement (estimated annual \$183,089; fully reimbursed by Speedway Sonoma, L.L.C., 30 days after each event) for supplemental fire protection services with Speedway Sonoma, L.L.C. for the 2010 through 2014 events: A.m..A. Motorcycle Sonoma Showdown; NASCAR Toyota/Save Mart 350; FRAM Autolite N.H.R.A. Nationals; I.R.L. Indy Grand Prix of Sonoma; and PINKS All Out

REGIONAL PARKS

3. Sonoma County Parks and Recreation Advisory Commission's 2009 Annual Report and 2010 Work Plan Guideline
  - a. Accept and approve the Sonoma County Parks and Recreation Advisory Commission's report of accomplishments for 2009 and work plan for 2010

TRANSPORTATION AND PUBLIC WORKS

- Ordinance No. 5887
4. Bower Street Parking Modification (#79027)
    - a. Ordinance deleting parking restrictions on Bower Street (Fifth Supervisorial District)

CRIMINAL JUSTICE SYSTEM SERVICES

PROBATION

5. Unanticipated revenue from the California Department of Parks and Recreation Requested Board Action
    - a. Authorize the Chief Probation Officer to enter into a purchase order, from the California Department of Parks and Recreation, in an amount of \$44,970, for the Sonoma County Probation Department Camp Program to construct fire rings with grills and redwood picnic tables
- 10-0287
- b. Resolution of the Board of Supervisors authorizing a budget adjustment in the amount of \$44,970 in unanticipated revenue, for Fiscal Year 2009-10

GENERAL ADMINISTRATIVE SERVICES

HUMAN RESOURCES

- 10-0288
6. Supplement to Military Leave Pay
    - a. Concurrent resolution to extend the County's Policy to Supplement Pay and Health and Welfare Benefits for Regular Employees on Active Military Duty in Support of Military Operations in Iraq or Afghanistan, through April 19, 2011

HEALTH AND HUMAN SERVICES

HEALTH SERVICES

7. Women, Infants and Children Amendment
  - a. Authorize the Director of Health Services to execute Amendment A02 to Standard agreement No. 08-85432 with the California Department of Public Health for the period of October 1, 2008 through September 30, 2011, increasing the amount of funds received by the County by \$533,000 (\$409,000 for Federal Fiscal Year 2009-10, \$124,000 for Federal Fiscal Year 2010-11), for a new total of \$7,548,000
  
- 10-0289
  - b. Resolution authorizing budgetary adjustments to the Fiscal Year 2009-10 Final Budget within the Special Revenue Fund - Department of Health Services in the amount of \$17,297
  
- 10-0290
  - c. Resolution amending the Departmental Allocation List - Department of Health Services - adding 5.0 F.T.E. positions
  
8. First 5 Sonoma County Contract with California Institute for Mental Health
  - a. Authorize the Director of Health Services to execute a contract with California Institute for Mental Health to provide training, technical assistance, monitoring, and evaluation of early childhood mental health services for the term April 15, 2010 through April 14, 2011 (\$32,000)

HUMAN SERVICES

- 10-0281
9. Child Abuse Prevention Month
  - a. Resolution proclaiming April as Child Abuse Prevention Month
  
- 10-0285
10. Week of the Young Child
  - a. Resolution declaring April 11-17, 2010 as Week of the Young Child in Sonoma County, sponsored by the Child Care Planning Council of Sonoma County

HUMAN SERVICES/IN-HOME SUPPORTIVE SERVICES (I.H.S.S.)

- 10-0291
11. In-Home Supportive Services Advisory Committee Reappointment
    - a. Resolution reappointing Nancy Hall and Richard Ruge to the In-Home Supportive Services Advisory Committee beginning on April 9, 2010 and ending on April 9, 2012

FISCAL SERVICES

AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR

- 10-0292
12. 2009-10 Impound Property Taxes
    - a. Resolution authorizing the Auditor-Controller-Treasurer-Tax Collector to impound \$2,950,643 for certain property taxes for the 2009-10 fiscal year derived from the assessment of business appeals in accordance with Section 26906.1 of the Government Code, State of California

AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR

- 10-0293
13. Authorization for the County Treasurer to Invest and Reinvest Funds
    - a. Resolution in accordance to California Government Code Section 27000.1 and Government Code Section 53607, authorizing the County Treasurer to assume full responsibility for all transactions and expenditures related to the investment and reinvestment of funds on deposit in the County Treasury
- 10-0294
14. Sonoma County Pension Obligation Bonds
    - a. Resolution authorizing the Auditor-Controller-Treasurer-Tax Collector to proceed with the formation of a financing team to begin the issuance process for pension obligation bonds
- 10-0295
15. County of Sonoma Public Financing Corporation Officers
    - a. Resolution naming the officers of the County of Sonoma Public Financing Corporation

GENERAL ADMINISTRATIVE SERVICES

BOARD OF SUPERVISORS

- 10-0282
16. Commendation
- a. Resolution congratulating Chet and Rachel Hundley on the occasion of their 70th wedding anniversary
- 10-0283
17. Commendation
- a. Resolution commending 4C's Paulin Creek Child Development Center on their five-year anniversary
- 10-0296
18. Appointment
- a. Resolution appointing Patricia Stock to the Advisory Council to Area Agency on Aging, Sonoma County, representing the First Supervisorial District, for a two-year term

Public Comment:

Bill Adams, speaking on #6

UNANIMOUS



CONSUMER PROTECTION SERVICES

AGRICULTURAL COMMISSIONER

9:09

Present: Amy Cooper, Director, Animal Care & Control  
Kathy Neville, Agricultural Commissioner/Sealer  
Greg Mortensen, Animal Care & Control

19. Animal Care and Control Division Director's Status Report
- a. Accept and approve Director's Status Report, which includes a change to the hours of operations and introduces the guiding principles and ethics as part of mission and vision statement accepted on 8/4/09
  - b. Approve disbanding the Animal Welfare Advisory Committee

10-0297

- c. Resolution to make budgetary adjustments to the Animal Welfare Fund account to recognize and expend \$7,500 of \$32,000 in donations made to date for medical costs for animals with extraordinary injuries and public outreach efforts

Public Comment:  
Grant Miller  
R. J. Kamprath  
Margaret Roth

UNANIMOUS

HEALTH AND HUMAN SERVICES

HUMAN SERVICES

9:44

Present: Jerry Dunn, Assistant Director, Human Services  
Carol Simmons, Sonoma County Child Care Planning Council Coordinator

20. Child Care Planning Council of Sonoma County
- a. Approve the Child Care Planning Council of Sonoma County's Advocacy Platform and 2009-2011 Advocacy Priorities and to provide direction for the implementation of these Priorities

UNANIMOUS

HEALTH SERVICES

10:00 a.m.

10:04

Present: Walt Kruse, Director, Environmental Health  
Ruth Lincoln, Assistant Director, Health Services

10-0284

21. Excellence in Food Safety Program
- a. Resolution acknowledging the accomplishments of the Excellence in Food Safety Program and operators representing 1405 retail food facilities that achieved the 2010 Recognition of Excellence in Food Safety

9:57 Board recessed

10:04 Board reconvened

UNANIMOUS

10:21

Present: Mary Maddux-Gonzalez, Public Health Officer  
Rita Scardaci, Director, Health Services  
Ellen Bauer, Program Manager, Dept. of Health Services Prevention

22. Health Action - Report to the Community
- a. Accept a report from the Department of Health Services regarding Health Action's accomplishments and next steps

UNANIMOUS

GENERAL ADMINISTRATIVE SERVICES

COUNTY ADMINISTRATOR

11:00

Present: Jim Leddy, Community and Government Affairs Manager  
Jean Hurst, CSAC  
DeAnn Baker, CSAC

23. California State Association of Counties Update
- a. Receive a presentation on the state budget, the Eighth Extraordinary Legislative Session and other issues of interest to the County

UNANIMOUS

BOARD OF SUPERVISORS

9:56

24. Fee Waiver

- a. Waive Fees of \$175 (2/3 of \$271) for Organic Athlete's annual bicycle ride Tour D'Organics on August 15, 2010

UNANIMOUS

9:57

25. Fee Waiver

- a. Waive fees in amount of \$249 (2/3 of \$372) for the March of Dimes annual "March for Babies" event at Spring Lake Park to raise funds for research to prevent birth defects, premature birth and infant mortality

UNANIMOUS

12:03 Board recessed to Closed Session

1:37 Board recessed to 2:00

2:01 Board reconvened

Present: Steven Woodside, County Counsel  
Veronica A. Ferguson, County Administrator

Report on Closed Session:

1. Instruction to Legal Counsel-Anticipated litigation or Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (Govt. Code Section 54956.9(b)).

10-0298

26. Resolution approving a requested waiver of penalties in the Code Enforcement action regarding property located at 4122 South Moorland Avenue, Santa Rosa, APN 134-193-008

UNANIMOUS

2. Instruction to Legal Counsel-Existing Litigation. Name of Case: Sonoma County Association of Retired Employees (S.C.A.R.E.) vs. County of Sonoma, U.S. District Court Case No. CV 09-4432 CW (Govt. Code Section 54956.9(a)). No action taken.

Report on Closed Session (Cont.):

3. Instruction to Legal Counsel-Existing Litigation. Name of Case: Paul Scheinberg, Successor Trustee of the Salmon Family Survivors' Trust and Salmon Family Decedents' Trust vs. County of Sonoma, et al., Case No.: SCV-242816 (Govt. Code Section 54956.9(a)). No action taken.
4. Public Security Exception, Department of Fire and Emergency Services (Govt. Code Section 54957). Direction given.

10-0299

27. Resolution approving an application for funding from the F.Y. 08 Buffer Zone Protection Program (B.Z.P.P.) and the execution of a Grant Agreement between the Fire and Emergency Services Department, the City of Santa Rosa, and the California Emergency Management Agency (Cal E.M.A.)

UNANIMOUS

10-0300

28. Resolution authorizing budgetary adjustments to the 2009-10 Final Budget for the Fire and Emergency Services Department, in the amount of \$193,030

UNANIMOUS

5. Conference with Labor Negotiator (The Board of Supervisors, the Board of Directors of the Sonoma County Water Agency and the Board of Commissioners of the Community Development Commission) - Agency Negotiator: Dan Fulks. Employee organization: All. Unrepresented employee: All, including retired employees. (Govt. Code Section 54957.6(b)). Withdrawn. No discussion.
6. Public Employee Performance Evaluation. Title: County Counsel (Govt. Code Section 54957). Discussed. No action taken.

The Board discussed the following item and will continue their discussion when they recess to Closed Session after today's hearings.

7. Public Employee Performance Evaluation (The Board of Directors of the Sonoma County Water Agency) - Title: General Manager, Sonoma County Water Agency. (Govt. Code Section 54957).

2:05 Public Comment opened

Rachel Bell

Mary Morrison

Rachel Lamm

2:12 Supervisor Kerns left the meeting

Public Comment (Cont.)

John Jenkel

2:15 Supervisor Kerns returned to the meeting

Colleen Fernald

2:20 Public Comment closed

2:20 Permit and Resource Management Department  
Review and possible action on the following:

1. Acts and Determinations of Planning  
Commission/Board of Zoning Adjustments
2. Acts and Determinations of Project Review  
and Advisory Committee
3. Administrative Determinations of the Director of Permit and Resource  
Management

APPROVED

2:20 File No.: UPE09-0022

Env. Doc.: Categorical Exemption, Class 3; §15303©)

Description: To consider a request for a Live/Work Use Permit to conduct a gutter  
installation business with two non-resident employees within a portion of  
an existing 5,000 square feet storage building on a 2.7 acre parcel

Location: 381 Middle Two Rock Road, Petaluma

Sup. Dist.: Dist. #2

Present: Scott Hunsperger, Permit and Resource Management Department  
Jennifer Barrett, Permit and Resource Management Department  
David Hurst, Chief Deputy County Counsel

2:26 Public Hearing opened

Catherine Shimizu, Appellant

Damien Cesena, Applicant

Clayton Engstrom

Nancy Lefler

Falicia Cesena

Bob Shimizu

Bob Green

Catherine Shimizu

2:57 Public Hearing closed

File No.: UPE09-0022 (Cont.)

10-0301

29. Resolution denying an appeal and upholding a Board of Zoning Adjustments approval of a Use Permit for a Live/Work Business within an existing storage building on a 2.7 acre parcel located at 381 Middle Two Rock Road, Petaluma; APN 021-041-069; Supervisorial District 2

UNANIMOUS

3:14 Board recessed to Closed Session

4:47 Steven Woodside, County Counsel - Report on Closed Session:

7. Public Employee Performance Evaluation (The Board of Directors of the Sonoma County Water Agency) - Title: General Manager, Sonoma County Water Agency. (Govt. Code Section 54957). Discussed. No action taken.

4:48 Board adjourned in memory of Rev. James E. Coffee. The meeting was adjourned to April 20, 2010 at 8:30 a.m.

Respectfully submitted,

Carol Woodson  
Deputy County Clerk