

MINUTES OF THE MEETING OF THE BOARD OF COMMISSIONERS

COMMUNITY DEVELOPMENT COMMISSION

April 5, 2011

The Board of Commissioners of the Community Development Commission met this date in regular session at 8:32 a.m., with the following members present:
Commissioners Brown, Rabbitt, Zane, McGuire, Carrillo

Chair Carrillo presiding.

Present: Veronica A. Ferguson, County Administrator
Bruce D. Goldstein, County Counsel

CONSENT CALENDAR

DEVELOPMENT SERVICES

1. Riverkeeper Stewardship Park Phase III
 - a. Approve and authorize the Community Development Commission Executive Director to execute the Professional Services Agreement to provide up to \$128,500 of Russian River Redevelopment Project funds from April 1, 2011 through June 30, 2013, and authorize the Commission's Executive Director to execute subsequent amendments to the Agreement to make minor, non-substantive changes following review and approval of County Counsel as to form.

11-0157

2. Sweetwater Springs Water District
 - a. Adopt a resolution of the Sonoma County Community Development Commission, acting in its capacity as the Sonoma County Community Redevelopment Agency, approving and authorizing the Commission's Executive Director to execute the Agreement for Funding to provide up to \$1,477,500 of Russian River Redevelopment Project funds to Sweetwater Springs Water District from April 1, 2011 through June 30, 2013, authorizing the Commission's Executive Director to execute subsequent amendments to the Agreement to make minor, non-substantive changes following review and approval of County Counsel as to form, and making findings required by California Community Redevelopment Law.

Speaker

Lloyd Guccioni

UNANIMOUS

REGULAR CALENDAR

COMMUNITY DEVELOPMENT COMMISSION (Cont.)

10:16 Present: Kathleen Kane, CDC Executive Director
James Hackett, Housing Authority Manager

11-0166

22. Sonoma County Housing Authority Public Housing Agency Annual Plan
- a. Adopt a resolution of the Sonoma County Community Development Commission, in its capacity as the governing body of the Sonoma County Housing Authority, approving the Sonoma County Public Housing Agency (P.H.A.) Annual Plan for the period of July 1, 2011 – June 30, 2012 and authorizing submission to the U.S. Department of Housing and Urban Development.

10:24 Public Hearing opened
Speaker: Lloyd Guccionni

10:38 Public Hearing closed

UNANIMOUS

4:30 Board adjourned in memory of William Romo, Charles McGlashen, Mitch Mulas, Doris Murphy, Raul Mora, and James Millikan. The meeting was adjourned to April 12, 2011 at 8:30 a.m.

Respectfully submitted,

Starlene Boyer
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

SONOMA COUNTY WATER AGENCY

April 5, 2011

The Board of Directors of the Sonoma County Water Agency met this date in regular session at 8:32 a.m., with the following members present:
Directors Brown, Rabbitt, Zane, McGuire, Carrillo

Chair Carrillo presiding.

Present: Veronica A. Ferguson, County Administrator
Bruce D. Goldstein, County Counsel

CONSENT CALENDAR

DEVELOPMENT SERVICES

11-0158

3. Copeland Creek Flood Management Grant Application
 - a. Adopt a resolution authorizing the General Manager to file a grant application of up to \$6 million for the Copeland Creek Enhancement and Restoration Project: Detention and Recharge Basins, and execute a grant agreement with the State of California in substantially the form on file with the Clerk. (Third District)

4. Federal Energy and Sustainability Legislative Agreement
 - a. Authorize Chair to execute the Professional Services Agreement for Government Consultation and Advocacy for Sustainability Program Strategic and Public Policy Planning between the Sonoma County Water Agency and Natural Resource Results (\$167,000; agreement terminates on February 28, 2013).

UNANIMOUS

4:30 Board adjourned in memory of William Romo, Charles McGlashen, Mitch Mulas, Doris Murphy, Raul Mora, and James Millikan. The meeting was adjourned to April 12, 2011 at 8:30 a.m.

Respectfully submitted,

Starlene Boyer
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

SONOMA VALLEY COUNTY SANITATION DISTRICT

April 5, 2011

The Board of Directors of the Sonoma Valley County Sanitation District met this date in regular session at 8:32 a.m., with the following members present:

Directors Brown, Carrillo

Absent: Gallian

Chair Carrillo presiding.

Present: Veronica A. Ferguson, County Administrator
Bruce D. Goldstein, Assistant County Counsel

CONSENT CALENDAR

DEVELOPMENT SERVICES

5. North Bay Water Reuse Program - Sonoma Valley Effluent Reservoir R5 - Project Manual, Drawings, and Construction Contract
 - a. Make finding that the experience requirements are appropriate for the Project.
 - b. Adopt and approve the Project Manual and Drawings (“plans and specifications”) entitled "North Bay Water Reuse Program - Sonoma Valley Effluent Reservoir R5".
 - c. Air valves manufactured by Vent-O-Mat are designed to match existing items in use and determine that no substitution is permitted.
 - d. Authorize the General Manager of the Water Agency acting on behalf of the Sonoma Valley County Sanitation District (District) to sign Document 00650 (Agreement and Release of Any and All Claims), with County Counsel review, if any unresolved claims are listed by the contractor.
 - e. Award the contract for construction to the lowest responsible and responsive bidder, Ford Construction Company, Inc., for \$2,313,700.
 - f. Authorize and direct Chair of the Board to execute the contract with Ford Construction Company, Inc. for the work, and approve Document 00610 (Construction Performance Bond) and Document 00620 (Construction Payment Bond). (First District)

6. North Bay Water Reuse Program – Sonoma Valley County Sanitation District Main Sewer Trunk Replacement and Recycled Water Pipeline (Watmaugh Road East to Treatment Plant), - Project Manual, Drawings, and Construction Contract
 - a. Make finding that the experience requirements are appropriate for the Project.
 - b. Adopt and approve the Project Manual and Drawings (“plans and specifications”) entitled "North Bay Water Reuse Program – Sonoma Valley County Sanitation District Main Sewer Trunk Replacement and Recycled Water Pipeline (Watmaugh Road East to Treatment Plant).
 - c. Air valves manufactured by Vent-O-Mat are designed to match existing items in use and determine that no substitution is permitted.

SPECIAL DISTRICTS (Cont.)

SONOMA VALLEY COUNTY SANITATION DISTRICT

6. North Bay Water Reuse Program – Sonoma Valley County Sanitation District Main Sewer Trunk Replacement and Recycled Water Pipeline (Watmaugh Road East to Treatment Plant), - Project Manual, Drawings, and Construction Contract (Cont.)
- d. Authorize the General Manager of the Sonoma County Water Agency acting on behalf of the Sonoma Valley County Sanitation District (District) to sign Document 00650 (Agreement and Release of Any and All Claims), with County Counsel review, if any unresolved claims are listed by the contractor.
- e. Award the contract for construction to the lowest responsible and responsive bidder, Sierra Mountain Construction, Inc., for \$2,337,197.
- f. Authorize and direct Chair of the Board to execute the contract with Sierra Mountain Construction, Inc. for the work, and approve Document 00610 (Construction Performance Bond) and Document 00620 (Construction Payment Bond). (First District)

AYES: Brown, Carrillo

ABSENT: Gallian

4:30 Board adjourned in memory of William Romo, Charles McGlashen, Mitch Mulas, Doris Murphy, Raul Mora, and James Millikan. The meeting was adjourned to April 12, 2011 at 8:30 a.m.

Respectfully submitted,

Starlene Boyer
Deputy County Clerk

MINUTES OF THE MEETING OF THE BOARD OF SUPERVISORS

COUNTY OF SONOMA

April 5, 2011

The Board of Supervisors of the County of Sonoma met this date in adjourned session at 8:32 a.m., with the following members present:

Supervisors Brown, Rabbitt, Zane, McGuire, Carrillo

Chair Carrillo presiding.

Present: Veronica A. Ferguson, County Administrator
Bruce D. Goldstein, Assistant County Counsel

Call to order and pledge of allegiance

Board member announcements and reports on meetings and other activities:

Supervisor Brown announced that she attended the Upstream Investments Workshop at La Luz. She asked the Board to adjourn in memory of Marin County Supervisor Charles McGlashan and Schell-Vista Fire Chief Mitch Mulas.

Supervisor McGuire provided the Board with a First 5 Commission update and announced he attended the Smoke-Free Ad hoc Committee and a Fulton Town Hall meeting.

Supervisor Zane announced she will be attending a Rohnert Park Town Hall meeting on Upstream Investments Forum and the North Bay Leadership Council Forum.

Supervisor Rabbitt reported that he attended the Golden Gate Bridge District meeting and the Retirement Board of Trustees training. He asked the Board to adjourn in memory of William Romo.

Supervisor Carrillo announced that he attended the North Bay Reuse Authority. He asked the Board to adjourn in memory of Doris Murphy, Raul Mora and Jimmy Milliken.

DEVELOPMENT SERVICES

TRANSPORTATION AND PUBLIC WORKS

11-0159

7. Transportation Development Act (TDA) Article 3 – Bicycle Project
 - a. Adopt a resolution authorizing the Transportation and Public Works Department to apply for \$90,000 in Fiscal Year 2011-12 Transportation Development Act (TDA) Article 3 funds allocated to the County of Sonoma for the installation of Class II bicycle lanes along Frates Road, Adobe Road and Arnold Drive between the cities of Sonoma and Petaluma. (First and Second Districts)

CRIMINAL JUSTICE SYSTEM SERVICES

PROBATION

11-0160

8. Contract with the State of California Department of Corrections and Rehabilitation
- a. Adopt a resolution authorizing the Chief Probation Officer, or his designee, to execute a contract between the Sonoma County Probation Department and the State of California Department of Corrections and Rehabilitation in an amount not to exceed \$240,000 for the diagnostic treatment services and temporary detention for case referrals from the Juvenile or Criminal Courts for a term to begin retroactively from July 1, 2010 through June 30, 2012.

GENERAL ADMINISTRATIVE SERVICES

CLERK-RECORDER-ASSESSOR

11-0161

9. Online Assessment Value Notices
- a. Adopt a resolution approving the posting of annual value notices for assessees of real and personal property on the county website under Revenue and Tax Code section 621.

COUNTY COUNSEL

11-0162

10. Conflict of Interest Code
- a. Adopt a resolution approving the newly adopted conflict of interest code for River Montessori Charter School.

GENERAL SERVICES

11-0163

11. Beacon Award Program
- a. Adopt a resolution for Sonoma County to participate in the Institute for Local Government's Beacon Award Program.

HEALTH AND HUMAN SERVICES

HEALTH SERVICES

Ordinance No. 5927

12. Amendment to Chapter 34 of the Sonoma County Code – County Organized Health System
- a. Adopt an Ordinance amending Chapter 34 of the Sonoma County Code to add two counties to an existing multi-county commission that negotiates with the California Department of Health Care Services for the arrangement of provision of health care services. (Ready for Adoption)

HEALTH AND HUMAN SERVICES (Cont.)

HUMAN SERVICES

11-0154

13. Child Abuse Prevention Month

- a. Adopt a gold resolution proclaiming April 2011 as Child Abuse Prevention Month. Display the Children's Memorial Flag the weeks of April 12, April 19, and April 26.

FISCAL SERVICES

AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR

11-0164

14. 2010-11 Impound Property Taxes

- a. Adopt a resolution authorizing the Auditor-Controller Treasurer-Tax Collector to impound \$2,168,000 for certain property taxes for the 2010-11 fiscal year derived from the assessment of business appeals in accordance with Section 26906.1 of the Government Code, State of California.

Speakers:

Pam Johnston, ACTTC

GENERAL ADMINISTRATIVE SERVICES

COUNTY ADMINISTRATOR

15. Sonoma County Indian Gaming Local Community Benefit Committee (LCBC) Membership.

- a. Agree to the appointment of Gus Pina, Tribal Administrator, Dry Creek Rancheria, or his designee as a member of the 2011 Local Community Benefit Committee.

11-0165

16. Appropriation Transfer

- a. Adopt a resolution authorizing budgetary reduction to the Fiscal Year 2010-11 General Fund Contingency Funds in the amount of \$13,151 to reimburse the Regional Parks Department, Permit and Resource Management Department and Department of Health Services for miscellaneous fee waivers approved by the Board of Supervisors, leaving a balance in the General Fund Contingency Funds of \$3,482,448 (4/5 vote required).

17. Status Report

- a. Transfers from Appropriation for Contingencies General Funds.

BOARD OF SUPERVISORS

11-0155

18. Gold Resolution

- a. Adopt a gold resolution recognizing and commending the Graton Day Labor Center on the occasion of their 10th Anniversary. (Fifth District)

11-0156

19. Gold Resolution

- a. Adopt a gold resolution recognizing April as Sexual Assault Awareness Month in the County of Sonoma. (Fifth District)

MISCELLANEOUS

20. Minutes

- a. Approve Minutes of the Meeting of January 18, 2011 for the following: Community Development Commission, Sonoma County Water Agency, and Board of Supervisors.

21. Minutes

- a. Approve Minutes of the Meeting of January 25, 2011 for the following: Community Development Commission and Board of Supervisors.

UNANIMOUS

GENERAL ADMINISTRATIVE SERVICES

GENERAL SERVICES

9:40 Present: Liz Yeager, Energy and Sustainability Manager, General Services
Sam Ruart, Energy Watch Program Manager, General Services

23. Climate Protection Action Plan 2010 Results
- a. Accept this final report on the Climate Protection Action Plan and recognize the attainment of the 2010 goals and direct staff to continue to support the community based greenhouse gas reduction targets.

Speakers:

Jose Obregon, General Services Director
Lloyd Guccioni

UNANIMOUS

COUNTY ADMINISTRATOR

10:40 Present: Veronica A. Ferguson, County Administrator
Chris Thomas, Deputy County Administrator
Kathy Larocque, County Counsel

24. Review of Revenue Improvement Options
- a. Informational Only

The Board recommended the formation of an Ad Hoc committee consisting of Supervisors Brown and Zane

BOARD OF SUPERVISORS

25. Cinco de Mayo 2011
- a. Approve a contribution, in the amount of \$5,000, to the Cinco de Mayo Santa Rosa 2011 event, contingent on the City of Santa Rosa's approval of a contribution of the same amount. (Fifth District)

UNANIMOUS

26. Fee Waiver
- a. Approve request for a fee waiver of \$500 (approximately 1/3 of the total \$1,499) for the rental of the Cloverdale Veteran's Hall for Cloverdale High School's 2011 Project Graduation. (Fourth District)

UNANIMOUS

BOARD OF SUPERVISORS (Cont.)

27. Fee Waiver
a. Approve request for a fee waiver of \$508 (1/3) for the Russian River Rodeo to be held on June 4th and 5th, 2011. (Fifth District)

UNANIMOUS

- 11:30 Board recessed to Closed Session
Board recessed to 2:00 p.m.
2:07 Board reconvened

Present: Veronica A. Ferguson, County Administrator
Bruce D. Goldstein, County Counsel

- 2:07 Public comment opened
Marcia Barton
Bob Moffitt
Earl Gwynne
Bryan Woodard
Carrie Barston
Erma Spiegler
Kimberly Girard
Peter Tscherneff
Peggy Day
Rachel Lamm
Doris Wheeler
Mary Morris

2:38 Public comment closed

2:39 Report on Closed Session:

1. Initiation of Litigation (Govt. Code Section 54956.9(c)). Direction given.
2. Conference with Legal Counsel – Existing Litigation. Name of Case: David Wright v. County of Sonoma; Workers Compensation Appeals Board No. ADJ 4180446, ADJ 8100445, ADJ 2772670 (Govt. Code Section 54956.9(a)).

11-0167

28. Resolution authorizing the Risk Manager to effect a Stipulated Settlement of David Wright's workers' compensation claim as to the Petition to Reopen for new and further disability in ADJ 4180446, ADJ 8100445, ADJ 2772670

UNANIMOUS

Report on Closed Session (Cont.):

WITHDRAWN

3. Conference with Legal Counsel – Existing Litigation. Name of Case: City of Petaluma et al. v. County of Sonoma et al., Sonoma County Superior Court, SCV 248948 (Govt. Code Section 54956.9(a)).
4. Public Employee Personnel –Agricultural Commissioner (Govt. Code Section 54957.1). Report out of termination of the Agricultural Commissioner and due process procedures per Government Code Section 54957.
5. Public Employee Appointment/Contract with Napa County: Agricultural Commissioner (Govt. Code Section 54957). Direction given.

2:44 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. Administrative Determinations of the Director of Permit and Resource Management

APPROVED

2:44 File No.: ZPE10-0259
Applicant: Ron Malone
Env. Doc.: Categorical Exemption
Description: Hearing to consider the recordation of the proposed change to the scenic easement.
Location: 909 Mustang Court, Petaluma
APN: 137-070-019
Sup. Dist.: 2

Present: Blake Hillegas, Permit and Resource Management Department
Pete Parkinson, Permit and Resource Management Department
David Hurst, Chief Deputy County Counsel

2:45 Public Hearing opened
Ron Malone, applicant
Harold Warren, neighbor

3:10 Public Hearing closed

Board directed staff to reduce the square footage of the agricultural employee dwelling unit within the horse barn from 1,296 sq. ft. to 1,000 sq. ft.

- 11-0168
29. Resolution approving an amendment to a County scenic easement to allow an agricultural employee dwelling unit on property located at 909 Mustang Court, Petaluma; APN 137-070-019

AYES: Brown, Rabbitt, Zane, Carrillo
NOES: McGuire

3:22 p.m.

File No.: PLP09-0101
Applicant: Burbank Housing Development Corporation.
Env. Doc.: Mitigated Negative Declaration
Description: Hearing to consider a Zone Change and Design Review
Location: 2030 and 1990 Burbank Ave., Santa Rosa
APN: 125-421-018, and -019
Sup. Dist.: 5

Present: Jane Riley, Permit and Resource Management Department
Pete Parkinson, Permit and Resource Management Department
David Hurst, Chief Deputy County Counsel

- 3:28 Public Hearing opened
John Lowry, Burbank Housing
Bill Halusak
Alex Sebastian
Gayle Brownell
Steve Birtlebough
3:47 Public Hearing closed
4:02 Supervisor Carrillo passed the gavel to Supervisor Zane

- 11-0169
30. Resolution adopting the Mitigated Negative Declaration and approving the request by Burbank Housing Development Corp. for a Zone Change to add the AH (Affordable Housing) Combining District designation to allow for a 79-unit affordable housing project located at 1990-2330 Burbank Avenue, Santa Rosa, APNS 125-421-018 and -019

UNANIMOUS

- Ordinance No. 5928
31. Ordinance amending the Official Zoning Database of the County of Sonoma, adopted by reference by Section 26-02-110 of the Sonoma County Code, by reclassifying certain real property from RR (Rural Residential), B6-4 acre density, VOH (Valley Oak Habitat) district(s) to the RR(Rural Residential), B6-4 acre density, VOH (Valley Oak Habitat), AH (Affordable Housing) combining district(s) for 4.85 acres located at 2030 and 1990 Burbank Avenue, Santa Rosa, APN 125-421-018, and -019

UNANIMOUS

4:07 Supervisor Zane passed the gavel to Supervisor Carrillo

4:07 Public comment reopened

John Jenkel
Theresa Mora
Adam
Rifa Joseph
Anita Torres
Karen Timmons
Carol Taylor
Lorraine _____
Billie Donas
John Lloyd

4:30 Public comment closed

4:30 Board adjourned in memory of William Romo, Charles McGlashen, Mitch Mulas, Doris Murphy, Raul Mora, and James Millikan. The meeting was adjourned to April 12, 2011 at 8:30 a.m.

Respectfully submitted,

Starlene Boyer
Deputy County Clerk