

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

TUESDAY

OCTOBER 22, 2013

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.

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Sonoma County Transit: Rt. 20, 30, 44, 48, 60, 62

Santa Rosa CityBus: Rt. 14

Golden Gate Transit: Rt. 80

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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.

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 28)

PRESENTATIONS/GOLD RESOLUTIONS

(Items 1 through 6)

PRESENTATIONS AT BOARD MEETING

1. Adopt a Gold Resolution proclaiming October 23-31, 2013 as Red Ribbon Week with the theme “A Healthy Me is Drug Free.” (Second District)
2. Adopt a Gold Resolution proclaiming October 24, 2013 as Food Day in Sonoma County. (Health Services)
3. Adopt a Gold Resolution honoring the Cazadero Community Services District on 50 years of community service. (Fifth District)

PRESENTATIONS AT DIFFERENT DATE

4. Adopt a Gold Resolution declaring October 20 – 26, 2013 as Freedom from Workplace Bullies Week. (Second District)
5. Adopt a Gold Resolution commending Pam Chanter for her recognition by the North Bay Leadership Council for “Caught in the Act of Leadership” Award. (Third District)
6. Adopt a Gold Resolution honoring Women Veterans of Sonoma County, October 20, 2013. (Third District)

SONOMA COUNTY WATER AGENCY

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

7. Authorize the General Manager of Water Agency to execute an agreement with GHD Inc. to conduct site investigations, perform engineering evaluations, and prepare a Basis of Design Report for the Copeland Creek Stormwater Detention and Groundwater Recharge Project (\$397,000; agreement terminates on June 30, 2015); and Authorize General Manager of Water Agency to execute a License Agreement with University District, LLC, in an amount not to exceed \$1,000, to allow site investigation work. (Third District)

CONSENT CALENDAR (Continued)

SONOMA COUNTY WATER AGENCY
SOUTH PARK COUNTY SANIATION DISTRICT

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

AND

TRANSPORTATION AND PUBLIC WORKS

8. Authorize the Chair to execute agreements between the Sonoma County Water Agency and Transportation and Public Works to perform sanitation and roadway improvements of: (A) Airport Boulevard Improvement Project for the amount of \$5,775; agreement terminates on June 30, 2014; (B) Old Redwood Highway Improvement Project (PM 13.20 to PM 16.50) for the amount of \$18,700; agreement terminates on September 30, 2014; (C) Main Street Overlay Project in Penngrove for the amount of \$2,750; agreement terminates on February 28, 2014; and an agreement between the South Park County Sanitation District and Transportation and Public Works for Burbank Avenue Improvement Project (PM 10.00 to PM 10.71) for the amount of \$12,320; agreement terminates on September 30, 2014; and Authorize the General Manager of the Water Agency and the Director of Transportation and Public Works to terminate the agreement(s), if appropriate. (First, Fourth, and Fifth Districts)

SONOMA VALLEY COUNTY SANITATION DISTRICT

(Directors: Gorin, Rabbitt, K. Brown)

9. Authorize the Chair to execute an agreement with Larry Walker Associates, Inc., to provide regulatory and permitting assistance for the amount of \$491,665; agreement terminates on December 31, 2018. (2/3 vote required) (First District)

AUDITOR CONTROLLER-TREASURER TAX COLLECTOR

10. Adopt a Resolution authorizing transfer of certain unclaimed funds in the amount of \$5,000 or more totaling \$9,042.53 to the County General Fund.

BOARD OF SUPERVISORS

11. Adopt a Resolution in support of Gun Violence Prevention.

COUNTY COUNSEL

12. Adopt a Resolution approving conflict of interest code for the Landmarks Commission.

ECONOMIC DEVELOPMENT BOARD

13. Receive the Sonoma County Economic Development Board Foundation's Annual Report for fiscal year ending June 30, 2013.
14. Approve and authorize the Chair to execute a one year agreement with the option to renew for up to two years with Moody's Analytics, Inc. for economic and technical research services in the amount of \$57,550 per year.

CONSENT CALENDAR (Continued)

FIRE AND EMERGENCY SERVICES

15. Adopt a Resolution introducing, reading the title of, and waiving further reading of an ordinance amending Chapter 13 of the Sonoma County Code, relating to the California Fire Code, 2013 edition, making technical and administrative revisions; and direct the Clerk of the Board to set a public hearing on November 5, 2013 at 10:00 a.m. to consider the ordinance for adoption. (First Reading)
16. Adopt a Resolution introducing, reading the title of, and waiving further reading of a proposed ordinance amending Chapter 29 of the Sonoma County Code, relating to the California Fire Code, 2013 edition, making technical and administrative revisions; and direct the Clerk of the Board to set a public hearing on November 5, 2013 at 10:00 a.m. to consider the ordinance for adoption. (First Reading)

GENERAL SERVICES / SHERIFF'S OFFICE

17. Authorize the Chair to execute amendment #4 to the consulting services agreement with G Squared Consulting, Inc., for real estate consulting services for communication sites, expanding the scope of services and increasing the contract sum by \$81,450 for a total contract not to exceed \$145,450 and extending the term of the contract through June 30, 2015.

HEALTH SERVICES

18. Authorize the Director of Health Services to execute a Memorandum of Understanding with Humboldt County wherein Sonoma County agrees to provide interim Public Health Laboratory Director Services to Humboldt County, with a term end date of December 31, 2013.
19. Authorize the Director of Health Services to execute agreements for facilitation and support services for the Animal Services Partnership with: (A) Becky Lunders, dba teamWorks, in an amount not to exceed \$16,000 for the period October 22, 2013 through June 30, 2014, with the option to extend the term for two additional years (Fiscal Year 2014-15 and Fiscal Year 2015-16) for a total contract amount not to exceed \$56,000; and (B) Tickler and Thomas, expanding the current agreement to include organization and documentation of Animal Care and Control procedures as well as facilitation services, increasing the contract by \$20,000 and extending the term through June 30, 2014, with the option to extend for two additional years (Fiscal Year 2014-15 and Fiscal Year 2015-16) for a total contract amount not to exceed \$56,900.

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

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

20. Approve the Northern Sonoma County Air Pollution Control District's 2013 Woodstove Change-Out Rebate Incentive Program for a maximum of \$44,318 in grant rebates; and Authorize the Air Pollution Control Officer to adjust timelines as needed to ensure program effectiveness.

CONSENT CALENDAR (Continued)

PERMIT AND RESOURCE MANAGEMENT

21. Adopt a Resolution authorizing the Chair to execute the two Land Conservation Contracts (Williamson Act Contract) and attached Land Conservation Plans for Paul J. and Constance E. Mitterbach. PRMD File No. PLP12-0014 (AGP 10-0018 /AGP 12-0005). (Fourth District)
22. Adopt Resolution introducing, reading the title of, and waiving further reading of an Ordinance amending Chapters 7, Building Regulations and 7D2, Local Energy Efficiency Standards, of the Sonoma County Code to adopt with local amendments, the Title 24 California Code of Regulations, 2013 Codes referenced therein (Building Codes, Volumes 1 and 2, California Residential Code, Green Building Standards Code, Mechanical Code, Plumbing Code, Electrical Code, Energy Code, Referenced Standards Code, and Administrative Code), and making other technical and administrative revisions to Chapters 7, and 7D2; and direct the Clerk of the Board to set a public hearing for November 5, 2013 at 10:00 a.m. to consider for adoption. (First Reading)

TRANSPORTATION AND PUBLIC WORKS

23. Authorize the Director of Transportation and Public Works to execute an agreement with East Austin LLC, totaling \$360,038.25 and any other documents required for purchase of conservation credit for mitigation related to Charles M. Schulz – Sonoma County Airport Runway Safety Improvement Project. (Fourth District)

MISCELLANEOUS

24. Approve Minutes of the Meeting of October 8, 2013 for the following: Agricultural Preservation and Open Space District, Community Development Commission, Northern Sonoma County Air Pollution Control District, Sonoma County Water Agency, and Board of Supervisors.

APPOINTMENTS/REAPPOINTMENTS

(Items 25 through 28)

25. Approve appointments to the Emergency Medical Care Council as follows: (A) Dr. Mark Lagrave and Malissa Opulencia for the term of October 22, 2013 through October 21, 2015; (B) Mike Duvall for the term of October 22, 2013 until a replacement is appointed by the Board of Supervisors; (C) Reappointment of Dean Anderson, Bob Norrbom, Randy Lyman, Jim Levy, Phil Garcia, Mark McCormick, and John Marty for the term of October 22, 2013 through October 21, 2015. (Health Services)
26. Appoint Caroline Banuelos to the AB939 Task Force for a 3-year term beginning October 23, 2013 and expiring October 22, 2016. (First District)
27. Appoint Gary Saperstein to the Sonoma County Tourism Board effective October 22, 2013 and expiring on December 31, 2015. (First District)
28. Appoint Karissa Kruse to the Sonoma County Tourism Board from October 1, 2013 through December 31, 2013. (Fifth District)

IV. REGULAR CALENDAR

(Items 29 through 33)

COUNTY ADMINISTRATOR

29. Receive a presentation on the California State Association of Counties 2013 Challenge Award for Sonoma County Probation Department's The Club at Juvenile Hall.

HUMAN SERVICES / ECONOMIC DEVELOPMENT BOARD

30. Accept presentation and the 2013 Report on Senior Needs in Sonoma County and the Economic Development Board 2013 Long-range Demographic Trends Report; and Authorize the Human Services Department and the Economic Development Board to convene a task force in 2014 to review trends and develop an action plan to address needs reflected in senior and youth demographic trends.

COUNTY ADMINISTRATOR / SHERIFF'S OFFICE

31. **10:00 A.M.** – Conduct a public hearing and adopt a Resolution setting the Criminal Justice Administrative Fee (Jail Booking Fee) at \$164 per applicable booking and the Jail Access Fee (JAF) at \$339 per applicable non-felony bookings, effective July 1, 2013, in accordance with Government Code.

AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

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

32. **10:15 A.M.** – Receive a presentation on the Forever Forestville Matching Grant Project and adopt a Resolution approving a \$400,500 grant to the Forestville Planning Association towards the acquisition of property in downtown Forestville under the Matching Grant Program; determining that the grant is consistent with the Sonoma County General Plan 2020 and the District's Expenditure Plan; authorizing execution of a matching grant agreement with the Forestville Planning Association; authorizing and directing the President to execute a conservation easement and recreation covenant over the property; authorizing execution of certificates of acceptance; consenting to the recordation of irrevocable offers of dedication; directing preparation of escrow instructions; and directing the filing of a Notice of Exemption in compliance with the California Environmental Quality Act. (Fifth District)

COUNTY ADMINISTRATOR
AND
AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT
COMMUNITY DEVELOPMENT COMMISSION
NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT
OCCIDENTAL COUNTY SANITATION DISTRICT
RUSSIAN RIVER COUNTY SANITATION DISTRICT
SONOMA COUNTY WATER AGENCY
SOUTH PARK COUNTY SANITATION DISTRICT
(Directors/Commissioners: Brown, Rabbitt, Zane, McGuire, Carrillo)
AND
SONOMA VALLEY COUNTY SANITATION DISTRICT
(Directors: Gorin, Rabbitt, K. Brown)

33. Fiscal Year 2013-14 First Quarter Budget Update and Appropriation Adjustments –
- (A) Receive First Quarter Budget Update.
 - (B) Adopt a Concurrent Resolution of the Board of Supervisors, Agricultural Preservation & Open Space District, Community Development Commission, Northern Sonoma County Air Pollution Control District, Russian River County Sanitation District, Occidental County Sanitation District, South Park County Sanitation District, and Sonoma County Water Agency adjusting Fiscal Year 2013-14 appropriations as well as departmental position allocation changes (4/5 vote required).
 - (C) Adopt a Resolution of the Sonoma Valley County Sanitation District adjusting Fiscal Year 2013-14 appropriations.

V. CLOSED SESSION CALENDAR

(Items 34 through 35)

34. 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)).
35. The Board of Supervisors, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, and the Board of Directors of the Agricultural Preservation and Open Space District will consider the following in closed session: Conference with Labor Negotiator, Agency Negotiators: Wendy Macy/Carol Allen/ Janae Novotny, Burke & Associates, Carol Stevens, Burke & Associates, and Janet Cory Sommer, Burke & Associates. Employee organization: All. Unrepresented employees: All, including retired employees (Govt. Code Section 54957.6 (b)).

VI. REGULAR AFTERNOON CALENDAR

(Items 36 through 39)

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

36. Report on Closed Session.
37. **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.)
38. 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
39. **ADJOURNMENTS**

NOTE: The next regular meeting will be held on November 5, 2013 at 8:30 a.m.

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

1. November 5th (AM) – Ordinance Amending Chapter 7 of Sonoma County – Building Code
2. November 5th (PM) – General Plan Amendments (3rd for 2013)
3. November 5th (PM) – AGP13-0008; 1998 Jones Road, Windsor
4. November 5th (PM) – PLP09-0035; 4411 Porter Creek Road, Santa Rosa
5. December 3rd (PM) – Fourth General Plan Amendment
6. December 3rd (PM) – PLP11-0042; 6445 Highway 12, Santa Rosa
7. December 3rd (PM) – PLP02-0072; 2543 Petaluma Blvd. South, Petaluma
8. December 10th (PM) – AGP12-0011; 422 Highway 1, Bodega Bay
9. December 10th (PM) – AGP12-0015; 4055 Middle Two Rock Road, Two Rock
10. December 10th (PM) – AGP12-0029; 4324 Spring Hill Road, Two Rock

BOARD OF SUPERVISORS

AGENDA ADDENDUM

OCTOBER 22, 2013

CONSENT CALENDAR

PERMIT AND RESOURCE MANAGEMENT

- 28A. Authorize the Chair to execute a second amendment to agreement for professional services related to building plan check and inspection with Phillips Seabrook Associates to add an additional \$200,000 and extend the agreement term by four months to October 30, 2014 new not-to-exceed agreement total of \$277,450.



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: October 22, 2013

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 Proclaiming October 23 – 31, 2013 as Red Ribbon Week with the theme “A Healthy Me is Drug Free”.

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: October 22, 2013

Item Number: _____
Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
PROCLAIMS OCTOBER 23 – 31, 2013 AS RED RIBBON WEEK WITH THE THEME
“A HEALTHY ME IS DRUG FREE”**

WHEREAS, Alcohol and other drug abuse in this nation has reached epidemic stages; and

WHEREAS, It is of great importance that visible, unified prevention education efforts by community members be launched to eliminate the demand for drugs; and

WHEREAS, the National Family Partnership (NFP) is sponsoring the National Red Ribbon Campaign offering citizens the opportunity to demonstrate their commitment to drug-free lifestyles (no use of illegal drugs, no illegal use of legal drugs); and

WHEREAS, The National Red Ribbon Campaign will be celebrated in every community in America during “Red Ribbon Week” October 23 – 31, 2013; and

WHEREAS, Business, government, parents, law enforcement, media, medical, religious institutions, schools, senior citizens, service organizations and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying Red Ribbons during this week long campaign.

NOW, THEREFORE, BE IT RESOLVED, that the Sonoma County Board of Supervisors proclaims October 23 -31, 2013 as Red Ribbon Week with the theme of “A Healthy Me is Drug Free” in Sonoma County and further, encourages participation in drug prevention education activities throughout Sonoma County.

Supervisors:

Gorin: Zane: McGuire: Carrillo: Rabbitt:

Ayes: Noes: Absent: Abstain:

So Ordered.



County of Sonoma Agenda Item Summary Report

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

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

To: Board of Supervisors of Sonoma County

Board Agenda Date: October 22, 2013

Vote Requirement: Majority

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

Staff Name and Phone Number:

Rita Scardaci, x7876

Supervisorial District(s):

Countywide

Title: Food Day Gold Resolution

Recommended Actions:

Adopt a resolution proclaiming October 24, 2013 as Food Day in Sonoma County.

Executive Summary:

Food Day, celebrated annually on October 24, is a nationwide movement toward more healthy, affordable, and sustainable food. Food Day is a chance to recognize what our food system does right, and take action to bring us closer to a food system with “real food” that is produced locally with care for the environment, animals, and the women and men who grow, harvest, and serve it.

Locally, the Sonoma County Healthy and Sustainable Food Action Plan (Action Plan) provides a County-wide policy and programmatic framework to stimulate and coordinate improvements within our food system. By encouraging specific organizational, regulatory and legislative policy changes, the Action Plan supports the creation of a more vibrant food system for Sonoma County. In addition, the Action Plan invites local governments, businesses, organizations and community members to commit to action and play a role in building a viable food system for Sonoma County. Examples of some local actions being implemented with partners County-wide include:

- Promotion of the use of public land for food through the Sonoma County Land for Food Production Program
- Support of public and private incentives for food producing land through the approved source certification program
- Support and development of resources for existing and new farmers and ranchers through the University of California Cooperative Extension Beginning Farmers and Ranchers Program
- Work with local jurisdictions to provide information on best practices to increase access to healthy food and beverage choices and decrease availability of unhealthy food and beverage choices in general plans
- Implementation of Farm to School efforts to increase the amount of fresh local produce served

by school cafeterias and promote awareness of the nutritional benefits of increased consumption of fresh fruits and vegetables through Community Alliance of Family Farmers Harvest of the Month programs

- Implementation of a County-wide farm worker health survey to gather ongoing, accurate data on farm workers in Sonoma County
- Implementation of vending and procurement policies for publicly purchased food , food available on public lands and food obtained via public contracts to make healthy food and beverage choices standards in these settings
- Work supporting point-of-sale acceptance of CalFresh and WIC at all Farmers Markets and Community Supported Agriculture (CSA) farms

Prior Board Actions:

On October 23, 2012 the Board adopted a resolution to support and advance the Sonoma County Healthy and Sustainable Food Action Plan and proclaimed October 24, 2012 Sonoma County Food Day.

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

Proclaiming October 24, 2013 as Food Day in Sonoma County aligns with the Board adopted *Sonoma County Healthy and Sustainable Food Action Plan* and supports the Health Action goals towards ensuring that residents eat healthy food and families have the economic resources to make ends meet. Supporting our local food system brings Sonoma County one step closer to reaching our vision of being the healthiest place to live in California by 2020.

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):

There is no fiscal impact associated with this item.

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:			
Gold Resolution			
Related Items “On File” with the Clerk of the Board:			
Sonoma County Healthy and Sustainable Food Action Plan			



County of Sonoma
State of California

Date: October 22, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Proclaiming October 24, 2013 As Food Day In Sonoma County.**

Whereas, the health and well-being of our citizens is of primary concern for the County of Sonoma;

Whereas, reducing obesity and diet-related diseases by promoting safe and healthy diets is a critical factor in improving the overall health of our citizens;

Whereas, supporting sustainable family farms and local agriculture benefits the local economy;

Whereas, obtaining fair pay and safe conditions for food and farm workers is beneficial for both the producer and consumer so that the food we produce and consume is safe and fair for all;

Whereas, expanding access to food and ending hunger is of critical importance to aid those who live in food deserts;

Whereas, curbing junk food marketing aimed at children is of vital importance in order to combat rising obesity rates and raise a generation of healthy children; and

Whereas, protecting the environment and farm animals is necessary to sustain future generations.

Now, Therefore, Be It Resolved that the Board of Supervisors of Sonoma County does hereby proclaim Thursday, October 24, 2013 as Food Day in Sonoma County.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma
Agenda Item
Summary Report

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

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

To: Board of Supervisors

Board Agenda Date: October 22, 2013

Vote Requirement: Majority

Department or Agency Name(s): BOS

Staff Name and Phone Number:

Supervisor Efren Carrillo 565-2241

Supervisorial District(s):

Fifth

Title: Gold Resolution

Recommended Actions:

Approve Gold Resolution honoring the Cazadero Community Services District on 50 years of community service. (Fifth District)

Executive Summary:

None.

Prior Board Actions:

None.

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
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: October 22, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Commending The Cazadero Community Services District For Fifty Years Of Service

Whereas, in 1963 the Cazadero Community Services District was formed and its original Board of Directors included Board President Edward F. Mohrhardt, Al Youngstrom, Walter Lenk, John Bei, and Albert Maher with Theseus Canelis acting as Manager and Dorothy Barnes as Secretary; and

Whereas, over time, the Cazadero Community Services District has expanded its mission and service to meet community needs of the citizenry, including fire and emergency services, town lighting, and supporting recreational and cultural services; and

Whereas, the environs of Cazadero with its hillsides, redwood forests, town center on the banks of Austin Creek, and community extending miles into the hills - offer both respite and challenges for daily life – remote from major highways, with a rugged terrain and heavy rainfall – the local residents are a hardy group who must rely on each other in good times and bad; and

Whereas, today, the Cazadero Community Services District operates two fire stations, the local lighting district, a children’s playground and tennis and basketball courts, as well as public restrooms; and

Whereas, the current Board of the Cazadero Community Services District includes President Eric Schanz, Charlotte Berry, Homer Canelis, Paul Jully, and Michael Nicholls.

Now, Therefore, Be It Resolved that the Board of Supervisors congratulates the Cazadero Community Services District for its contributions to Cazadero, and congratulates the District on its fiftieth year of service.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.

Resolution #

Date:

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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: October 22, 2013

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 October 20 – 26, 2013 as Freedom from Workplace Bullies Week

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: October 22, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
DECLARING OCTOBER 20 - 26, 2013 AS FREEDOM FROM WORKPLACE BULLIES WEEK**

WHEREAS, The Sonoma County Board of Supervisors recognizes that the destructive act of bullying jeopardizes employee health, personal well-being, productiveness and careers; and

WHEREAS, The Board is interested in promoting the existence of healthy workplace environments which are beneficial to the economic and social stability of our county; and

WHEREAS; Research has documented the negative stress-related health consequences to individuals caused by exposure to abusive work environments leading to reduced productivity, absenteeism, turnover, employee dissatisfaction and injuries; and

WHEREAS, The Board believes everyone deserves a safe, healthy and dignified workplace.

NOW, THEREFORE, BE IT RESOLVED, that the Sonoma County Board of Supervisors declares October 20 – 26, 2013 as Freedom from Workplace Bullies Week.

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: October 22, 2012

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Shirlee Zane, 565-2241

Supervisorial District(s):

Third

Title: Gold Resolution

Recommended Actions:

Adopt a Gold Resolution commending Pam Chanter for her recognition by the North Bay Leadership Council for "Caught in the Act of Leadership" Award. (Third District)

Executive Summary:

None

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):			
N/A			
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			
Related Items “On File” with the Clerk of the Board:			
None.			



County of Sonoma

State of California

Date: October 22, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, HONORING AND COMMENDING PAM CHANTER FOR RECEIPT OF THE NORTH BAY LEADERSHIP COUNCIL "CAUGHT IN THE ACT OF LEADERSHIP" AWARD

WHEREAS, Pam Chanter is renowned for her Individual Excellence in Leadership, especially as a change agent who leads organizations through transformations to greater success. Pam Chanter champions a spirit of working together – across all physical, geographic and organizational boundaries – modeling leadership and volunteerism; linking individuals, agencies, leaders and policy-makers, and thereby, creating sustainable community change; and

WHEREAS, the breadth of her involvement spans issues of economic development, the arts, health, education, and government reform. Pam is serving (or has served) on over 12 boards, including the Sonoma County Economic Development Board (Chair); Santa Rosa Junior College Foundation Board (past Chair); Roseland University Prep Advisory Board; Schools of Hope Steering Committee; Santa Rosa Symphony (past Chair), Green Music Center (Chair - Speakers Bureau); St Joseph's Memorial Hospital Board of Trustees; Sonoma County Oral Health Task Force, (Co-Chair) ; Santa Rosa Chamber of Commerce Board of Directors; Santa Rosa Pension Reform Task Force (Co-Chair); and Santa Rosa Charter Review Council; and

WHEREAS, Pam is Vice President of VANTREO Insurance Brokerage where she specializes in commercial insurance for wineries, healthcare facilities, manufacturers, and the hospitality industry. Pam is the first woman elected to the Board of the Associated General Contractors of California. She also received the highest award from the Commission on the Status of Women for leadership, innovation, and community service; and

WHEREAS, her service to community extends beyond Sonoma County. Internationally, Pam has changed the world, too. Since 2003, she has worked on two projects in Peru. One is a women's alpaca weaving micro enterprise in Arequipa, Peru, and the other is a clean drinking water project for remote villages in the Amazon rainforest. Pam is dedicated to improving the lives of the Peruvians, especially the women and children; and

WHEREAS, Pam's leadership imprint on the well-being of Sonoma County can be found far and wide; giving 150 percent to assure individual and community needs are met; whether in Peru or Sonoma, Pam is leading ways to improve people's lives and their circumstances!

Resolution #

Date:

Page 2

NOW, THEREFORE, BE IT RESOLVED, that the Sonoma County Board of Supervisors hereby commends and honors Pam Chanter, as the recipient of North Bay Leadership Council's 2014 Leaders of the North Bay Award for "Caught in the Act of Leadership."

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

Board Agenda Date: October 22, 2013

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Shirlee Zane, 565-2241

Supervisorial District(s):

Third

Title: Gold Resolution

Recommended Actions:

Approve a Gold Resolution Honoring Women Veterans of Sonoma County, October 20, 2013.

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):			
None.			
Attachments:			
Resolution			
Related Items “On File” with the Clerk of the Board:			
None.			



County of Sonoma

State of California

Date: October 22, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Honoring Women Veterans

Whereas, today every American can be proud that our military will grow even stronger with our mothers, wives, sisters and daughters playing a greater role in protecting this country we love; and

Whereas, more than 200,000 women are currently in the nation's active-duty military including scores of generals and admirals. 600,000 more women serve in the reserves and National Guard, and nearly 2,000,000 women are proud veterans; and

Whereas, women are central to our armed forces in their numbers, in the jobs they do, and in their leadership positions that, without them, we wouldn't have a functionally balanced active military; and

Whereas, throughout our history, women from all walks of life, including many from our County of Sonoma, have answered the call of duty in every hour of our nation's need. United by a love of country, belief in freedom and faith in America, women have never hesitated to put themselves in danger in defense of our way of life; and

Whereas, women have shaped our military and over times of war and peace, have demonstrated courage, skill and patriotism.

Now, Therefore, Be It Resolved that the Board of Supervisors of the County of Sonoma hereby recognizes, honors and thanks women veterans for their service to our Country.

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

To: Board of Directors, Sonoma County Water Agency

Board Agenda Date: October 22, 2012

Vote Requirement: Majority

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

Staff Name and Phone Number:

Tom Hammond 524-1178

Supervisorial District(s):

Third

Title: Copeland Creek Stormwater Detention and Groundwater Recharge Project

Recommended Actions:

1. Authorize General Manager of Water Agency to execute an agreement with GHD Inc. to conduct site investigations, perform engineering evaluations, and prepare a Basis of Design Report for the Copeland Creek Stormwater Detention and Groundwater Recharge Project (\$397,000; agreement terminates on June 30, 2015).
2. Authorize General Manager of Water Agency to execute a License Agreement with University District, LLC, in an amount not to exceed \$1,000, to allow site investigation work.

Executive Summary:

This item requests authority for the Sonoma County Water Agency's (Water Agency) General Manager to execute an agreement (Agreement) with GHD Inc. (Consultant) to conduct site investigations, perform engineering evaluations, and prepare a Basis of Design Report for the Copeland Creek Stormwater Detention and Groundwater Recharge Project (Project) (\$397,000 through June 30, 2015). The item also requests authority for the Water Agency's General Manager to execute a License Agreement with University District, LLC, in an amount not to exceed \$1,000.

This Project as currently envisioned is a phased, multi-benefit, multi-partner watershed project, the core objectives of which are to provide flood hazard reduction and groundwater recharge. The Project would support the objectives of the Water Agency's 2013 Water Supply Strategies Action Plan (Strategy #4) by pursuing integrated stormwater recharge and flood control projects. The Project would also enhance habitat and create protected areas for Steelhead, increase preserved open space, and increase public recreational opportunities with an improved and expanded trail connecting to Crane Creek Regional Park.

Phase 1 of the Project would focus on implementation of in-stream habitat enhancement and sediment removal work along Copeland Creek, between Highway 101 and Sonoma State University. Phase 1 also

includes the design and initial California Environmental Quality Act documentation for stormwater detention, groundwater recharge, and stream restoration improvements on a 53 acre parcel adjacent to and east of Petaluma Hill Road, at the Copeland Creek crossing. Phase 1 is predominantly funded with a \$1 million Proposition 84, Round 1, funding grant from the Department of Water Resources, through the North Coast Integrated Regional Water Management Program, and a Caltrans Environmental Enhancement and Mitigation grant in the amount of \$345,580. Implementation of subsequent phases of the Project is subject to securing additional grant funding.

Under the Agreement, Consultant will provide engineering services in support of a portion of Phase 1. This initial Agreement provides for the necessary hydrologic, hydrogeologic, geomorphic, and geotechnical investigations and analyses to prepare the Basis of Design Report for the detention, recharge, and restoration improvements east of Petaluma Hill Road. The Basis of Design Report will be a summary of technical memoranda that verify the project design parameters and identify a recommended project design and two alternatives. Services provided under this Agreement are eligible for grant reimbursement through the \$1 million Proposition 84 grant that the Board accepted per Resolution Number 13-0197 dated May 14, 2013. Following this work, a later agreement with Consultant to design and prepare the 90% construction documents will be presented to the Board for authorization at a future date.

History of Item/Background

In 2012, the Water Agency completed scoping studies in three of the watersheds in which the Water Agency conducts the majority of its flood control operations (Laguna-Mark West, Petaluma River, and Sonoma Creek watersheds). The goal of the scoping studies was to identify opportunities within these watersheds to implement integrated, multi-benefit projects that could: 1) address multiple watershed objectives; 2) align with the Water Agency's Water Supply Strategies Action Plan in regards to combined water supply and flood control projects; and 3) be developed to be target specific grant funding opportunities.

The scoping studies were conducted by separate consultant teams - under Water Agency guidance - for each of the three watersheds. The scoping studies included extensive public and stakeholder outreach and participation. The outcome of the studies identified core and supporting objectives, opportunities and constraints, types of project concepts most likely to achieve the objectives, and generalized locations or regions where implementation is anticipated to be most effective and/or feasible within each watershed. With the completion of the scoping studies, the next step is to identify other site-specific Project locations and evaluate the feasibility of project implementation in greater detail. Water Agency staff will prepare agreements to conduct these feasibility studies and bring before the Board at a future date.

The Copeland Creek Watershed Detention/Recharge, Habitat Restoration, and Steelhead Refugia Project is identified in the scoping study for the Laguna-Mark West watershed as one of eight top-ranked project concepts. In collaboration with Sonoma County Agricultural Preservation and Open Space District (Open Space), Sonoma County Regional Parks, the City of Rohnert Park, Sonoma State University, the Conservation Corps North Bay, and the University District, LLC, the Project was the subject of a \$13 million project proposal for a Proposition 84 grant funding application. To date, sufficient grants have been awarded to implement Phase 1.

Grant Funding

The proposed Agreement would be funded under a Proposition 84 Implementation Grant awarded to the North Coast Integrated Regional Water Management Program in September 2011. The Water Agency will receive \$1,000,000 in funding for the 3-year grant period, through August 2016. These grant funds will be used for the design of a stormwater detention/groundwater recharge facility in the vicinity of Petaluma Hill Road and Laurel Drive, analysis of the environmental impacts of the proposed project, and habitat restoration and sediment removal work between Highway 101 and the northwestern edge of the Sonoma State University campus.

Additional funding for the portion of habitat restoration and sediment removal along Copeland Creek from Jasmine Circle west to the Highway 101 corridor is provided through a Caltrans Environmental Enhancement and Mitigation grant in the amount of \$345,580. This grant was awarded in March 2011.

Selection Process

On April 6, 2010, at the initiation of the watershed scoping studies, the Water Agency issued a Request for Qualifications to 32 firms, including 8 Sonoma County firms. The process also included outreach to Disadvantaged Business Enterprises. The following eight firms submitted Statements of Qualifications:

1. Arcadis, San Francisco, CA
2. ESA PWA, San Francisco, CA
3. Prunuske Chatham, Inc., Sebastopol, CA
4. RMC Water and Environment, San Francisco, CA
5. Stetson Engineers, Inc., San Rafael, CA
6. West Consultants, Inc., San Diego, CA
7. West Yost Associates, Santa Rosa, CA
8. Winzler & Kelly, Santa Rosa, CA (now known as GHD Inc.)

The following three firms were selected to conduct the work, one for each of the watersheds listed:

1. Laguna-Mark West Watershed: Winzler and Kelly, Santa Rosa, CA
2. Petaluma River Watershed: RMC Water and Environment, San Francisco, CA
3. Sonoma Creek Watershed: ESA PWA, San Francisco, CA

Firms were selected to perform the planning, design, and implementation support work based on their demonstrated qualifications, the strengths and the technical expertise of their respective teams, and familiarity and experience with the issues and stakeholders specific to the individual watersheds. In particular, experience with Consultant's team developing the Water Agency's Stream Maintenance Program makes Consultant uniquely qualified to work on projects in the Laguna-Mark West Watershed. Consultant is an engineering firm with experience in watershed planning, hydrologic, and hydrogeologic analysis/design. The services of Consultant are supplemented with sub-consultants providing additional technical expertise.

Services to Be Performed

Under the proposed Agreement, the Consultant will prepare a Basis of Design Report, based on site

investigation and engineering analyses, to select a best design alternative that would meet the key detention, recharge and refugia parameters. Work will include data collection, review, and model development; a field investigation program; data analysis, hydrogeologic, geomorphologic; geotechnical; hydrologic and hydraulics; base mapping; meetings and site visits; and other relevant tasks. Technical Memoranda will be prepared for review and comment, and final versions will be included in the Basis of Design Report.

The cost of services will not exceed \$397,000; the term end date is June 30, 2015.

Future Phases of The Project

Contingent upon the completion of an environmental review and the availability of future funds, the next phases of the Project will include: 1) final design and construction of the stormwater detention and groundwater recharge facility (on the 53-acre parcel to be dedicated to the City of Rohnert Park under a development agreement with University District, LLC); 2) acquisition of the contiguous 75 acres by Open Space to connect the urban area with the existing Crane Creek Regional Park, providing permanent public access; 4) construction of more than 12,000 linear feet of public trails and bike paths with full public access to provide an uninterrupted path connecting Rohnert Park and Sonoma State University to Crane Creek Regional Park.

License Agreements

The site investigation work (for example, soil borings and installation of monitoring wells) performed under this Agreement requires execution of a license agreement between the Water Agency and one of the project partners, University District, LLC. Due to the short time span between execution of the Agreement and commencement of the services before adverse weather conditions are encountered, Water Agency staff is requesting delegation of authority to the General Manager to execute the license agreement, including, if necessary, authority to compensate University District, LLC, for the value of the agreement (not to exceed \$1,000).

California Environmental Quality Act

Approval of the proposed Agreement is exempt under Section 15262 of the California Environmental Quality Act Guidelines, as it involves “only feasibility or planning studies for possible future actions which the Board has not approved, adopted, or funded...” Implementation of the portion of the Phase 1 project addressed by the proposed Agreement would be subject to future evaluation under the California Environmental Quality Act.

Prior Board Actions:

- 10/15/13 Urban Greening grant for acquisition of the 75 acre site (Sonoma County Agricultural Preservation and Open Space District Board Action)
- 05/14/13 Resolution Number 13-0197 authorizing the General Manager or his designee to execute the agreements, including, Proposition 84 Sub-Grantee Agreement for the receipt of funds in the amount of \$1,000,000 from the County of Humboldt for the Water Agency to assist in the funding of the Copeland Creek Stormwater Detention/Groundwater Recharge Basins and Habitat Restoration Project (Grant 3), agreement terminates August 2016 (Third District).

12/06/11	Resolution Number 11-0637 authorizing the General Manager to file a Grant Application of up to \$1,500,000 for the Copeland Creek Project (Fifth District).
04/05/11	Resolution Number 11-0158 authorizing the General Manager to File a Grant Application for the Copeland Creek Enhancement and Restoration Project: Detention and Recharge Basins Under the California Department of Water Resources Stormwater Flood Management Grant Program Pursuant to the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Public Resources Code Section 5096.800 et seq.); and other necessary actions (Third District).
11/02/10	Resolution Number 10-0785 authorizing the General Manager to file a grant application and execute a grant agreement with the State of California (Caltrans) for the Copeland Creek Enhancement and Restoration Project under the Environmental Enhancement and Mitigation Program.

Strategic Plan Alignment Goal 3: Invest in the Future

Investing in Infrastructure to save money in the long term is a goal of the County's. This project is in line with that goal.

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	\$ 398,000	Water Agency Gen Fund	\$ 0
Add Appropriations Req'd.	\$ 0	Prop 84 Grant - State/Federal	\$ 397,000
	\$	(Zone 1A) Fees/Other	\$ 1,000
	\$	Use of Fund Balance	\$ 0
	\$	Contingencies	\$ 0
	\$		\$
Total Expenditure	\$ 398,000	Total Sources	\$ 398,000

Narrative Explanation of Fiscal Impacts (If Required):

Funds available from the FY 2013/2014 Flood Control Zone 1A Laguna Mark West fund (673202).

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):			
N/A			
Attachments:			
None			
Related Items "On File" with the Clerk of the Board:			
<ol style="list-style-type: none"> 1. Proposed Agreement (1 Copy) 2. Proposed License Agreement (1 Copy) 			

JB\\FILESERVER\DATA\CL\AGENDA\AGREES\10-22-2013 WA COPELAND CREEK
STORMWATER DETENTION & GROUNDWATER RECHARGE_SUMM.DOCM

CF/45-1.4-21 GHD INC. (AGREE FOR ENVIRONMENTAL AND ENGINEERING SERVICES FOR
COPELAND CREEK WATERSHED DETENTION/RECHARGE, HABITAT RESTORATION, AND STEELHEAD
REFUGIA PROJECT) TW 12/13-068 (ID 4543)



County of Sonoma Agenda Item Summary Report

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

Agenda Item Number: 8
(This Section for use by Clerk of the Board Only.)

To: Board of Directors, Sonoma County Water Agency and South Park County Sanitation District, and Board of Supervisors

Board Agenda Date: October 22, 2013

Vote Requirement: Majority

Department or Agency Name(s): Sonoma County Water Agency, South Park County Sanitation District, Transportation and Public Works

Staff Name and Phone Number:

Kevin Booker 521-1865;
Janice Thompson 565-3609; Kevin Howze 565-2537

Supervisorial District(s):

First, Fourth and Fifth

Title: Funding Agreements for Improvement Projects

Recommended Actions:

1. Authorize Chair to execute Agreement for Funding of Airport Boulevard Improvement Project for the amount of \$5,775; agreement terminates on June 30, 2014.
2. Authorize Chair to execute Agreement for Funding of Burbank Avenue Improvement Project (PM 10.00 to PM 10.71) for the amount of \$12,320; agreement terminates on September 30, 2014.
3. Authorize Chair to execute Agreement for Funding of Old Redwood Highway Improvement Project (PM 13.20 to PM 16.50) for the amount of \$18,700; agreement terminates on September 30, 2014.
4. Authorize Chair to execute Agreement for Funding of Main Street Overlay Project in Penngrove for the amount of \$2,750; agreement terminates on February 28, 2014.
5. Authorize the General Manager of the Water Agency and the Director of Transportation and Public Works to terminate the Agreement(s), if appropriate.

Executive Summary:

This item requests approval for the Sonoma County Water Agency, on behalf of the Airport/Larkfield/Wikiup and Penngrove Sanitation Zones (Water Agency) and County of Sonoma, through its Transportation and Public Works Department (Public Works) to enter into three funding agreements, and South Park County Sanitation District (District) and Public Works to enter into one funding agreement. The Water Agency and District need to perform sanitation improvements in the same areas as four Public Works projects (Airport Boulevard, Burbank Avenue, Old Redwood Highway, and Main Street in Penngrove). The Water Agency, District, and Public Works desire to combine these projects. In an effort to minimize impact to the public, the Water Agency and the District facilities, identified as needed to be replaced, were included in the bid packages for the various projects. The Water Agency and the District understand that the County will award the contracts to the lowest responsible bidders.

Public Works will take the lead in this process and is requesting funding from the Water Agency and District for their respective portions of the costs.

Agreement for Funding of Airport Boulevard Improvement Project

Public Works Project Description: Widen Airport Boulevard and install a traffic signal at the intersection of Airport Boulevard at Fulton Road. In addition, asphalt concrete overlay both Airport Boulevard and Fulton Road to Old Redwood Highway.

Water Agency Project Description: Raising 10 sewer manholes. Cost to Water Agency is \$5,775.

Agreement for Funding of Burbank Avenue Improvement Project (PM 10.00 to PM 10.71)

Public Works Project Description: Raising and replace 0.40' of asphalt concrete roadway surfacing as part of the 2012-2013 Pavement Preservation Program.

District Project Description: Raising 8 sewer manholes. Cost to District is \$12,320.

Agreement for Funding of Old Redwood Highway Improvement Project (PM 13.20 to PM 16.50)

Public Works Project Description: Perform a 4" asphalt concrete overlay from Petaluma to Cotati as part of the 2012-13 Pavement Preservation Program.

Water Agency Project Description: Raising 22 sewer manholes and 4 sewer cleanouts. Cost to Water Agency is: \$18,700

Agreement for Funding of Main Street Overlay Project in Penngrove

Public Works Project Description: Perform an overlay of Main Street in Penngrove as part of the 2012-13 Pavement Preservation Program.

Water Agency Project Description: Raising 5 sewer manholes. Cost to Water Agency is: \$2,750

Prior Board Actions:

None

Strategic Plan Alignment Goal 3: Invest in the Future

These agreements meet this goal by investing in infrastructure and systems to save money in the long-term.

Water Agency Sanitation Goals and Strategies, Goal 2:
Provide adequate rate-based revenues, while pursuing new income and cost-cutting opportunities.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 39,545	Water Agency Gen Fund	\$ 0
Add Appropriations Req'd.	\$ 0	State/Federal	\$ 0
	\$	Fees/Other	\$ 39,545
	\$	Use of Fund Balance	\$ 0
	\$	Contingencies	\$ 0
	\$		\$
Total Expenditure	\$ 39,545	Total Sources	\$ 39,545

Narrative Explanation of Fiscal Impacts (If Required):

Fiscal Year 2013/2014 appropriation of \$5,775 is from the Sanitation Zone – Airport/Larkfield/Wikiup Operations fund (682104).
 Fiscal Year 2013/2014 appropriation of \$12,320 is from the South Park County Sanitation District Operations fund (654103).
 Fiscal Year 2013/2014 appropriation of \$21,450 is from the Sanitation Zone – Penngrove Operations fund (680108).

No additional appropriations are required.

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:

None

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

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

To: Board of Directors, Sonoma Valley County Sanitation District

Board Agenda Date: October 22, 2013

Vote Requirement: 2/3 - SVCSD

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

Staff Name and Phone Number:

George Lincoln (707) 521-1808

Supervisorial District(s):

First

Title: Regulatory and Permitting Assistance

Recommended Actions:

Authorize Chair to execute an agreement with Larry Walker Associates, Inc., to provide regulatory and permitting assistance for the amount of \$491,665; agreement terminates on December 31, 2018.

Executive Summary:

This item requests approval for the Chair to execute a five-year agreement with Larry Walker Associates, Inc. (\$491,665 through December 31, 2018) for regulatory and permitting assistance. For fiscal year 2013/2014, the budget includes funding for \$191,665. For subsequent fiscal years, the Sonoma Valley County Sanitation District operations budget will request the necessary funding. The agreement extends five years to account for the length of the regulatory discharge permit as further described below.

HISTORY OF ITEM/BACKGROUND

Sonoma Valley County Sanitation District's (District) National Pollutant Discharge Elimination System Permit (Permit) was issued by the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) by Order R2-2008-0090 on October 8, 2008. The Permit expires every five years; as such the Permit is expected to be renewed within the next several months.

The District's current water reclamation requirements were issued in 1992 by Order No. 92-067. Since that time the District improved the treatment plant for tertiary treatment and expanded the reclamation system. Given the improvements and new regulations, the water reclamation requirements are due for renewal and re-adoption by the Regional Water Board. In addition to the Permit, the water reclamation requirements are expected to be renewed in the next several months.

Additionally, the District is undertaking a pilot project in support of Assembly Bill 1200 (AB1200). The pilot project involves the collection and research of water quality for recycled water impounded in agricultural reservoirs. The pilot project and the associated research and regulatory review may take up to five years to complete.

SELECTION PROCESS

On April 24, 2013, Sonoma County Water Agency (Water Agency) and its affiliated sanitation districts issued a Request for Qualifications for services that included assisting with the development and negotiations of National Pollutant Discharge Elimination System and Waste Discharge Requirements permits issued by the San Francisco Bay and North Coast Regional Water Quality Control Boards.

The Request for Qualifications was issued to the following nine firms and posted on the Water Agency's web site: Larry Walker Associates, Inc., Davis, California; RMC Water and Environment, San Francisco, California; West Yost Associates, Davis, California; Kennedy/Jenks Consultants, Santa Rosa, California; Brelje & Race, Santa Rosa, California; GHD Inc, Santa Rosa, California; Coastland Civil Engineering Inc., Santa Rosa, California; Adobe Associates Inc., Santa Rosa, California; and Prunuske Chatham Inc., Sebastopol, California.

The following six firms submitted Statements of Qualifications: Larry Walker Associates, Inc., Davis, California; RMC Water and Environment, San Francisco, California; West Yost Associates, Davis, California; Kennedy/Jenks Consultants, Santa Rosa, California; Stantec Consulting Services Inc., Petaluma, California; and URS Corporation, Oakland, California.

All firms who responded to the Request for Qualifications met the minimum qualifications to be added to the Water Agency's list of qualified firms for this work.

The following criteria were used to evaluate each firm: Responsiveness to the work requirements, evidence of specific project experience, demonstrated ability to perform the work, professional qualifications and overall performance commitment, and exceptions to agreement terms. In addition, a 5% local preference weighting was given to firms from Sonoma County.

For the District, Larry Walker Associates, Inc. (Consultant) scored the highest in response to the Request for Qualifications and was selected given the firm's proven expertise in conducting and interacting with the San Francisco Bay and North Coast Regional Water Quality Control Boards and Consultant's extensive knowledge of California's wastewater and water reclamation regulations as they specifically apply to the District. As noted in the Prior Board Actions, the Consultant has performed consulting services for the District under prior agreements. During the course of the prior agreements, the Consultant has acquired knowledge and expertise of the District's Permits and associated requirements, wastewater treatment plant, water reclamation facilities, as well as the expectations of staff at the Regional Board. This acquired knowledge is significant to the proposed Agreement, given the District's pending new Permit and Water Reclamation Orders.

SERVICES TO BE PERFORMED

Under the proposed Agreement, Consultant will provide regulatory assistance to District in negotiating the renewal of the Permit, implementing conditions of District’s Permit once obtained, developing strategies to address District’s compliance issues, and participating with District and Regional Water Board staff in the development of water quality studies related to the storage of reclaimed water in agricultural reservoirs and obtaining new water reclamation requirements for District’s recycled water program.

The cost of services will not exceed \$491,665; the term end date is December 31, 2018. However, for fiscal year 2013/2014 the budget includes funding for \$191,665; for subsequent fiscal years, the District’s operations budget will request the necessary funding.

Prior Board Actions:

- 07/12/11: Approved agreement between District and Larry Walker Associates, Inc., for assistance with National Pollution Discharge Elimination System Permit and/or Water Reclamation Requirements Permit. Total cost \$149,636; term end December 31, 2013.
- 02/05/08: Approve and authorize Chair to execute Agreement between District and Larry Walker Associates, Inc. for National Pollutant Discharge Elimination System Permit Consulting Services for Sonoma Valley Treatment Plant. Total cost \$141,055; term end June 30, 2011.

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

County Goal 1: Safe, Healthy, and Caring Community This item supports community members having safe and reliable liquid waste management systems.

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	\$ 191,665	Water Agency Gen Fund	\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Sonoma Valley CSD Operations Fees/Other	\$ 191,665
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 191,665	Total Sources	\$ 191,665

Narrative Explanation of Fiscal Impacts (If Required):

FY 2014/2015 appropriation of \$75,000 is from the Sonoma Valley CSD Operations fund and will be budgeted in that fiscal year.
FY 2015/2016 appropriation of \$75,000 is from the Sonoma Valley CSD Operations fund and will be budgeted in that fiscal year.
FY 2016/2017 appropriation of \$75,000 is from the Sonoma Valley CSD Operations fund and will be budgeted in that fiscal year.
FY 2017/2018 appropriation of \$75,000 is from the Sonoma Valley CSD Operations fund and 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):

N/A.

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

To: Board of Supervisors

Board Agenda Date: October 22, 2013

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):

Countywide

Title: Transfer of Unclaimed Funds to the County General Fund

Recommended Actions:

Approval of the resolution of the Board of Supervisors of the County of Sonoma to transfer certain unclaimed funds in the amount of \$5,000 or more totaling \$9,042.53 to the County General Fund

Executive Summary:

Unclaimed money consists of funds which are not the property of the County but remain in the County Treasury for three or more years without a claim being filed by the legal owners. The unclaimed funds currently held in the Treasurer's trust funds include funds deposited by the Public Administrator as well as unclaimed storage funds and personal property funds deposited under Civil Code Section 1988.

California Government code Section 50050 and 50055 provides that individual items of any amount, fifteen dollars (\$15) and over, with known depositor names, that are held in the County Treasury and remain unclaimed for three years become the property of the County if not claimed after a notice has been published once a week for two successive weeks in a newspaper of general circulation. California Government Code Section 50053 states that when any such money becomes the property of the County and is in a special fund, the legislative body may transfer it to the general fund. California Government Code Section 50057 states that for individual items in the amount of five thousand dollars (\$5,000) or less, the legislative body of any county may, by resolution, authorize the county treasurer to perform on its behalf any act required or authorized to be performed by it under Sections 50050, 50053 and 50055.

On 11/13/12, the board approved the delegation of the authority to the County Treasurer to transfer, on the Board's behalf, unclaimed funds in the amount of five thousand dollars (\$5,000) or less to the County's General Fund.

The County Treasurer published a notice of unclaimed funds in satisfaction of the requirement of Government Code Section 50051. Of these published amounts, there was one (1) amount greater than five thousand dollars (\$5,000), totaling \$9,042.53, which was not claimed and require Board approval to

transfer to the County's General Fund. Prior to this publication the County Treasury made available a detailed listing of unclaimed funds.

The County Auditor-Controller-Treasurer-Tax Collector will continue to request Board approval to transfer individual items of unclaimed funds that are greater than five thousand dollars (\$5,000) to the County's General Fund.

Prior Board Actions:

On 11/13/12, the Board of Supervisors approved a resolution delegating the authority to the County Treasurer to transfer, on the Board's behalf, unclaimed funds of five thousand dollars (\$5,000) or less to the County General Fund.

The transfer of funds is approved whenever unclaimed funds are published and available for transfer to the County General Fund, the most recent being 01/15/13.

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$ 9,042.53
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$ 9,042.53

Narrative Explanation of Fiscal Impacts (If Required):

\$9,042.53 will be transferred to the General Fund.

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:
1) Unclaimed Funds Listing 2) Proof of Publication



County of Sonoma

State of California

Date: October 22, 2013

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Authorizing Transfer Of Unclaimed Funds To The County General Fund

Whereas, unclaimed funds in the amount of five thousand dollars (\$5,000) or more are on deposit with the County Treasurer; and

Whereas, California Government code Sections 50050 provides that money that is not the property of the County and remains unclaimed in its treasury or in the official custody of its officers for three years is the property of the County after notice has been published once a week for two consecutive weeks in a newspaper of general circulation and if no person has claimed the money or filed and served a verified complaint; and

Whereas, the Treasurer caused notice to be published in the Press Democrat in satisfaction of the requirements of Government Code Section 50051; and

Whereas, no person has claimed the money or filed and served a verified complaint; and

Whereas, unclaimed funds in the amount of \$9,042.53 are now the property of the County and are currently deposited in the Treasurer Trust Fund; and

Whereas, California Government Code Section 50053 provides that when any such money becomes the property of the County and is in a special fund, the legislative body may transfer it to the general fund; and

Now, Therefore, Be It Resolved, that pursuant to the provisions of Section 50053 the unclaimed \$9,042.53 which has become the property of the County shall be transferred to the County's general fund.

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: 11
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: October 22, 2013

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor David Rabbitt, 707/565-2241

Supervisorial District(s):

Second

Title: Resolution in Support of Gun Violence Prevention

Recommended Actions:

Executive Summary:

Prior Board Actions:

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



County of Sonoma

State of California

Date: October 22, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, In Support of Gun Violence Prevention

Whereas, a memorandum released by the White House, Office of the Press Secretary on January 16, 2013, provides that there are approximately 30,000 firearm-related deaths each year in the United States and approximately 11,000 of those deaths result from homicides; and

Whereas, the National Center for Injury Prevention and Control reports that in the United States in 2010, homicide by firearm was the second leading cause of death for persons ages fifteen to twenty-four and the third leading cause of death for persons ages twenty-five to thirty-four; and

Whereas, we whole-heartedly support the work of Congressman Mike Thompson as Chair of the federal Gun Violence Prevention Task Force (the "Task Force") to develop a comprehensive approach to reduce gun violence and make our nations's existing gun laws more effective; and

Whereas, we believe a comprehensive approach by the Task Force to reduce gun violence should include: examining sensible restrictions on firearms while strongly protecting the Second Amendment rights of responsible gun owners, considering the differing consequences in rural and urban areas, closing gaps in our mental health care system, requiring everyone who buys a gun to have a background check, and addressing violence in our culture; and

Whereas, we support the Task Force's initiative to invite a wide spectrum of individuals and groups, such as law enforcement officers, gun owners, and sportsmen groups, gun manufacturers and gun retailers, mental health experts, gun violence prevention groups, education organizations and other experts, to testify before and provide input to the Task Force so that a truly comprehensive approach to reduce senseless gun violence in the United States can be developed and implemented.

Now, Therefore, Be It Resolved that the Sonoma County Board of Supervisors unanimously resolves as follows:

Resolution #

Date:

Page 2

1. To encourage local, state and federal legislators to enforce existing laws to prevent gun violence and enact reforms if needed;
2. To support greater punitive consequences in all circumstances when a firearm is used in commission of a crime as well as increased funding to local law enforcement and the courts to provide the necessary resources and protections to those who investigate and prosecute such crimes;
3. To call upon our mental health and education professionals to collaborate and discuss ways to respond to the growing tragedy of gun violence in our schools and among our children and, further, to educate parents and children on gun safety, violence prevention, and the public health impact of gun violence.

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: 12
(This Section for use by Clerk of the Board Only.)

To: Sonoma County Board of Supervisors

Board Agenda Date: October 22, 2013

Vote Requirement: Majority

Department or Agency Name(s): County Counsel's Office

Staff Name and Phone Number:

Linda Schiltgen, Deputy County Counsel (707) 565-2421

Supervisorial District(s):

Title: Landmarks Commission Conflict of Interest Code

Recommended Actions:

Adopt resolution approving conflict of interest code for the Landmarks Commission.

Executive Summary:

State law establishes a system where local jurisdictions adopt conflict of interest codes and submit them to the Board of Supervisors for approval as the "code reviewing body" for all jurisdictions, except cities, within the County. In this item, the Board of Supervisors is acting in its capacity as the "code reviewing body" for the recommended action.

The purpose of a conflict of interest code is to require that any person making a decision which could affect a personal financial interest disclose any such financial interests in a public record. The code consists of three parts: the body of the code, which is standard language published by the state agency in charge of administering the conflict of interest laws; one appendix specifying those interests which must be disclosed ("disclosure categories"); and a second appendix listing the positions in which employees make decisions that could affect personal interests ("designated employees").

State law requires that at the close of each even numbered year, each agency review its code and determine whether any changes should be made. The Landmarks Commission adopted its own conflict of interest code with disclosure categories and designated employees as required by state law. Newly adopted codes must then be reviewed and approved by the Board of Supervisors, as the code reviewing body for the local agencies. The Landmarks Commission has been notified that the Board would consider the matter today, and they were requested to notify their designated employees of their right to be heard on the proposed code. No one has requested an opportunity to appear.

Prior Board Actions:			
Strategic Plan Alignment			
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:			
Conflict of Interest Code Adopted by the Landmarks Commission			



County of Sonoma

State of California

Date: October 22, 2013

Resolution Number: _____

4/5 Vote Required

Resolution of the Board of Supervisors of the County of Sonoma, State of California, Approving the Conflict of Interest Code for the Landmarks Commission

Whereas, the Political Reform Act, Government Code section 81000 et seq. requires state and local government agencies to adopt conflict of interest codes; and

Whereas, state law requires that every two years agencies review their conflict of interest codes and make such changes as are necessary to keep the codes current; and

Whereas, the Board of Supervisors is the code reviewing body for agencies within the geographic jurisdiction of the County, and charged with the responsibility of ensuring that the amended codes comply with law; and

Whereas, the Landmarks Commission has adopted a conflict of interest code which sets forth disclosure categories and designated employees;

Whereas, County Counsel has reviewed the code and determined that it complies with the Political Reform Act; and

Now, Therefore, Be It Resolved that the conflict of interest code of the Landmarks Commission is approved as amended. The Clerk is directed to send a copy of this resolution to the Landmarks Commission and County Counsel.

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

To: Sonoma County Board of Supervisors

Board Agenda Date: October 22, 2013

Vote Requirement: Majority

Department or Agency Name(s): Economic Development

Staff Name and Phone Number:

Rebekah Heinze (707) 565-7170

Supervisorial District(s):

Title: Sonoma County Economic Development Board Foundation Annual Report

Recommended Actions:

Receive the Sonoma County Economic Development Board Foundation's Annual Report for fiscal year ending June 30, 2013.

Executive Summary:

The Sonoma County Economic Development Board Foundation (Foundation) was developed and designed solely to support the Economic Development Board's mission and events, as approved by the Board of Supervisors. The Foundation began its first year of operations in Fiscal Year 2002-2003. In August 2002, it signed an Operational Memorandum of Understanding with the Sonoma County Board of Supervisors to formally define the relationship between the Foundation and the Economic Development Board, an agency of the County of Sonoma. The Foundation has produced its annual report for the Board's review, for the fiscal year ending June 30, 2013, as required by Article 8.1(f) of the First Amended and Restated Bylaws of the Sonoma County Economic Development Board Foundation.

The Foundation continues to provide support to the local community, the County, and the business and philanthropic communities. The Foundation received \$223,457 in revenue, grants, and donations for fiscal year 2012-2013. This revenue was used to support twenty-one (21) workshops, conferences, and special events, and more than twenty (20) quarterly and annual economic activity reports and forecasts. The Foundation continues to provide ways for local businesses to attend educational events and forums, and to actively engage in and gain a meaningful understanding of the Sonoma County economy.

In Fiscal Year 2012-2013, the Foundation supported four annual events, as well as funded several new events, workshops and initiatives. The following are a few highlights of the projects supported or funded by the Foundation:

- Dr John C. Williams, President and Chief Executive Officer of the Federal Reserve Bank of San Francisco, spoke at the *Economic Outlook Conference* on June 28, 2013 to a group of about 250 local business owners, investors, and community leaders. The event included introductions from

Supervisor David Rabbitt and Economic Development Director Ben Stone. The event was covered by several national media groups, including Reuters, Bloomberg, and the Wall Street Journal.

- Helped finalize recommendations and an action plan for the Innovation Action Council initiatives:
 - a. An online permit application and tracking system designed to reduce the time businesses spend navigating the permit process
 - b. A workforce strategy driven by the needs of Sonoma County employers
 - c. The formation of a new marketing alliance that will serve to identify opportunities to increase demand for Sonoma County goods and services.
- Through subscriptions to online business tools, funded by the Foundation, the EDB staff was able to assist sixty seven (67) businesses with one hundred three (103) business tools requests. This included providing information on industry trends and market demographics, and compiling marketing prospect lists.
- Following approval of the Foreign Trade Zone expansion to Sonoma and Napa Counties, the Foundation supported a *Foreign Trade Zone Seminar* on February 4, 2013, to provide information to local businesses on how they may be eligible for incentives to reduce, defer, or eliminate import related duties, so that Sonoma County's employers can remain competitive in a global market. Following that seminar, the Foundation supported the EDB's efforts to partner with the United States Department of Commerce and Commercial Service, to host an *Export Seminar* which provided local businesses with practical tools that they could use to help expand their markets worldwide.

In 2013-2014, the Foundation will continue to support its annual events as well as fund new projects and efforts of the EDB which include:

- Forming a blue ribbon task force to develop an action plan to review challenges and opportunities regarding the County's changing demographics and hold a Countywide conference on this topic.
- Providing Access to Capital and Technical Assistance for low to moderate income business borrowers seeking alternative financing.
- Developing a new conference focused on providing the arts community with education on ways to promote their work and how to turn that work into a for-profit business.
- *2013 Craft Beverage Industry Conference* – a “first of its kind” event for Sonoma County, this event will show the Foundation's commitment to the research and development of the craft beverage industries in Sonoma County. This follows the recent releases of the Economic Development Board's “Sonoma County Craft Beverage Report 2013” and video, “Pliny the Younger Release”.
- *2014 – Year of the Entrepreneur* - a year dedicated to small businesses and entrepreneurs featuring various events, workshops, and activities. Designed to focus on the strengths and opportunities for the Sonoma County entrepreneurial ecosystem, by bringing in speakers and highlighting resources that foster entrepreneurship.

Prior Board Actions:			
The Sonoma Economic Development Board Foundation has previously submitted annual reports for the Board of Supervisors' approval.			
Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship			
The Economic Development Board Foundation strives to enhance the value of local, domestic, and international demand for Sonoma County produced goods and services through the creation and development of economic research, analysis, and programs.			
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):			
There are no costs associated with this report. The attached report provides a summary of fiscal year 12-13 activities. During the FY 12-13 the Foundation took in \$223,457 in revenue and recorded \$189,431 in expenses.			
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:			
2012-2013 Annual Report for the Sonoma County Economic Development Board Foundation.			
Related Items "On File" with the Clerk of the Board:			
None.			

SONOMA COUNTY ECONOMIC DEVELOPMENT BOARD



Annual Report

July 1, 2012 – June 30, 2013

SONOMA COUNTY ECONOMIC DEVELOPMENT BOARD

Annual Report

July 1, 2012 – June 30, 2013
Submitted **August 28, 2013**

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FOUNDATION

August 28, 2013

Dear Colleagues:

We are pleased to present this annual summary of activities of the Sonoma County Economic Development Board Foundation (Foundation) for the year ending June 30, 2013. The Foundation's leadership continues to support the Economic Development Board (EDB) to ensure that the Foundation's efforts align with the mission and priorities of the EDB.

As we present the achievements of the projects held in fiscal year 2012-2013, the Board of Directors would like to thank the numerous project underwriters and the County of Sonoma for their increasingly important efforts to improve the economic well being of Sonoma County.



Pamela Chanter
Chair of the Board of Directors



Ben Stone
Executive Director

Executive Summary

The Sonoma County Economic Development Board Foundation (Foundation) continues to make strong connections between community needs, county projects, and support from the business and philanthropic communities. The Foundation received and effectively managed \$223,457 in event revenue, donations and grants, supporting twenty-one (21) workshops, conferences, and special events and more than twenty (20) quarterly and annual economic activity reports and forecasts. Through events and sponsorship opportunities, the Foundation provides an excellent way for local businesses to showcase their services and network with other community leaders.

Highlights of 2012-2013 Foundation Projects

- Dr. John C. Williams, President and Chief Executive Officer of the Federal Reserve Bank of San Francisco, spoke on June 28, 2013 to a lunch group of over 200 business owners, investors, and community leaders, about the outlook for our economy and the future policy actions of the Federal Reserve. This event was covered by Reuters, the Wall Street Journal, and several local newspapers.
- Following approval of the Foreign Trade Zone expansion to Sonoma and Napa Counties, the Foundation hosted a Foreign Trade Seminar on February 4, 2013, to provide information to local businesses on how they may be eligible for incentives to reduce, defer, or eliminate import related duties, so that Sonoma County's employers can remain competitive in a global market.
- The 12th Annual *Spirit of Sonoma County* awards luncheon had approximately 325 people in attendance. Honorees from 21 chambers and trade organizations participated, along with local companies' bank sponsored tables. Kenn Cunningham of Exchange Bank emceed the program

Along with the year-end financial statements, the following pages summarize some of the Foundation's activities, detailed by program. While many of the projects will seek funding through the Foundation again in fiscal year 2013-2014, each year the Foundation evaluates the programs to ensure financial stability for the Foundation and the EDB.

Introduction

About the Foundation

The Foundation is a supporting organization that provides an alternative funding stream to EDB programs, relieving the burden on the limited funds of local government and strengthening community projects by managing funds from donors.

Mission

The Sonoma County Economic Development Board Foundation is a 501(c)(3) that through the creation, development and dissemination of economic research, analysis or programs enhances the value of local, domestic, and international demand for Sonoma County produced goods and services.

History of the Foundation

On January 23, 2001, the Sonoma County Board of Supervisors approved the establishment of the Foundation to serve as a supporting organization to the EDB to expand funding sources available for EDB projects. In March 2001, the Foundation was incorporated as a California nonprofit public benefit corporation. During 2001, the Foundation Board of Directors elected officers and began formalizing procedures while awaiting review of its application for tax-exempt status. In February 2002, the Internal Revenue Service notified the Foundation of its approval of tax-exempt status under Section 501(c)(3) of the Internal Revenue Code.

In August 2002, the Foundation signed an Operational Memorandum of Understanding with the Sonoma County Board of Supervisors to formally define the relationship between the Foundation and the EDB, an agency of the County of Sonoma. Under that agreement, the Board of Supervisors oversees the Foundation's funding of EDB projects. In late August 2002, the Foundation began accepting funds and reviewing EDB projects in need of support.

In fiscal year 2002-2003, the Foundation's first year of operation, a great deal of care was taken to establish procedures that would guarantee steady and increasing support for EDB projects into the future. The Foundation continues to operate under the Operating Memorandum of Understanding and continues its efforts to create alternative revenue streams for EDB projects.

In September 2008, the Board of Supervisors approved the third Memorandum of Understanding which now contains a clause for automatic renewal annually.

Financial Summary

This section contains information about the Foundation's finances.

Statement of Financial Position
As of June 30, 2013
(Unaudited)

ASSETS	June 30, 2013
Current Assets	
Cash and cash equivalents	\$ 415,399
Short-term investments	25,528
Accounts receivable	4,175
Prepaid expenses	<u>6,770</u>
Total Current Assets	<u>451,872</u>
TOTAL ASSETS	<u>\$ 451,872</u>
 LIABILITIES AND NET ASSETS	
Current Liabilities	
Accounts payable	<u>\$ 19,029</u>
Total Liabilities	<u>19,029</u>
Net Assets	
Unrestricted	181,575
Designated	180,808
Temporarily restricted	<u>70,460</u>
Total Net Assets	<u>432,843</u>
Total Liabilities & Net Assets	<u>\$ 451,872</u>

Statement of Activity
For the year ended June 30, 2013
(Unaudited)

Revenues, gains and other support	<u>Unrestricted</u>	<u>Temporarily Restricted</u>	<u>Total</u>
Registration/participation fees	\$ 101,415	\$ -	\$ 101,415
Donations	-	21,500	21,500
Grants	-	100,000	100,000
Interest income	542	-	542
Net assets released from restrictions	<u>71,323</u>	<u>(71,323)</u>	<u>-</u>
Total Income	<u>173,280</u>	<u>50,177</u>	<u>223,457</u>
			-
Expenses			-
Program services			
Community outreach	110,385		110,385
Economic outlook	40,808		40,808
Research initiatives	26,089		26,089
Supporting services			
Administrative Services	<u>12,149</u>		<u>12,149</u>
Total Expenses	<u>189,431</u>	<u>-</u>	<u>189,431</u>
Change in Net Assets	(16,151)	50,177	34,026
Net Assets, Beginning of Year	<u>378,534</u>	<u>20,283</u>	<u>398,817</u>
Net Assets, End of Year	<u>\$ 362,383</u>	<u>\$ 70,460</u>	<u>\$ 432,843</u>

Underwriters

This section provides a list of the business, education, and community organizations that provided noteworthy contributions to the Foundation.

Foundation Underwriters

American Ag Credit

Bank of Marin

Citi Community Development

County of Sonoma, Health Services

First Community Bank

Kaiser Permanente

Keegan & Coppin Company, Inc

Luther Burbank Savings

Midstate Construction

North Bay Association of Realtors

North Coast Bank

Pacific, Gas & Electric

Pure Luxury Transportation

Redwood Credit Union

SAFE-BIDCO

Simons & Woodard

Sonoma Raceway

Summit State Bank

Vantreo Insurance

Project Summaries

This section provides information on some of the projects funded through the Foundation.

Together, the projects served many segments of Sonoma County, including public schools, public agencies, employers and the business community, and residents with an interest in the state of the County's economy.

Project Summary
Spirit of Sonoma County

Description

The annual *Spirit of Sonoma County* awards luncheon recognizes business leaders from major chambers and trade associations in the County. The awards ceremony attracted approximately 325 people, honoring those chosen for their contributions to Sonoma County.

Program Goals

The *Spirit* awards honor those who contribute to the economic development and enhancement of the communities in which they live, work, and conduct business through generous donations of their time and expertise in support of local business and in helping others.

Achievements

In 2012-2013, the program celebrated its twelfth anniversary, honoring more than 240 local business men and women and community leaders since its inception. The *Spirit of Sonoma County* awards program was started in 2001 with the assistance of banks, media, and elected officials in order to honor the selected award winners. The program grew from 18 area chambers and trade organizations recognizing a business leader from their group to the present 21 organizations involved. The *Spirit* luncheon is an excellent opportunity for local business leaders to receive countywide recognition.

Supporters

The *Spirit of Sonoma County* luncheon, ceremony, and awards are funded through registration fees paid by the participating organizations, corporate sponsors, and individuals who attend and/or sponsor tables. The 2012-13 event sponsors included:

Bank of Marin	Sonoma Bank
Exchange Bank	Sonoma County Airport Express
Ghilotti Construction Co.	Spring Lake Village
Kaiser Permanente	Celebrate Community The Press Democrat
Redwood Credit Union	

Awards

The *Spirit of Sonoma County* awards recognized honorees from these 21 organizations:

Cloverdale Chamber of Commerce
Cotati Chamber of Commerce
Geyserville Chamber of Commerce
Healdsburg Chamber of Commerce
Hispanic Chamber of Commerce
Mark West Area Chamber of Commerce
North Bay Association of Realtors
North Coast Builders Exchange
Petaluma Area Chamber of Commerce
Rohnert Park Chamber of Commerce
Russian River Chamber of Commerce
Santa Rosa Chamber of Commerce
Sebastopol Area Chamber of Commerce
Sonoma County Alliance
Sonoma County Farm Bureau
Sonoma County Lodging Association
Sonoma County Tourism Bureau
Sonoma County Winegrape Commission
Sonoma County Workforce Investment Board
Sonoma Valley Chamber of Commerce
Windsor Chamber of Commerce

Project Summary **Special Events Featuring Keynote Speakers**

Description

In 2012-2013, the Foundation supported three special events featuring professional keynote speakers contributing to a variety of subjects. The speakers are selected keeping current affairs and issues in mind.

Program Goals

This speaker events series is intended to provide the business community with interesting speakers addressing matters related to the local economy, industry trends and common business interests.

Achievements

The *State of the State* is an annual event of the Foundation's Research Initiative Program developed for local businesses, governments, and organizations for detailed regional analysis of economic trends. As part of the Research Initiative Program benefits, sponsors are invited to the dinner held with the featured speaker, Dr. Christopher Thornberg, the night preceding his presentation. Dr. Thornberg presented an informative talk about California and the real estate market. There were a total of 456 attendees. The event was held at the Hyatt Vineyard Creek Hotel in Santa Rosa, California.

The *State of the County* is an annual event sponsored by the EDB to present the current and future challenges facing the county in terms of growth and development, including issues such as affordable housing, transportation, water and waste management, as well as fiscal concerns. It is an opportunity for the County of Sonoma to showcase its achievements throughout the past year and let the community know what to expect in the following year. Attendance included over 450 people at this 10th annual breakfast. There were a number of county departments, county-related agencies and educational institution exhibits. A live Internet webcast was available via the EDB website.

Dr. John C. Williams of the Federal Reserve Bank of San Francisco spoke at the *Economic Outlook Conference* on June 28, 2013 to a group of almost 250 local business owners, investors, and community leaders. The event included introductions by Supervisor David Rabbitt and Economic Development Director Ben Stone. The event was covered by several media groups, including Reuters, Bloomberg, and the Wall Street Journal. Additionally, an audio feed of the event was posted on Reuters' website following the event.

Supporters

Each of these events were supported by both individual attendees and tables sponsored by local organizations and businesses.

Board of Directors

FOUNDATION BOARD MEMBERS

Officers: Pam Chanter, President/Chair
Joe Orlando, Vice-Chair
Linda Kachiu, Treasurer
Ben Stone, Executive Director/Secretary

Members: Libby Harvey Fitzgerald
Michael Tomasini
Peter O'Brien
Michael Nicholls
Marcos Suarez
John Webley
Melanie Bagby

LEGAL SERVICES

The Foundation contracted with the Anderson, Zeigler, Disharoon, Gallagher & Grey to advise on general legal matters, including state and federal law relating to nonprofit tax-exempt organizations.

FINANCIAL SERVICES

The Foundation retains the services of Ms. Victoria Mwangi, Certified Public Accountant (CPA). The CPA assists with the Foundation staff's bookkeeping and prepares the Foundation's tax documentation.

SONOMA COUNTY ECONOMIC DEVELOPMENT BOARD
FOUNDATION

Attachment A

Certification of Financial Statements

The undersigned does hereby certify that:

1. She has been duly elected and qualified as, and at this date is, the Chair of the Board of Directors of the Sonoma County Economic Development Board Foundation (the "Foundation");
2. The financial statements contained in the Foundation's Annual Report, covering the period from July 1, 2012 to June 30, 2013, were prepared without audit from the books and records of the Foundation.

Signed: _____ Date: _____

Pamela Chanter
Chair of the Board of Directors
Sonoma County Economic Development Board Foundation



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: Board of Supervisors of Sonoma County

Board Agenda Date: October 22, 2013

Vote Requirement: Majority

Department or Agency Name(s): Economic Development

Staff Name and Phone Number:

Rebekah Heinze (707) 565-7152

Supervisorial District(s):

Title: Consulting Services Agreement with Moody's Analytics, Inc.

Recommended Actions:

Approve and authorize the Chair of the Board to execute a one year agreement with the option to renew for up to two years with Moody's Analytics, Inc. for economic and technical research services in the amount of \$57,550 per year for a total amount of \$172,650 for the full three year term, through September 30, 2016.

Executive Summary:

The Economic Development Board (EDB) provides several publications each year to the public, with the goal of providing professionally developed, objective information on the County's economic trends and activities, as well as any relevant statistical analysis. The EDB releases between five and seven industry sector reports each year, several city reports, the Sonoma County Indicators Report, quarterly Business Confidence Reports, and periodic Business Barometers. In addition to these reports, the EDB holds two economic forecast conferences, one in the fall and one in the spring.

Moody's Analytics, Inc. (Moody's) is a leading independent provider of economic, financial, and industry research. The EDB uses Moody's research as the foundation and core source of economic data. Moody's national reputation lends credibility to all of the EDB's reports.

The following reports will be completed within the scope of this agreement:

- a. An annual report addressing important economic issues and events impacting the regional economy relating to nine different industry sectors
- b. Three (3) Metropolitan Statistical Area Reports which will include a five-year forecast for employment, unemployment, income growth, population, housing activity and personal bankruptcies.
- c. Six (6) Industry Reports on current and anticipated trends related to Food and Wine, Health and Wellness, Tourism, Technology, Finance/Real Estate, and Construction/Green Services.
- d. An annual presentation by lead economist, Steve Cochrane, at the EDB's Spring Economic

Outlook breakfast.

A Request for Proposals (RFP) for Economic and Technical Consulting Services was issued in June 2013. It was posted on the County website as well as sent to twelve (12) local, regional and national organizations. Two firms submitted proposals - Moody's Analytics, Inc. from New York, NY and Beacon Economics LLC, of Los Angeles, California. Moody's was selected by a committee made up of County employees and outside consultants. Moody's was selected by the committee based on the lower cost and their wide spectrum of expertise, data sets and analytical resources. The EDB does not have the staffing, expertise or capacity to complete this work in house.

Prior Board Actions:

Board previously approved a one-year agreement with Moody's Analytics on August 9, 2011.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

The Economic Development Board strives to enhance the value of local, domestic, and international demand for Sonoma County produced goods and services through the creation and development of economic research, analysis, and programs.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 57,550		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 57,550
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 57,550	Total Sources	\$ 57,550

Narrative Explanation of Fiscal Impacts (If Required):

\$57,550 is included in the FY 13/14 budget for the first year of the contract. Appropriations for future years of the contract will be included in the appropriate fiscal year budget.

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):
Attachments:
None.
Related Items "On File" with the Clerk of the Board:
Consulting Services Agreement with Moody's Analytics, Inc.



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

Board Agenda Date: October 22, 2013

Vote Requirement: Majority

Department or Agency Name(s): Fire and Emergency Services

Staff Name and Phone Number:

Roberta MacIntyre, 565-1154

Supervisorial District(s):

All

Title: Ordinance amending Chapter 13 of the Sonoma County Code with local amendments.

Recommended Actions:

(1) Adopt a resolution introducing, reading the title of, and waiving further reading of, and (2) direct the Clerk of the Board to set a public hearing for November 5, 2013 at 10:00 a.m. to consider adoption of an ordinance accepting by reference the 2013 edition of the California Fire Code and amending the Sonoma County Code Chapter 13 with local fire code amendments.

Executive Summary:

The State of California amends and adopts model codes every three years, which includes the International Fire Code and the International Residential Code published by the International Code Council. The adoption of the 2012 International Fire Code and the International Residential Code with State amendments is known as the California Fire Code and the California Residential Code respectively. Local jurisdictions must enforce the State codes, as adopted by the State within 180 days after State publication.

The Sonoma County Fire and Emergency Services Department (County Fire) has fire code authority for all new residential construction in the unincorporated areas and for most new commercial construction, which was delegated to County Fire by the fire districts, and has authority for both residential and commercial construction within the County Service Area #40 (CSA40). Each fire district is responsible for enforcing the fire code for existing business occupancies; several fire districts contract with County Fire to perform inspection and enforcement services (Bodega Bay, Schell Vista, Graton, Occidental and Timber Cove). Incorporated cities are responsible for adopting and enforcing their own fire and building codes for both residential and commercial buildings.

Along with the County's Permit and Resource Management Department, County Fire staff worked with a core group of fire service agencies to make local amendments to the California Fire Code. The fire service agencies included representatives from: Sonoma Valley Fire and Rescue Authority, Santa Rosa Fire Department, Petaluma Fire Department, Rohnert Park Department of Public Safety, Sebastopol Fire

Department, Healdsburg Fire Department, and a fire district representative. County Fire hosted several meetings for all interested persons over a period of eight months. By undertaking this collaborative effort, all jurisdictions within the county will have essentially the same language contained in their fire codes, thus creating uniformity among all fire codes within the county.

ANALYSIS OF REVISIONS

Although it appears that significant changes are proposed throughout Chapter 13 of the Sonoma County Code, the revisions proposed involve formatting and reconciling the California Fire Code and the California Residential Code, California Fire Safe Regulations and our current Fire Safety Ordinance, including our Fire Safe Standards.

The only significant proposed changes related to fire safety will be located within the California Building Code and the California Residential Code, Chapters 7-A and Chapter 327, respectively. The requirements will apply to buildings constructed in wildland-urban interface (WUI) areas and will require compliance for fire-resistant building construction features when significant additions or alterations are made to such structures. These alterations are included in the Permit and Resources Management Department’s Ordinance making local amendments to the California Building Code which will be heard at the same November 5, 2013 public hearing as the Fire Safety Ordinance.

Prior Board Actions:

Chapter 13 of the Sonoma County Code was last amended during the triennial adoption cycle of the California Code on November 2, 2010.

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

Adopting California Fire Code with local amendments allows implementation of the most current regulations which are tailored to Sonoma County.

Fiscal Summary - FY 13-14

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

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):			
No staffing impacts.			
Attachments:			
Resolution for public hearing Draft Chapter 13 ordinance with revisions identified Chapter 13 ordinance with revisions incorporated			
Related Items “On File” with the Clerk of the Board:			
California Fire Code 2013 – copy for public reference Chapter 13 Ordinance – copy for public reference			



County of Sonoma
State of California

Date: October 22, 2013

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 Entitled “An Ordinance of the Board of Supervisors of the County of Sonoma, State of California, Amending Chapter 13, ‘Fire Safety Ordinance’ of the Sonoma County Code to Adopt by Reference and Amend Selected Provisions, Chapters and Appendices of the California Code of Regulations, Title 24, 2013 Edition of the California Fire Code; to Adopt by Reference the National Fire Codes, Save and Except Specified Portions; to Adopt Local Findings; and to Make Technical and Administrative Revisions to Chapter 13.”

Whereas, an ordinance entitled “An Ordinance of the Board of Supervisors, County of Sonoma, State of California, Amending Chapter 13, ‘Fire Safety Ordinance,’ of the Sonoma County Code to Adopt by Reference and Amend Selected Provisions, Chapters and Appendices of the California Code of Regulations, Title 24, 2013 Edition of the California Fire Code; to Adopt Local Findings and to Make Technical and Administrative Revisions to Chapter 13” has been introduced and read;

Now, Therefore, Be It Resolved that further reading of the proposed ordinance is waived.

Be It Further Resolved that a public hearing shall be held at November 5, 2013 at 10:00 a.m. in the Board of Supervisors Chambers, 575 Administration Drive, Room 102A, Santa Rosa, California, to consider the proposed ordinance.

Be It Further Resolved, that the Clerk of the Board shall cause notice of the hearing to be published once a week for two successive weeks in a newspaper of general circulation, published in the County of Sonoma, State of California.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

Resolution #

Date:

Page 2

So Ordered.

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING CHAPTER 13, "FIRE SAFETY ORDINANCE" OF THE SONOMA COUNTY CODE TO ADOPT BY REFERENCE AND AMEND SELECTED PROVISIONS, CHAPTERS AND APPENDICES OF THE CALIFORNIA CODE OF REGULATIONS, TITLE 24, 2013~~0~~-EDITION OF THE CALIFORNIA FIRE CODE; TO ADOPT LOCAL FINDINGS; AND TO MAKE ~~OTHER~~ TECHNICAL AND ADMINISTRATIVE REVISIONS TO CHAPTER 13.

SECTION I. Chapter 13 of the Sonoma County Code is amended to read:

**CHAPTER 13
SONOMA COUNTY FIRE SAFETY ORDINANCE**

Article I. General Provisions.

Sec. 13-1. Short title.

This chapter shall be known and may be cited as the Sonoma County Fire Safety Ordinance.

Sec. 13-2. Administrative regulations.

(a) The County ~~Fire Chief~~ **fire chief**, the ~~Director~~ **director** of Permit and Resource Management, or both may adopt, amend or repeal administrative regulations to implement, interpret or make specific provisions of this chapter. Notice of the proposed adoption, amendment, or repeal of a regulation pursuant to this section shall be posted for a period of thirty (30) days in the public lobby of the permit and resource management building, and shall be mailed to every person who has filed a request for notice of such actions with the County ~~Fire Chief~~ **fire chief**, the ~~Director~~ **director** of Permit and Resource Management, or both. Every notice shall include a copy of the express terms of the proposed action and a statement that the public may submit written comments on the proposed action prior to the close of the posting period. The County ~~Fire Chief~~ **fire chief**, the ~~Director~~ **director** of Permit and Resource Management, or both, as appropriate, may approve, modify, or withdraw the proposed adoption, amendment or repeal of a regulation following the posting period.

(b) The adoption, amendment or repeal of a regulation pursuant to this section shall take place not less than fifteen (15) nor more than one hundred eighty (180) days following the close of the posting period specified in subsection (a), and shall be effective upon posting of an order of adoption, amendment or repeal in the public lobby of the permit and resource management building. Each such order shall include a concise and clear summary of the action taken by the County ~~Fire Chief~~ **fire chief**, the ~~Director~~ **director** of Permit and Resource Management, or both, and shall remain posted for a period of thirty (30) days.

(c) The regulations adopted or amended pursuant to this section shall have the same force

and effect as provisions of this chapter. Failure by any person to comply with any regulation adopted or amended pursuant to this section shall be a violation of this chapter.

(d) The regulations adopted or amended pursuant to this section shall be periodically compiled and copies thereof made available to the public for purchase at cost or review free of charge at the office of Fire and Emergency Services Department or the Department of Permit and Resource Management.

Article II. Definitions is amended to read:

Article II. Definitions.

Sec. 13-6 Definitions.

Unless the provision or context requires otherwise, the definitions contained in this section shall govern the construction of this chapter. The definition of a word applies to any of that word's variants.

“Accessory Building” means any building containing solely a Group U occupancy as defined in the County Building Code.

“Agricultural Building” means any structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged; nor shall it be a place used by the public.

“Agricultural Operation” means includes the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural commodity, including timber, viticulture, apiculture or horticulture, and the raising of livestock, fur-bearing animals, fish or poultry.

“All-~~w~~Weather Driving Surface” means any surface that provides unobstructed access to conventional drive vehicles, including sedans and fire engines, and is capable of supporting a forty thousand (40,000) pound axle load during wet weather conditions.

“Board of Building Appeals” means the ~~B~~board of ~~b~~Bbuilding ~~a~~Appeals created in Chapter 7 of the Sonoma County Code.

“Building” means any structure used or intended for supporting or sheltering any use or occupancy. Building is also any structure as to which state agencies have regulatory power, and housing or enclosure of persons, animals, chattels, equipment or property of any kind. Building is also any structure wherein things may be grown, made, produced, kept, handled, stored or disposed of, and all appendages, accessories, apparatus, appliances and equipment installed as a part thereof. Building shall not include machinery, equipment or appliances installed for manufacture or process purposes only, nor shall it include any construction installations which are not a part of a building,

any tunnel, mine shaft, highway or bridge, or include any house trailer or vehicle which conforms to the California Vehicle Code.

Note~~OTE~~: Building shall have the same meaning as defined in Health and Safety Code, Section 17920 and 18908 for the applications specified in Sections 101.17.9 and 101.17.10 of the Building Code.

“Building, existing” means a building legally erected prior to the adoption of this Code, or one for which a legal building permit was issued for the construction or legalization thereof prior to the adoption of this Code.

“Building, new” means a building for which a legal building permit is issued for the construction or legalization thereof after the adoption of this Code.

“Building Code” means the County Building Code as set forth in Chapter 7 of the Sonoma County Code.

“Building Official” means the Chief Building Official as defined in Section 7-2 of the Sonoma County Code.

“California Fire Code” means the regulations in California Code of Regulations, Title 24, Part 9, ~~2010-2013~~ California Fire Code, which incorporate by adoption the ~~2009~~2012 Edition of the International Fire Code of the International Code Council with necessary California amendments.

“Central Alarm Station” means a publicly or privately operated alarm receiving center that is constantly attended by appropriately trained staff.

“Chief” means the County ~~Fire Chief~~fire chief or his or her authorized representative for those portions of the unincorporated area ~~of the County~~of the county not in a fire protection district, and the local fire chief or his or her authorized representative for those portions of the unincorporated area ~~of the County~~of the county in a local fire protection district. Notwithstanding the preceding, the County ~~Fire Chief~~fire chief shall be responsible for plan checking and inspection of new construction and alterations subject to this Code within both those portions of the unincorporated area ~~of the County~~of the county not in a fire protection district and those portions of the unincorporated area of the county in a local fire protection district, unless a local fire protection district notifies the County ~~Fire Chief~~fire chief in writing that it has elected to have the local fire chief exercise those responsibilities within its jurisdictional area.

“Commercial building” means any building containing an occupancy other than a Group R-3 ~~Occupancy~~occupancy, a one- or two-family dwelling, or Group U ~~Occupancy~~occupancy accessory to a Group R-3 ~~Occupancy~~occupancy, as defined in the County ~~Building~~eCode.

“County” means the County of Sonoma, in the state of California.

“County Building Code” means the building regulations in Chapter 7 of this Code.

“County ~~Fire Chief~~ ~~fire chief~~” means the ~~Director~~ ~~director~~ of the Sonoma County Fire and Emergency Services Department.

“County Fire Prevention Officers Association” means the Sonoma County Fire Prevention Officers Association.

“Certified Unified Program Agencies (CUPA)” ~~M~~ means the regulatory division of Sonoma County Fire and Emergency Services Department hazardous materials enforcement division.

“Dairy Milking Facility” means a single-story structure constructed of non-combustible materials with two or more open sides that is used exclusively for milking dairy animals. A dairy milking facility may have either an office or a storage area of less than four hundred (400) square feet. A dairy milking facility shall not have any sleeping areas within the structure.

“Dangerous Fireworks” means dangerous fireworks as defined in Health and Safety Code, Section 12505.

“Dead-~~e~~End Road” means any road that has only one point of vehicular ingress/egress, including culs-de-sacs and looped or circular roads.

“Development Approval” means any of the following: (1) any discretionary approval granted pursuant to Chapter 25, 26, or 26C of this Code to allow residential, commercial, or industrial development of land, including, but not limited to, any approval of a zone change, tentative map, lot line adjustment, use permit, or design review; (2) any building permit issued pursuant to Chapter 7 of this Code to erect, construct, enlarge, alter, repair, move, improve, or convert any building, or to install a manufactured home; or (3) any grading permit issued pursuant to Chapter 7 of this Code to construct a new road or driveway, or to extend, reconstruct, or improve an existing road or driveway.

“Director of Forestry and Fire Protection” means the ~~Director~~ ~~director~~ of the California Department of Forestry and Fire Protection or his or her authorized representative.

“Director of Permit and Resource Management” means the Sonoma County ~~D~~director of Permit and Resource Management ~~of the County~~ or his or her authorized representative.

“Driveway” means any way or place in private ownership that provides vehicular access to no more than two (2) residential buildings, containing no more than three (3) dwelling units, and any number of accessory buildings on a single parcel.

“Driveway Structure” means any bridge, culvert or other appurtenant structure that supplements the driveway bed or shoulder.

“Dwelling Unit” means any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation, as required by the County Building Code, for not more than one (1) family.

“Exception” means an alternative to a standard specified in Article V of this chapter that is requested by an applicant for development due to health, safety, environmental conditions, physical site limitations or other limiting conditions, and provides mitigation of a problem.

“Executive Body” means the Board of Supervisors of Sonoma County for those portions of the ~~C~~county not in a fire protection district, and the Board of Directors of the Fire Protection District having jurisdiction for those portions of the ~~C~~county in that Fire Protection District.

“Exterior Wall” means any wall or element of a wall, or any member or group of members, which defines the exterior boundaries or courts of a building and which has a slope of sixty (60) degrees or greater ~~with~~ ~~from~~ the horizontal plane.

“Existing Building.” ~~S~~see “building, existing.”

“Fire Alarm” means any device, control or circuit designed to produce an alarm signal in the event of fire or system activation, together with the energy necessary to sound an alarm, electrically supervise the system where required, and activate the alarm bells, trouble bells or trouble signals.

“Fire and Emergency Services Department” means the Sonoma County Fire and Emergency Services Department.

“Fire Apparatus Access Road” means a road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane and access roadway. Public streets maybe defined by the standards of the local agency having jurisdiction over the project.

“Fire Code Official” means the fire chief and any other designated authority charged with the administration and enforcement of code, or a duly authorized representative. This shall include representatives ~~for which~~ ~~who~~ enforce Sonoma County Code Chapter 29 Hazardous Materials Management.

“Fire Department” means the ~~Sonoma County~~ Fire and Emergency Services Department ~~of the County~~ for those unincorporated areas of the ~~County~~ ~~county~~ not in a local fire protection district, and the local fire protection district having jurisdiction for those unincorporated areas ~~of the County~~ ~~of the county~~ in a local fire protection district.

“Fire Lane” means that portion of an access roadway reserved for emergency vehicles and the conduct of fire fighting or rescue operations, or as designated by the fire department, and posted in accordance with California Vehicle Code Section 22500.1.

“Fireworks” means any fireworks as defined in Health and Safety Code, Section 12511.

“Floor Area-Fire Flow Calculations” means the floor area used for calculating the required fire flow shall be the total floor area of all floor levels within the exterior walls that are under the horizontal projection of the roof, except as modified in Appendix B, Section B104.

“General Plan” means the Sonoma County ~~G~~general ~~p~~Plan.

“Greenbelt” means a facility or land use, designed for a use other than fire protection which will slow or resist the spread of a wildfire. Greenbelts include parking lots, irrigated or landscaped areas, golf courses, parks, playgrounds, maintained vineyards, orchards and annual crops that do not cure in the field.

“Hammerhead/T” means a roadway that provides a “T” shaped, three-point turnaround space for emergency equipment. The turnaround space shall be no narrower than the road it serves.

“HS--20” means the ~~HS~~HS-20 class of highway loading as defined by the American Association of State Highway and Transportation ~~Official~~officials.

“Hydrant” means a valve connection on a water supply/storage system to supply fire apparatus and hoses with water.

“Jurisdiction” means the County of Sonoma, in the State of California.

“Jurisdictional Area” means the territory within a local fire protection district.

“Local ~~Fire Chief~~fire chief” means the fire chief of a local fire protection district or his or her authorized representative.

“Local Fire Protection District” means any fire protection district organized and operating under the provisions of the Fire Protection District Law of 1987, Part 3 (commencing with Section 13800) of Division 12 of the Health and Safety Code, or any other special district lawfully exercising any of the powers, functions, or duties vested in or imposed upon a fire protection district pursuant to the Fire Protection District Law of 1987, all or part of whose territory is within the unincorporated area ~~of the County of the county~~. Notwithstanding the preceding, local fire protection district shall not include any County Service Area organized and operating under the provisions of the County Service Area Law, Chapter 2.2 (commencing with Section 25210.1) of Part 2 of Division 2 of Title 3 of the Government Code.

“Local ~~R~~esponsibility Area” means that portion of the unincorporated area ~~of the County of the county~~ not classified by the State Board of Forestry as a State Responsibility Area.

“Manufactured Home” means any manufactured home as defined in Health and Safety Code, Sections 18007, 18008 and 19971.

“National Fire Codes” means the most current edition of the National Fire Codes published by the National Fire Protection Association.

“New Building:” ~~S~~see “building, new.”

“Non-~~u~~Urban Parcel” means any parcel served by a water system other than a public water system.

“Occupancy” means the purpose for which a building or part thereof is used or intended to be used.

“One-~~w~~Way Road” means a road designed for traffic flow in one (1) direction only.

“Open Burning” means any combination of combustible material of any type outdoors in the open, not in any enclosure, where the productions of combustion are not directed through a flue. Open burning shall not include a fire in a barbecue pit, either permanent or portable, when the barbecue pit is operated on a patio or other appropriate dooryard area adjacent to and in conjunction with the dwelling of the person operating the barbecue pit.

“Planning Official” means the ~~Director~~director of the Permit and Resource Management Department.

“Private Riding Arena” means an enclosed or unenclosed building or portion of a building used exclusively for private equestrian activities by the building owner, guests, or employees, not to exceed a maximum capacity of thirty (30) persons. The area within a private riding arena shall not be used for storage areas, animal stalls, offices, viewing areas, shows, events, public riding lessons, or similar uses or occupancies. A private riding arena shall be classified as a Group U; ~~Division 3~~ occupancy.

“Private Road” means any way or place in private ownership that provides vehicular access to more than one (1) parcel, to a commercial building or agricultural operation on a single parcel, or to more than two (2) residential buildings or two (2) residential buildings, containing more than three (3) dwelling units, on a single parcel.

“Public Display of Fireworks” means any public display of fireworks as defined in Health and Safety Code, Section 12524.

“Public Road” means any county highway or state highway.

“Public Water System” means a system, regardless of type of ownership, for the provision of piped water to the public for human consumption that has fifteen (15) or more service connections.

“Residential Building” means any one- or two-family dwelling containing a Group R-3 ~~Occupancy~~occupancy, or Group U occupancy accessory to a Group R-3 ~~Occupancy~~occupancy as defined in the County Building Code.

“Road” means any public or private road.

“Roadway” means that portion of any road improved, designed or ordinarily used for vehicular travel.

“Roadway Structure” means any bridge, culvert or other appurtenant structure that supplements the roadway bed or shoulder.

“Same Practical Effect” means an exception or alternative with the capability of applying accepted fire suppression strategies and tactics, and provisions for ~~fire-fighter~~firefighter safety, including: (1) access for emergency fire equipment; (2) safe civilian evacuation; (3) signing that avoids delays in emergency equipment response; (4) available and accessible water to effectively attack a fire or defend a structure from a wildfire; and (5) fuel modification sufficient for civilian and ~~fire-fighter~~firefighter safety.

“Shall” is mandatory and “May” is permissive, however, use of the word “shall” in this Code is not intended to, nor shall it be deemed to create a mandatory duty imposed by enactment within the meaning of Government Code, Section 815.6.

“Shoulder” means the roadbed or surface of a roadway adjacent to the traffic lane.

“Single-~~F~~family Dwelling” means a dwelling that contains one dwelling unit for one family of one or more persons. Single-family dwelling does not include a dwelling used for a large family day-care home, lodging house, congregate residence, or other similar use.

“Standard Specifications for Highway Bridges” means the Standard Specifications for Highway Bridges ~~17th Edition, 2002~~, published by the American Association of State Highway and Transportation ~~Official~~officials.

“State Responsibility Area” means that portion of the unincorporated area ~~of the County of~~ the county classified by the State Board of Forestry as a State Responsibility Area.

“Structure” means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

“Subdivision” means any subdivision as defined in Government Code, Section 66424 and Section 25-2 of this Code.

“Subdivision Ordinance” means the Subdivision Ordinance of Sonoma County.

“Traffic Lane” means that portion of a roadway that provides a single line of vehicle travel.

“Turnaround” means a roadway, unobstructed by parking, which allows for a safe opposite change of direction for emergency equipment.

“Turnout” means a widening on a roadway or driveway to allow vehicles to pass.

“Two-~~f~~Family Dwelling” means a dwelling that contains two (2) dwelling units for two (2) families of one or more persons. Two-family dwelling does not include a dwelling used for a large family day-care home, lodging house, congregate residence, or other similar use.

“Two-~~W~~ay Road” means a road designed for traffic flow in opposing directions.

“Urban Parcel” means any parcel served by a public water system or mutual water system.

“Vertical Clearance” means the minimum specified height of a bridge or overhead projection above a roadway.

“Wildfire” means a wildfire as defined in Public Resources Code, Sections 4103 and 4104.

Article III. Appeals is amended to read:

Article III. Appeals.

Sec. 13-11. Board of Appeals.

The Board of Building Appeals shall function as the Board of Appeals under this chapter. Except where inconsistent with the provisions of Sonoma County Code Sections 7-3 and Section 13-12 of this Code, the duties of the Board of Appeals shall be as prescribed in Chapter 1, Division II, Section 108 of the California Fire Code.

Sec. 13-12. Appeals.

(a) Except as otherwise provided in subsection (b), any applicant, permit holder or other interested person dissatisfied with a decision of the County Fire Chief, the Director of Permit and Resource Management, or a local fire chief under this chapter may appeal the decision to the Board of Appeals, provided, however, that such appeal may not be made more than thirty (30) days after the decision from which the appeal is being made has been rendered. All interested persons shall be given a reasonable opportunity to be heard and present evidence to the Board of Appeals on any appeal. Decisions of the Board of Appeals shall be in writing and shall be delivered to the appellant and the applicant or permit holder, if different from the appellant, either in person or by mailing to the address stated on the appeal or application. Decisions of the Board of Appeals are final. Should no decision be rendered within twenty (20) days after the filing of the appeal, such appeal shall be deemed to be denied unless time is extended by action of the Board of Appeals.

(b) Appeals of notice and orders issued pursuant to violations of this chapter shall be conducted and determined by a hearing officer pursuant to Section 1-7.3 and Chapter 7 of this Code.

Article IV. County Fire Code is amended to read:

Article IV. County Fire Code.

Sec. 13-15. County Fire Code designated--Administration and enforcement--Amendment by local fire protection districts.

(a) The 2010-2013 California Fire Code as adopted by reference and amended in this article, shall constitute the County Fire Code.

(b) Except as otherwise provided in subsection (c), the administration and enforcement of the County Fire Code within a local fire protection district shall be the responsibility of the local fire chief. The County ~~Fire Chief~~ ~~fire chief~~ shall be responsible for the administration and enforcement of the County Fire Code within those portions of the unincorporated area ~~of the County of the county~~ not in a local fire protection district.

(c) The County ~~Fire Chief~~ ~~fire chief~~ shall be responsible for plan checking and inspection of new construction and alterations subject to the County Fire Code within both those portions of the unincorporated area ~~of the County of the county~~ not in a local fire protection district and those portions of the unincorporated area ~~of the County of the county~~ in a local fire protection district, unless a local fire protection district notifies the County ~~Fire Chief~~ ~~fire chief~~ in writing that it has elected to have the local fire chief exercise those responsibilities within its jurisdictional area. Any such action shall only be effective if it is thereafter approved by the Board of Directors of the local fire protection district.

(d) Pursuant to Health and Safety Code, Section 13869.7, a local fire protection district may amend all or any part of the County Fire Code for application within its jurisdictional area. Any such amendment shall first be referred to the County Fire Prevention Officers Association for review and recommendation, and shall only be effective if it is thereafter approved by the Board of Directors of the local fire protection district and ratified by the Board of Supervisors. The Board of Supervisors shall not ratify such amendment if it includes provisions that are less restrictive than the provisions of the County Fire Code.

Sec. 13-16. Conflicting regulations.

The provisions of this chapter shall prevail over any inconsistent provision contained in the California Fire Code or the National Fire Codes; provided, in the case of inconsistent regulations, no regulation shall prevail that is less restrictive than the regulations established by the State of California unless otherwise authorized by the ~~s~~State.

Sec. 13-17. California Fire Code adopted ~~A~~ amendments.

(a) The portion of the California Building Standards Code that imposes substantially the same requirements as are contained in the California Fire Code, 2013 Edition published by the International Code Council and the California Building Standards Commission with Errata, including Appendices, Chapters 4, B, ~~BB~~, C, ~~CC~~, D and ~~DH~~; published by the International Code Council, save and except such portions as are hereinafter deleted, modified, or amended by subsection (b) of this section, are adopted and incorporated as fully as if set out at length herein for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosions within the unincorporated area ~~of the County of the county~~.

(b) The California Fire Code, ~~2010-2013~~ Edition, is hereby amended as follows:

(~~1~~) **Chapter 1, Division II, Section 101.1 is amended to read:**

101.1 Title. These regulations shall be known as the Sonoma County Fire Code, hereinafter referred to as “this Code.”

(2) ~~(2)~~ Chapter 1, Division II, Section 102.3 is amended to read:

102.3 Change of use or occupancy. No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this Code, the Sonoma County Building Code, and the ~~International California~~ Building Code. Subject to the approval of the ~~Fire Code Official~~ fire code official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all the requirements of this Code, the Sonoma County Building Code, and the ~~International California~~ Building Code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

(33) Chapter 1, Division II, Section 102.4 is amended to read:

102.4 Application of ~~b~~Building ~~e~~Code. The design and construction of new structures shall comply with the ~~2010-2013~~ California Building Code, Volumes 1 and 2, the ~~2010-2013~~ California Historical Building Code, the ~~2010-2013~~ California Existing Building Code, and the ~~2010-2013~~ California Residential Code, as adopted and amended by the County of Sonoma, and any alterations, additions, changes in use or changes in structures required by this Code, which are within the scope of the ~~2010-2013~~ California Building Code Volumes 1 and 2, the ~~2010-2013~~ California Historical Building Code, ~~2010-2013~~ California Existing Building Code and the ~~2010~~ ~~2013~~ California Residential Code, as adopted and amended by the County of Sonoma, shall be made in accordance therewith.

(44) Chapter 1, Division II, Section 103.1 is amended to read:

103.1 General. The Division of Fire Prevention is established within the Fire and Emergency Services Department under the direction of the ~~Fire Code Official~~ fire code official. The function of the division shall be the implementation, administration and enforcement of the provisions of this Code.

(55) Chapter 1, Division II, Section 103.3.1 is added to read:

103.3.1 Authority to ~~Issue~~ issue Citations. The ~~Fire Chief~~ fire chief, the fire code official and his or her deputies who have the discretionary duty to enforce a statute or ordinance, pursuant to Section 836.5 of the California Penal Code and subject to the provisions thereof, may

arrest a person without a warrant whenever the ~~Fire Chief~~ fire chief or member of the Fire Prevention Bureau has reasonable cause to believe that the person to be arrested has committed a violation in the presence of the ~~Fire Chief~~ fire chief or member of the Fire Prevention Bureau which he or she has discretionary duty to enforce, and to issue a notice to appear and to release such person on his or her written promise to appear in court, pursuant to the provisions of Section 853.5 et seq. of the California Penal Code.

(66) Chapter 1, Division II, Section 105.1.2 is amended to read:

105.1.2 Types of permits. There shall be two types of permits as follows:

1. ~~1-~~Operational permit. An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Chapter 1, Section 105.6, including local amendments for either:

- 1.1. A prescribed period.
- 1.2.- Until renewed or revoked.

2. ~~2-~~Construction permit. A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by Chapter 1, Section 105.7 including local amendments.

(77) Chapter 1, Division II, Section 105.3.3.1 is added to read:

105.3.3.1 Occupancy pPermits. The fire chief may notify the building official not to authorize temporary or final occupancy of any building for which a permit is required by this Code until the building has been inspected and found to be in compliance with this Code. The building official shall not authorize temporary or final occupancy of any new commercial building for which a permit is required by this Code until ~~the contractor provides a certification of required fire flow availability certification is provided~~ to the fire chief. The ~~certification of required fire flow fire flow availability certification~~ shall include static pressure, residual pressure, and gallons per minute, as witnessed by, or acceptable to, the fire chief.

(88) Chapter 1, Division II, Section 105.3.3.2 is added to read:

105.3.3.2 Temporary Cconnection Aapproval. Nothing in Section 105 shall prohibit the granting or approval of a temporary connection for gas or electricity to allow construction to occur.

(99) Chapter 1 Division II, Section 105.5 is amended to read:

105.5 Revocation of pPermits. Any permit issued under this Code may be modified, suspended, or revoked whenever the fire chief determines any of the following:

- (1) ~~_____ (1)~~ The permit has been used by a person other than the person to whom it was issued.
- (2) ~~_____ (2)~~ The permit has been used for a location other than that for which it was issued.
- (3) ~~_____ (3)~~ The conditions or limitations set forth in the permit have been violated.
- (4) ~~_____ (4)~~ The permittee has failed, refused, or neglected to comply with orders or notices duly served in accordance with the provisions of this Code within the time provided therein.
- (5) ~~_____ (5)~~ There has been a false statement or misrepresentation as to a material fact in the application or plans on which the permit or application was based.

(410) Chapter 1, Division II, Section 105.5.1 is added to read:

105.5.1 Revocation Pprocedure. Revocation of any permit issued under this Code shall only occur after written notice of the violation has been given by the fire chief to the permittee at his or her last place of residence as shown on the permit or certificate, which notice shall order the permittee to either correct the violation within ten (10) days or appear before the local fire chief, unless the local fire protection district issues a written notice electing to have the County fire chief hear the matter, at a date and time certain to show cause why the permit or certificate should not be modified, revoked or suspended. At the hearing before the fire chief, the permittee shall have an opportunity to appear and be heard on the question of whether the permit issued to him should be revoked or suspended. Upon conclusion of the hearing or as soon thereafter as practicable, the chief shall issue a decision in writing to the permittee determining whether to modify, revoke or suspend the permit. Any interested person may appeal the ~~Fire Chief~~ fire chief's decision to the ~~board of appeals~~ Board of Appeals. All appeals shall be filed in writing with the ~~Fire Chief~~ fire chief within ten (10) calendar days of the date of the decision being appealed.

(411) Chapter 1, Division II, Section 105.6.47 is amended to read:

~~_____~~ **105.6.47 Additional Ooperational Ppermits.** In addition to the operational permits required by Section 105.6, the following permits shall be obtained from the division of fire prevention prior to engaging in the following activities, operations, practices or functions:

1. Production facilities. To change use or occupancy, to allow the attendance of a live audience, or for wrap parties.

2. Pyrotechnics and special effects. To use pyrotechnic special effects, open flame, use of flammable or combustible liquids and gasses, welding, and the parking of motor vehicles for the purpose of motion picture, television and commercial production.
3. Live audiences. To install seating arrangements for live audiences in approved production facilities, production studios, and sound stages. See Chapter 48.
4. Apartment, hotel, motel. An operational permit is required to operate an apartment house, hotel, or motel.
5. Bonfires or rubbish fires. An operational permit is required to kindle or authorize the kindling or maintenance of bonfires or rubbish fires.
6. Day care. An operational permit is required to operate a day care occupancy with an occupant load over eight (8) persons.
7. Emergency responder radio coverage system. An operational permit is required for buildings and/or facilities with emergency responder radio coverage systems and related equipment.
8. Fire protection systems. An operational permit is required for buildings and/or facilities with fire protection systems and related equipment such as fire pumps, fire hydrant systems, fire suppression systems, fire alarm systems, smoke management systems, and similar systems governed by this Code.
9. High-rise building. An operational permit is required to operate a high-rise building as defined in the Building Code.
10. Institutional or residential occupancy (~~six (6)~~ or ~~less-fewer~~ persons). An operational permit is required to operate an institutional or residential occupancy for ~~six (6)~~ or ~~less fewer~~ persons, except day care and residential care facilities for the elderly.
11. Institutional or residential occupancy (more than ~~six (6)~~ persons). An operational permit is required to operate an institutional or residential occupancy for more than ~~six (6)~~ persons. Exception: A permit is not required for large-family day care providing care for ~~less fewer than nine (9)~~ children.
12. Medical ~~Gas-gas S~~systems. An operational permit is required for buildings and/or facilities with medical gas systems and related equipment, and similar systems governed by this Code.
13. Oil or natural gas well. An operational permit is required to own, operate or maintain an oil or natural gas well.
14. Organized ~~C~~amps. An operational permit is required to operate an organized camp (Group ~~C~~ ~~Occupancy~~occupancy).

15. Public ~~H~~haunted ~~H~~house. An operational permit is required to operate a haunted house, ~~ghost-walk~~ or similar ~~facility~~ amusement. Such amusement shall be in compliance with the 2013 California Fire Code, Appendix K.

16. Special ~~E~~event. An operational permit is required for any organized procession or assemblage of 50 or more people, which could significantly impact vehicular traffic or create a safety problem. Examples include, but are not limited to: music festivals, outdoor markets, circus, walkathons, runs, marathons, trail rides, bicycle races, celebrations, parades and other similar activities.

17. Winery ~~c~~Caves – ~~P~~publicly ~~A~~accessible. An operational permit is required to operate a Type-2 or Type-3 winery cave that is accessible to the public.

~~(1212)~~ Chapter 1, Division II, Section 105.7.175 is added to read:

105.7. ~~15-17~~Additional ~~c~~Construction ~~P~~permits. In addition to the permits required by Section 105.7, the following construction permits shall be obtained from the division of Fire Prevention prior to starting construction:

1. Emergency vehicle access facilities. A construction permit is required for installation or modification of roadways and roadway structures used for emergency vehicle access.

~~2. Emergency responder radio systems. A construction permit is required for the installation, modification or improvements to emergency responder radio systems.~~

~~3-2.~~ Excavation near flammable or combustible liquid pipeline. A construction permit is required to excavate or do any work below grade within ten (10) feet of any pipeline for the transportation of flammable or combustible liquid.

~~4-3.~~ Fire-line underground utility piping. A construction permit is required to install, alter, or make improvements to fire-line underground utility piping. A separate utility permit from the building official is required prior to installing any private underground fire protection water piping and associated appliances.

~~5-4.~~ Gates. A construction permit is required for the installation of security gates across a fire apparatus access road.

~~6-5.~~ Hazardous materials site disclosure (aboveground facility & underground tank). A construction permit is required to permanently remove hazardous materials storage or use premises from service, including the permanent removal of a hazardous materials tank.

~~7-6.~~ Medical gas system. A construction permit is required to install a medical gas system.

8-7. Oil or natural gas well. A construction permit is required to drill an oil or natural gas well.

(1313) Chapter 1, Division II, Section 109.34 is amended to read:

109.34 Violation penalties. Persons who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under provisions of this Code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not exceeding six months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(1414) Chapter 1, Division II, Section 111.4 is amended to read:

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100.00 dollars or more than \$500.00 dollars. A person shall be fined for each day he or she continues to work after having been served with a stop work order.

(1515) Chapter 2, Section 202 is amended to revise the definition of “building” to read:

“**Building**” is defined as set forth in Chapter 13 of the Sonoma County Code.

(1616) Chapter 3, Section 307.1 is amended to read:

307.1 General. Open burning shall be conducted in accordance with this section and Article VII of Chapter 13 of the Sonoma County Code. ~~Open burning shall also be conducted as required by other governing agencies regulating emissions.~~

(1717) Chapter 3, Section 307.2 is amended to read:

307.2 Burning-Permit Required. Prior to commencement of open burning, a burning

permit shall be obtained pursuant to section 13-71 of the Sonoma County Code.

(18) Chapter 3, Section 311.3.1 is added to read:

311.3.1 Removal of Debris After Fire. All rubble, waste, rubbish, and other materials lying upon any premises within the jurisdictional area; having been accumulated thereon by reason of a fire, and having been rendered useless thereby shall be removed from within ten (10) days after notice has been given to do so in writing by the Fire Chief to the owner, lessee, or other person in charge or control of the premises.

~~(19) Chapter 5, Section 501.1 is amended to read:~~

~~**501.1 Scope.** Fire service for buildings, structures and premises shall comply with this chapter.~~

~~**Exception:** One and two family residential dwellings; detached U Occupancy buildings less than 1,000 square feet in area accessory to a one or two family dwelling; and agricultural exempt buildings less than 8,000 square feet in area within County unincorporated areas may comply with the requirements of Sonoma County Fire Safe Standards, and the California Residential Code as adopted and amended by the Sonoma County Code.~~

~~(19)~~ **Chapter 5, Section 503.1.1 is amended to read:**

~~**503.1.1 Buildings and facilities.** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within ~~150~~ **one hundred fifty feet (45-720 mm 150')** of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Buildings located on slopes of greater than five percent (5%) shall be provided with additional fire protection measures to mitigate access constraints when required by the County ~~Fire Chief~~ **fire chief**.~~

~~**Exception:** The fire code official is authorized to increase the dimension of ~~150~~ **one hundred fifty feet (45-720 mm 150')** where:~~

- ~~1. **1-**~~ The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
- ~~2. **2-**~~ Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
- ~~3. **3-**~~ There are not more than two Group R-3 or Group U occupancies.

~~(2020)~~ Chapter 5, Section 503.1.2 is amended to read:

503.1.2 Additional access. The fire code official is authorized to require more than one fire apparatus access road in accordance with ~~a~~Appendix D or based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

~~(21)~~ Chapter 5, Section 503.1.3 is amended to read:

503.1.3 High-piled storage. Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 32 and Appendix D.

~~(22)~~ Chapter 5, Section 503.2.1 is amended to read:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width in accordance with this section and ~~a~~Appendix D, including an unobstructed vertical clearance of not less than 13 feet 6 inches.

~~(23)~~ Chapter 5, Section 503.2.1.1 is added to read:

503.2.1.1 Two-way roads. All two-way roads shall have a right-of-way of not less than twenty-five (~~25'~~) feet (25') and shall have an unobstructed width of not less than ~~20~~twenty feet (20')-, exclusive of shoulders, except for approved security gates in accordance with Section 503.6.

~~-~~When permitted in a subdivision's conditions of approval and approved by the appropriate ~~C~~county departments, as identified in the subdivision's conditions of approval, the subdivision may have a two-way road of not less than twelve feet (12'), exclusive of shoulders, with turnouts and turnarounds. Spacing of the turnarounds shall be as set forth in the subdivision's conditions of approval. If the subdivision's conditions of approval do not set forth spacing requirements, then turnarounds shall be at a minimum interval of one- thousand three hundred and twenty feet (1,320').

~~(24)~~ Chapter 5, Section 503.2.1.2 is added to read:

503.2.1.2 One-way roads. In addition to meeting the applicable standards in the preceding sections, all one-way roads shall comply with the following requirements:

(a) All one-way roads shall have a right-of-way of not less than twenty feet (20'), exclusive of shoulders, and shall be constructed to provide a roadway with a minimum of one (1) twelve foot (12') traffic lane, exclusive of shoulders, providing one-way traffic flow.

(b) All one-way roads shall connect to a two-way road at both ends, and shall provide access to an area zoned for no more than ten (10) dwelling units.

(c) All one-way roads exceeding five hundred feet (500') in length shall have a turnout constructed at approximately the midpoint of the road. Any one-way road exceeding one thousand feet (1,000') in length shall also have turnouts constructed approximately every five hundred feet (500') along the entire length of the road.

(d) No one-way road shall exceed two thousand six hundred forty feet (2,640') in length.

~~(25)~~ **Chapter 5, Section 503.2.1.3 is added to read:**

503.2.1.3 Driveways. Driveways shall apply only to one- and two-family dwellings, and accessory structures associated with one- and two family dwellings unless otherwise approved by the fire code official. In addition to meeting the applicable standards in the preceding sections, all driveways shall comply with the following requirements:

(a) All driveways shall be constructed to provide a minimum of one (1) twelve foot (12') traffic lane, exclusive of shoulders, and an unobstructed vertical clearance of fifteen feet (15') along the entire length of the driveway.

(b) All driveways exceeding one hundred fifty feet (150') in length shall have a turnout constructed at approximately the midpoint of the driveway. Any driveway exceeding eight hundred feet (800') in length shall have turnouts constructed approximately every four hundred feet (400') along the entire length of the driveway.

(c) All driveways exceeding one hundred fifty feet (150') in length shall have a turnaround constructed at each residential building served by the driveway. Additional turnarounds shall be provided when a driveway exceeds ~~1320~~ one thousand three hundred twenty feet (1,320') in length at a length approved by the fire code official.

~~(26)~~

(26) Chapter 5, Section 503.2.1.4 is added to read:

503.2.1.4 Roadway Turnarounds. Any road or driveway structure required to have a turnaround may have either an approved hammerhead/T, a stub out, or approved terminus bulb. All turnarounds shall have a minimum turning radius of forty feet, bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a

hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

(2727) Chapter 5, Section 503.2.1.5 is added to read:

—————**503.2.1.5 Roadway Turnouts.** Any road or driveway structure required to have a turnout shall have an approved turnout that is a minimum of twenty feet (20') wide, including the roadway and the turnout and thirty feet (30') long with a minimum taper of twenty-five feet (25') on each end. The length of the turnout shall be measured along the roadway or driveway centerline.

(2828) Chapter 5, Section 503.2.3 is amended to read:

—————**503.2.3 Surface.** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. The surface shall provide unobstructed access to conventional drive vehicles, including sedans and fire engines. Surfaces shall be capable of supporting a minimum 40,000 pound load. When other areas of this code require compliance with [Appendix D](#) the surface shall be designed pursuant to Section D102 for access and loading, unless otherwise approved by the fire code official.

(2929) Chapter 5, Section 503.2.3.1 is added to read:

—————**503.2.3.1 Surface Construction.** All structural sections shall be constructed to meet or exceed the following standards:

(a) On level areas and grades of less than five percent (5%), roads and driveways shall have a gravel surface. The structural section of the road or driveway shall be at least one foot (1') of compacted Class 2 Aggregate Base.

(b) On grades of between five percent (5%) and ten percent (10%), roads and driveways shall have a double seal coat surface. The structural section of the road or driveway shall have an armor coat surface, constructed according to CalTrans Standard Specifications Section 37, Bituminous Seal Double Application, and the base portion of the road or driveway shall be at least one foot (1') of compacted Class 2 Aggregate Base.

(c) On grades of greater than ten percent (10%), roads and driveways shall have an asphalt concrete surface. The structural section of the road or driveway shall be asphalt concrete of at least two-tenths of one foot (0.2') thick. The base portion of the structural section shall be at least five-tenths of one foot (0.5') of compacted Class 2 Aggregate Base.

(d) On grades of greater than fifteen percent (15%), a design of the section shall be prepared by a licensed civil engineer using a soils investigation that provides soil R-value

and expansion index. Alternatively, the engineer may use an R-value of 5 and waive the soil report unless a soil engineering report is required because of specific site conditions. The traffic index to be used for the design shall be not less than 3.5.

(e) In lieu of the prescriptive structural sections required by subsections (a), (b) and (c), a design of the section may be prepared by a licensed civil engineer using a soils investigation that provides soil R-value and expansion index. Alternatively, the engineer may use an R-value of 5 and waive the soil report unless a soil engineering report is required because of specific site conditions. The traffic index to be used for the design shall be not less than 3.5.

~~(3030)~~ Chapter 5, Section 503.2.4 is amended to read:

503.2.4 Turning radius The required turning radius of a fire apparatus road shall be as follows:

(a) No road or driveway shall have a horizontal inside radius of curvature of less than fifty feet (50'). If the roadway or driveway width is less than twenty-four feet (24'), then additional roadway or driveway widths shall be required as follows:

- 1) Four feet (4') of additional width for curves with a horizontal inside radius of fifty feet (50') to one hundred feet (100') and a central angle greater than forty-five (45°) degrees.
- 2) Two feet (2') of additional width for curves with a horizontal inside radius of one hundred feet (100') to two hundred feet (200') and a central angle greater than forty-five (45°) degrees(45°).

—The road shall have the full width widening beginning at the point of tangency of the curve requiring the widening to the end point of tangency of that curve or subsequent curves requiring widening (if reverse curves are used). A five-to-one (5:1) taper shall be used to transition from the base width into and out of the widened width.

(b) Unless otherwise approved by the County ~~Fire Chief~~ fire chief, where a private road, with a throat width equal to or greater than eighteen feet (18') as measured thirty feet (30') from the edge of pavement, intersects a public road, the edge of pavement radius shall begin with a line a minimum of twelve feet (12') from and parallel to the physical centerline of the public road and a minimum radius of twenty-five feet (25') shall be provided from this point to the point of tangency with the edge of pavement of the private road. A taper of not less than ten-to-one (10:1) shall be provided along the public road when the public road is less than twenty-four feet (24') wide.

(c) Where a private road, with a throat width measuring equal to or greater than twelve feet (12') and less than eighteen feet (18') or a driveway with a throat width equal to or greater than ten feet (10') as measured thirty feet (30') from the edge of pavement, intersects a public or private road, the edge of pavement radius shall begin with a line a minimum of twelve feet (12') from and parallel to the physical centerline of the public or private road and a minimum radius of twenty-five feet (25') shall be provided from this point to the point of tangency with the edge of pavement of the private road or driveway. A taper of not less than ten-to-one (10:1) shall be provided along the public or private road when the public or private road is less than twenty-four feet (24') wide. In lieu of a ten-to-one (10:1) taper connecting private road or driveway to private

road only, a radius of forty feet (40') may be used.

(d) Where a driveway, with a throat width measuring equal to or greater than ten feet (10') and less than eighteen feet (18') as measured thirty feet (30') from the edge of pavement, intersects a private road, the edge of pavement shall be a minimum radius of forty feet (40'). Any driveway with a throat width greater than eighteen feet (18'), as measured thirty feet (30') from the edge of the pavement, that intersects a private road, shall comply with the private road/public road requirements set forth in subsection (b) of this section.

(e) Road and driveway horizontal curves and intersections may be reduced when proven by scientific method of a recognized vehicle modeling program. The method shall be performed based on the length, width, wheel base and turning radius of a standard Type 1 Fire Apparatus.

(3131) Chapter 5, Section 503.2.5 is amended to read:

—**503.2.5 Dead ends.** In addition to meeting the applicable standards in the preceding sections, all dead-end roads shall comply with the following requirements:

(a) Dead-end fire apparatus access roads in excess of ~~150~~ **one hundred fifty feet (45720 mm 150')** in length shall be provided with an approved area for turning around fire apparatus.

(b) All dead-end roads shall have a maximum length, including any dead-end roads accessed from the original dead-end road, not exceeding the following cumulative lengths regardless of the number of parcels served:

- 1) Parcels zoned for less than one (1) acre - eight hundred feet (800')
- 2) Parcels zoned for one (1) acre to 4.99 acres - one thousand three hundred twenty feet (1,320')
- 3) Parcels zoned for five (5) acres to **nineteen and ninety-nine hundredths (19.99)** acres - two thousand six hundred forty feet (2,640')
- 4) Parcels zoned for twenty (20) acres or larger - five thousand two hundred eighty feet (5,280').

(c) All lengths shall be measured from the edge of the roadway at the intersection that begins the dead-end road to the farthest point on the dead-end road. Where a dead-end road crosses areas of differing zoned parcel sizes, requiring length limits, the shortest allowable length shall apply.

(d) All dead-end roads serving parcels five (5) acres or larger shall have turnarounds constructed approximately every one thousand three hundred twenty feet (1,320') along the entire length of the road.

-(203232) Chapter 5, Section 503.2.6 is amended to read:

503.2.6 Bridges and elevated surfaces. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

~~**503.2.6 Bridges and elevated surfaces.** Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with the American Association of State Highway and Transportation Officials Standard Specifications (AASHTO HB-17). Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the Fire Code Official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the Fire Code Official.~~

503.2.6.1 Minimum Design .All roadway and driveway structures shall be designed, constructed, and maintained in accordance with applicable sections of the County Building Code, the Standard Specifications for Highway Bridges, and any administrative regulations adopted pursuant to Sonoma County Code Section 13-2, and shall have a minimum designed live-load capacity of HS-20.

~~(213333)~~ Chapter 5, Section 503.2.6.2 is added to read:

503.2.6.2 Evaluation. All existing private bridges and elevated surfaces shall be evaluated by a California licensed civil engineer experienced in structural engineering or a California licensed structural engineer, for the purposes of safety and weight rating, and the vehicle load limits shall be posted at both entrances to bridges. These evaluations shall be performed at the direction of the ~~Fire Code Official~~ fire code official.

~~(223434)~~ Chapter 5, Section 503.2.6.2 is added to read:

503.2.6.2 Bridge maintenance Certification. All new and existing bridges and elevated structures providing emergency access shall be routinely evaluated and maintained in accordance with the American Association of State Highway and Transportation Officials (AASHTO) Manual: "The Manual for Bridge Evaluation" ~~First-Second~~ Edition, ~~2008~~2011, published by the American Association of State Highway and Transportation Officials; or other approved standards.

~~((35)-35)~~ Chapter 5, Section 503.2.6.4 is added to read:

503.2.6.4 Signage All roadway and driveway structures shall have appropriate signing identifying structure capability, ~~including weight limit and or by axcel~~, vertical clearance limits, ~~and any one-way road or single traffic lane conditions~~ and include weight and/or by axle

limit.

(~~36~~36) Chapter 5, Section 503.2.6.5 is added to read:

503.2.6.5 Width All roadway bridges having only one traffic lane shall be constructed to provide a minimum unobstructed width of twelve feet (12'), shall provide for unobstructed visibility from one end to the other and shall have turnouts at both ends.

(~~37~~37) Chapter 5, Section 503.2.7 is amended to read:

503.2.7 Grade. No road or driveway shall have a maximum grade in excess of fifteen percent (15%).

Exception: A road or driveway may include grades up to twenty percent (20%) for distances not exceeding three hundred feet (300') within any one thousand feet (1,000') of road or driveway with the approval of the County ~~Fire Chief~~fire chief when one or more of the following is provided:

1. A secondary means of ingress and egress to the parcel is provided.
2. Additional turnouts and turnarounds are provided.
3. Increased roadway width is provided.
4. Increased emergency water supply is provided
5. Fuel modification sufficient for civilian and ~~fire fighter~~firefighter safety is

provided.

(~~38~~38) Chapter 5, Section 503.2.7.1 is added to read:

503.2.7.1 Surface cross slope. The maximum roadway surface cross slope shall be five percent (5%) for all surface types unless a greater cross slope is required to meet super elevation requirements. The minimum surface cross slope for all surface types shall be two percent (2%).

(~~39~~39) Chapter 5, Section 503.2.7.2 is added to read:

503.2.7.2 Surface cross slope turnaround. Turnarounds shall have a maximum longitudinal slope of eight percent (8%). The longitudinal slope is defined as the slope corresponding to the long axis of a vehicle as it travels into, out of, and through a turnaround. This slope shall be maintained beginning and ending at the point of tangency of the edge of pavement curves for the turnaround. The cross slope perpendicular to the longitudinal slope shall not exceed five percent (5%).

(~~40~~40) Chapter 5, Section 503.2.8 is amended to read:

503.2.8 Angles of approach and departure. A vertical curve shall be required for any road or driveway when the algebraic difference in grade exceeds three percent (3%) for driveways, and two percent (2%) for private roads. The length of any vertical curve shall not be less than fifty feet (50').

(4141) Chapter 5, Section 503.3.1 is added to read

503.3.1 Signs. Signs shall be installed in compliance with Appendix D 103.6

(4242) Chapter 5, Section 503.6 is amended to read:

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire chief and shall comply with section 503.6.1 to 503.6.4 and Appendix D 103.5. A permit is required for the installation of security gates across a fire apparatus access road.

(4343) Chapter 5, Section 503.6.1 is added to read:

503.6.1 Width. All gate entrances and similar structures shall be at least two feet (2') wider than the width of the traffic lane(s) serving the gate or structure.

(4444) Chapter 5, Section 503.6.2 is added to read:

503.6.2 Setbacks. All gates providing access from a public road to a private road or private driveway shall be located at least thirty feet (30') from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the roadway.

(4545) Chapter 5, Section 503.6.3 is added to read:

503.6.3 Emergency operation. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F-2200.

(4646) Chapter 5, Section 503.6.4 is added to read:

503.6.4. Where a one-way road with a single traffic lane provides access to a gated entrance, a minimum of a 40 foot (40') turning radius shall be used.

(234647) Chapter 5, Section 505.1 is amended to read:

505.1 Address identification. New and existing buildings shall have approved illuminated address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. **Where required by the fire code official, address numbers shall be provided in additional locations to facilitate emergency response.** Address numbers shall be Arabic numerals or alphabet letters. Where access is by means of a private road and the building cannot be viewed from the public way a monument, signpost or other sign or means shall be used to identify the structure. **Address numbers shall be maintained.**

Exceptions:

1. These requirements may be modified with the approval of the ~~Fire Code Official~~ fire code official.
2. Illuminated address numbers are not required for existing buildings where approved, reflective numbers are installed.

(24)(48) Chapter 5, Section 501.1.1 and 501.1.2 are added to read:

505.1.1 Addresses for buildings. All buildings shall be issued an address by the local jurisdiction which conforms to that jurisdiction's overall address system. Accessory buildings will not be required to have a separate address; however, each unit within a building shall be separately identified.

~~**505.1.1 Numbers for one and two-family dwellings.** Numbers for one and two-family dwellings shall be a minimum of 4 inches (101.6mm) high with a minimum stroke width of 0.5 inches (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure.~~

~~**505.1.2 Numbers for other than one and two-family dwellings.** Numbers for other than one and two-family dwellings shall be a minimum of 12 inches high with a minimum stroke width of 1 inch. Suite numbers for other than one and two-family dwellings shall be a minimum of six 6" inches high and 0.5 inches stroke.~~

(5049) Chapter 5, Section 505.1.2 is added to read:

505.1.2 Numbers for one- and two- family dwellings. Numbers for one- and two-family dwellings shall be a minimum of ~~4~~four inches (~~101.6mm~~4") high with a minimum stroke width of ~~0.5~~five tenths of an inches (~~12.7mm~~0.5"). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure.

(5150) Chapter 5, Section 505.1.3 is added to read:

505.1.3 Numbers for other than one- and two- family dwellings. Numbers for

other than one- and two- family dwellings shall be a minimum of ~~12~~twelve inches (12”) high with a minimum stroke width of ~~1~~one inch (1”). Suite numbers for other than one–and two-family dwellings shall be a minimum of six-~~6~~ inches (6”) high and ~~0.5~~five tenths of an inches (0.5”) stroke.

(5251) Chapter 5, Section 505.1.4 is added to read:

505.1.4 Installation, location and visibility of addresses. All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located.

(5352) Chapter 5, Section 505.1.4.1 is added to read:

505.1.4.1 Signs posted one-way roads. Address signs along one-way roads shall be visible from both the intended direction of travel and the opposite direction.

(5453) Chapter 5, Section 505.1.4.2 is added to read:

505.1.4.2 Multiple Addresses. Where multiple addresses are required at a single driveway, they shall be mounted on a single post.

~~(d)~~ Where a roadway provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest road intersection providing access to that site.

(5554) Chapter 5, Section 505.2.1 is added to read:

505.2.1 Size of letters, numbers and symbols for street and road signs. Size of letters, numbers, and symbols for street and road signs shall be a minimum ~~3~~of three inches (3”) for letter height, with a ~~3/8~~three-eighths- inch (3/8”) stroke, reflectorized, and ~~;~~ contrasting with the background color of the sign.

(5655) Chapter 5, Section 505.2.2 is added to read:

505.2.2 Visibility and legibility of street and road signs. Street and road signs shall be visible and legible from both directions of vehicle travel for a distance of at least ~~100~~one hundred feet (100’).

(5756) Chapter 5, Section 505.2.3 is added to read:

505.2.3 Height of street and road signs. Height of street and road signs shall be uniform county-wide, and meet the visibility and legibility standards of this section.

(5857) Chapter 5, Section 505.2.4 is added to read:

505.2.4 Names and numbers on street and road signs. Newly constructed or approved public and private roads and streets must be identified by a name or number through a consistent countywide system that provides for sequenced or patterned numbering and/or non-duplicating naming within the county. All signs shall be mounted and oriented in a uniform manner. This section does not require any entity to rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering.

(5958) Chapter 5, Section 505.2.5 is added to read:

505.2.5 Intersecting roads, streets and private lanes. Signs required by this article identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes.

(6059) Chapter 5, Section 505.2.6 is added to read:

505.2.6 Signs identifying traffic access limitations. A sign identifying traffic access or flow limitations, including, but not limited to weight or vertical clearance limitations, dead-end road, one-way road (or single land conditions) shall be placed: (a) at the intersection preceding the traffic access limitation, and (b) no more than ~~100~~one hundred feet (100') before such traffic access limitation.

(6160) Chapter 5, Section 505.2.7 is added to read:

505.2.7 Installation of road, street, and private lane signs. Road, street and private land signs required by this article shall be installed prior to final acceptance by the local jurisdiction of road improvements.

(~~62~~61) Chapter 5, Section 507.1.1 is added to read:

507.1.1 Completion. The emergency water system shall be available on-site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved.

(~~63~~62) Chapter 5, Section 507.1.2 is added to read:

507.1.2 Temporary water supply. When authorized by the County ~~Fire Chief~~fire

chief, an interim emergency water supply acceptable to the County Fire Chief may be substituted for the permanent emergency water supply provided the permanent emergency water supply is installed and available for use prior to issuance of an occupancy permit or final inspection.

(6463) Chapter 5, Section 507.2.2 is amended to read:

507.2.2 Water tanks. Water tanks for private fire protection shall be installed in accordance with NFPA 22.

Exception: For Group R-3 occupancies, equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, and associated accessory structures up to 3,000 square feet in area, plastic water tanks up to 5,000 gallons in volume may be used. A flammable vegetation clearance of not less than twenty feet (20') shall be maintained around all poly-plastic or similar water tanks.

(6564) Chapter 5, Section 507.2.3 is added to read:

507.2.3 Urban water system for one- and two-family dwellings, and accessory structures associated with one- and two-family dwellings. If the water supply to the parcel is provided by a public or community water system (urban parcel - see [Definitions](#)) the emergency water supply for residential buildings shall consist of a permanent hydrant located on the road within two hundred fifty feet (250') of the driveway measured from where the driveway intersects with the public or private road. Distance measurements shall be determined by hose lay along the road, not horizontal distance.

(6665) Chapter 5, Section 507.2.4 is added to read:

507.2.4 Non-Urban water system. If the water supply to the parcel is provided by a private water well (non-urban parcel - see [Definitions](#)) the fire code official is authorized to utilize NFPA 1142 or the *International Wildland-Urban Interface Code*.

Exception: When authorized by the authority having jurisdiction, the emergency water supply requirements for one- and two-family dwellings, and accessory structures associated with one- and two-family dwellings, may be waived when sufficient evidence is proven that the Emergency Water Standards of Title 14 of the Natural Resources Code, Division 1.5, Article 4 have been met.

(6766) Chapter 5, Section 507.3 is amended to read:

507.3 Fire flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method or Appendix B.

Exception: When the Emergency Water Standards of Title 14 of the Natural Resources Code, Division 1.5, Article 4 have been met, the fire chief is authorized to reduce the fire-flow requirements for isolated buildings or a group of buildings in rural areas or small communities,

where the development of full fire-flow requirements is impractical.

~~(2568)~~ Chapter 5, Section 507.5.1 is amended to read:

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet (45.7 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the ~~Fire Code Official~~ fire code official.

Exceptions:

1. — For Group R-3 and Group U Occupancies, equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, the distance requirement shall be not more ~~than 600~~ six hundred feet (~~183 m~~ 600').

~~((69)-68)~~ Chapter 5, Section 507.5.1.1 is amended to read

507.5.1.1 Hydrant for standpipe and/or fire sprinkler systems. Buildings equipped with standpipe and/or fire sprinkler systems installed in accordance with section 903 and/or section 905 shall have a fire hydrant within ~~50~~ fifty feet (50') of the fire department connection (FDC).

Exception: The distance shall be permitted to exceed ~~50~~ fifty feet (50') where approved by the fire code official.

~~(7069)~~ Chapter 5, Section 507.5.1.32 is added to read

507.5.1.2 Other areas. Fire hydrant systems shall be required where a public water system, regardless of type of ownership, provides water for human consumption to fifteen (15) or more service connections.

~~(267170)~~ Chapter 5, Section 510.1 is amended to read:

510.1 Emergency responder radio coverage in new buildings. All new buildings, Type-2 winery caves and Type-3 winery caves shall have approved radio coverage for emergency responders within the building or winery cave based upon the existing coverage levels of the public safety communication systems of the jurisdiction, at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

Exceptions:

1. —

2-1. Where approved by the ~~Building Official~~building official and the ~~Fire Code Official~~fire code official, a wired communication system in accordance with Section 907.2.13.2, may be permitted to be installed in lieu of an approved radio coverage system.

3-2. Where it is determined by the ~~Fire Code Official~~fire code official that the radio coverage system is not necessary.

4-3. ~~3.~~—In facilities where emergency responder radio converge is required and such systems, components or equipment could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency radio coverage system.

(27) Chapter 6, Section 605.11—605.11.4 is added to read:

~~**605.11 Solar Photovoltaic Power Systems.** Solar photovoltaic power systems shall be installed in accordance with this Code, the California Building Code and the California Electric Code, or as approved by the Fire Code Official.~~

~~**Exception:** Detached Group U non-habitable structures such as parking shade structures, carports, solar trellises, and similar type structures are not subject to the requirements of Section 605.11.2 through Section 605.11.3.2.4.~~

~~**605.11.1 Marking.** Marking is required on all interior and exterior DC conduit, enclosures, raceways, cable assemblies, junction boxes, combiner boxes, and disconnects.~~

~~**605.11.1.1 Materials.** The materials used for marking shall be reflective, weather resistant and suitable for the environment. Marking as required in sections 605.11.1.1 through 605.11.1.4 shall have all letters capitalized with a minimum height of 3/8 inch white on red background.~~

~~**605.11.1.2 Marking Content.** The marking shall contain the words “WARNING: PHOTOVOLTAIC POWER SOURCE”.~~

~~**605.11.1.3 Main Service Disconnect.** The marking shall be placed adjacent to the main service disconnect in a location clearly visible from the location where the disconnect is operated.~~

~~**605.11.1.4 Location of Marking.** Marking shall be placed on all interior and exterior conduit, raceways, enclosures and cable assemblies every 10 feet and within 1 foot of all turns or bends, and within 1 foot of each side of penetrations.~~

~~**605.11.2 Locations of DC Conductors.** Conduit, wiring systems, and raceways for photovoltaic circuits shall be located as close as possible to the ridge, hip or valley and from the hip or valley as directly as possible to an outside wall to reduce trip hazards and maximize ventilation opportunities. Conduit that runs between sub-arrays and to DC combiner boxes shall be installed in a manner that minimizes total amount of conduit on the roof by taking the shortest path from the array to the DC combiner box. The DC combiner boxes shall be located such that conduit runs are~~

minimized in the pathways between arrays. DC wiring shall be run in metallic conduit or raceways when located within enclosed spaces in a building. Conduit shall run along the bottom of load bearing members.

605.11.3 Access and pathways. Roof access, pathways, and spacing requirements shall be provided in order to ensure access to the roof; provide pathways to specific areas of the roof; provide for smoke ventilation operations; and to provide emergency egress from the roof.

Exceptions:

1. Requirements relating to ridge, hip, and valleys do not apply to roofs slopes of two units vertical in twelve units horizontal (2:12) or less.
2. Residential structures shall be designed so that each array is no greater than 150 feet (45,720 mm) by 150 feet (45,720 mm) in either axis.
3. The Fire Chief may allow panels/modules to be located up to the ridge when an alternative ventilation method, acceptable to the Fire Chief; has been provided or where the Fire Chief has determined vertical ventilation techniques will not be employed.

605.11.3.1 Roof access points. Roof access points shall be defined as an area that does not place ground ladders over openings such as windows or doors, and are located at strong points of building construction in locations where the access point does not conflict with overhead obstructions such as tree limbs, wires, or signs.

605.11.3.2 Residential systems for one- and two-family residential dwellings. Access shall be provided in accordance with Sections 605.11.3.2.1 through 605.11.3.2.4

605.11.3.2.1 Residential buildings with hip roof layouts. Panels /modules shall be located in a manner that provides a 3 foot (914 mm) wide clear access pathway from the eave to the ridge on each roof slope where panels/modules are located. The access pathway shall be located at a structurally strong location on the building capable of supporting the live load of fire fighters accessing the roof.

605.11.3.2.2 Residential buildings with a single ridge. Panels/modules shall be located in a manner that provides two 3 foot (914 mm) wide access pathways from the eave to the ridge on each roof slope where panels/modules are located.

605.11.3.2.3 Hips and Valleys: Panels/modules shall be located no closer than 18 inches (457 mm) to a hip or a valley if panels/modules are to be placed on both sides of a hip or valley. If the panels are to be located on only one side of a hip or valley that is of equal length then the panels shall be permitted to be placed directly adjacent to the hip or valley.

605.11.3.2.4 Smoke Ventilation. Panels/modules shall be located no higher than 3 feet (914 mm) below the ridge in order to allow for fire department smoke ventilation operations.

605.11.3.3 All other occupancies. Access shall be provided in accordance with Sections 605.11.3.3.1 through 605.11.3.3.3.

Exception: Where it is determined by the Fire Code Official that the roof configuration is similar to a one- or two-family dwelling, the Fire Code Official may approve the residential access and ventilation requirements provided in 605.11.3.2.1 through 605.11.3.2.4.

605.11.3.3.1 Access. There shall be a minimum 6 foot (1,829 mm) wide clear perimeter around the edges of the roof.

Exception: If either axis of the building is 250 feet (76,200 mm) or less, there shall be a minimum 4 foot (1,290 mm) wide clear perimeter around the edges of the roof.

605.11.3.3.2 Pathways. The solar installation shall be designed to provide designated pathways. The pathways shall meet the following requirements:

1. The pathway shall be over areas capable of supporting the live load of fire fighters accessing the roof.

2. The center line axis pathways shall be provided in both axis of the roof. Center line axis pathways shall run where the roof structure is capable of supporting the live load of firefighters accessing the roof.

3. Shall be straight line not less than 4 feet (1,290 mm) clear to skylights and/or ventilation hatches.

4. Shall be straight line not less than 4 feet (1,290 mm) clear to roof standpipes.

5. Shall provide not less than 4 feet (1,290 mm) clear around roof access hatch with at least one not less than 4 feet (1290 mm) clear pathway to parapet or roof edge.

605.11.3.3.3 Smoke Ventilation. The solar installation shall be designed to meet the following requirements:

1. Arrays shall be no greater than 150 feet (45,720 mm) by 150 feet (45,720 mm) in distance in either axis in order to create opportunities for smoke ventilation operations.

2. Smoke ventilation options between array sections shall be one of the following:

—— 2.1 —— A pathway of 8 feet (2,438 mm) or greater in width.

—— 2.2 —— A 4 foot (1,290 mm) or greater in width pathway and bordering roof skylights or smoke and heat vents

—— 2.3 —— A 4 foot (1,290 mm) or greater in width pathway and bordering 4 foot (1,290 mm) x 8 foot (2,438 mm) “venting cutouts” every 20 feet (6,096 mm) on alternating sides of the pathway

~~605.11.4 Ground mounted photovoltaic arrays. Ground mounted photovoltaic arrays shall comply with Sections 605.11 through 605.11.2 and this section. A clear brush area of 10 feet (3048 mm) is required for ground mounted photovoltaic arrays.~~

~~(2872)-71~~ Chapter 9, Section 901.7.7 - 901.7.7.2 is added to read:

901.7.7 Notice of nuisance alarm. The officer in charge of fire units responding to a fire alarm signal shall determine whether a true emergency exists. If the officer determines that an emergency does not exist, the chief of the local fire agency or the County ~~Fire Chief~~ fire chief may issue a written notice of nuisance alarm to the owner or person in charge or control of the facility where the alarm signal originated.

901.7.7.1 Unreliable fire alarm systems. The ~~Fire Chief~~ fire chief of the local fire agency or the County ~~Fire Chief~~ fire chief may determine that a fire alarm system is unreliable upon receipt of more than four (4) nuisance alarms within a twelve (12) month period. Upon finding that an alarm system is unreliable, the chief of the local fire agency or the County ~~Fire Chief~~ fire chief may order the following:

1. For any nuisance alarm where the system is not restored, the ~~Fire Chief~~ fire chief may require the system owner to provide standby personnel as defined in Chapter 4, Section 403.1 or take such other measures, as the ~~Fire Chief~~ fire chief deems appropriate. Persons or activities required by the ~~Fire Chief~~ fire chief shall remain in place until a fire department--approved fire alarm maintenance firm certifies in writing to the ~~Fire Chief~~ fire chief that the alarm system has been restored to a reliable condition. The chief may require such tests, as he deems necessary to demonstrate the adequacy of the system.
2. Upon the fifth (5th) and sixth (6th) nuisance alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of \$150.00, plus the cost of fire engine response, for each occurrence.
3. Upon the seventh (7th) and eighth (8th) nuisance alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of \$300.00, plus the cost of fire engine response.
4. Upon the ninth (9th) and following nuisance alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of \$500.00, plus the cost of fire engine response, for each occurrence.

901.7.7.2 Hearing on notice. Any person receiving a notice of nuisance alarm who contends that the ~~Fire Chief~~ fire chief erroneously determined that the fire alarm system was not functioning as designed, may file a written request with the ~~Fire Chief~~ fire chief for a hearing on the determination within ten (10) days after receipt of the notice of nuisance alarm. The ~~Fire Chief~~ fire chief shall give the requesting party a hearing on the determination within thirty (30) days of receipt of the request. The request shall set forth: (1) that the system functioned as designed, or (2) that the nuisance alarm resulted from an act of God, flooding, or other violent natural condition without fault and beyond the control of the requesting party. Within ten (10) days following the

hearing, the chief shall give written notice of his or her decision to the requesting party.

—(297372) Chapter 9, Section 902 is amended to add the following definitions:

“Emergency” is an occasion that reasonably calls for a response by the fire department. A response due to failure of an alarm system or to personnel error is not an emergency.

“False Alarm” is an alarm signal activated by a properly functioning fire alarm system, necessitating response by the fire department when an emergency does not exist.

—(307473) Chapter 9, Section 903.2 of the California Fire Code is amended to read:

—Section 903.2. Where required. ~~A approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. An approved automatic sprinkler system shall be provided in new buildings and structures, and when additions are made to buildings or structures, as described in Sections 903.2.1 through 903.2.18~~

—(317574) Chapter 9, Section 903.2.1 - 903.2.1.5 of the California Fire Code is amended to read:

—903.2.1 Group A. ~~An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group A occupancies.~~

—903.2.1.1 Group A 1. ~~An automatic fire sprinkler system shall be provided for throughout Group A 1 occupancies. :~~

~~An automatic fire sprinkler system shall be provided throughout Group A 1 occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. The fire area exceeds 12,000 square feet.~~
- ~~2. The fire area has an occupant load of 300 or more.~~
- ~~3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.~~
- ~~4. The fire area contains a multi-theater complex.~~
- ~~5. The fire area is increased beyond the areas specified in Table 903.2~~

—903.2.1.2 Group A 2. ~~An automatic fire sprinkler system shall be provided for throughout Group A 2 occupancies. :~~

~~An automatic fire sprinkler system shall be provided throughout Group A 2~~

~~occupancies where any of the following conditions is created as a result of a remodel or addition:~~

~~1. The fire area exceeds 5,000 square feet.~~

~~2. The fire area has an occupant load of 100 or more.~~

~~3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.~~

~~4. The structure exceeds 5000 square feet, contains more than one fire area containing a Group A-2 occupancy, and is separated into two or more buildings by fire walls of less than four hour fire resistance rating without openings.~~

~~54. The fire area is increased beyond the areas specified in Table 903.2~~

~~903.2.1.3 Group A-3. An automatic fire sprinkler system shall be provided for throughout Group A-3 occupancies.~~

~~An automatic fire sprinkler system shall be provided throughout Group A-3 occupancies where any of the following conditions is created as a result of a remodel or addition:~~

~~1. The fire area exceeds 12,000 square feet.~~

~~2. The fire area has an occupant load of 300 or more; or~~

~~3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.~~

~~4. The structure exceeds 12,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by fire walls of less than four hour fire resistance rating without openings.~~

~~45. The fire area is increased beyond the areas specified in Table 903.2~~

~~903.2.1.4 Group A-4. An automatic fire sprinkler system shall be provided for throughout Group A-4 occupancies. An automatic fire sprinkler system shall be provided throughout Group A-4 occupancies where any of the following conditions is created as a result of a remodel or addition:~~

~~1. The fire area exceeds 12,000 square feet.~~

~~2. The fire area has an occupant load of 300 or more; or~~

~~3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.~~

~~4. The fire area is increased beyond the areas specified in Table 903.2.~~

~~903.2.1.5 Group A-5. An automatic fire sprinkler system shall be provided for Group A-5 occupancies in the following areas:~~

- ~~1. Concession Stands.~~
- ~~2. Retail Areas.~~
- ~~3. Press Boxes.~~
- ~~4. Other accessory use areas in excess of 1,000 square feet.~~

903.2.1 Group A. An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group A occupancies as provided in this section. For Group A-1, A-2, A-3 and A-4 occupancies, the automatic sprinkler system shall be provided throughout the floor area where the Group A-1, A-2, A-3 or A-4 occupancy is located, and in all floors from the Group A occupancy to, and including, the nearest level of exit discharge serving the Group A occupancy. For Group A-5 occupancies, the automatic sprinkler system shall be provided in the spaces indicated in Section 903.2.1.5.

~~903.2.1.1 Group A-1.~~ An automatic sprinkler system shall be provided for any new Group A-1 occupancies. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by table 903.2.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies; or
4. The fire area contains a multi-theater complex.

~~903.2.1.2 Group A-2.~~ An automatic sprinkler system shall be provided for any new Group A-2 occupancies. -An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by table 903.2.
2. The fire area has an occupant load of 100 or more. ~~;~~ ~~or~~
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 5,000 square feet, contains more than one fire area ~~—~~containing a Group A-2 occupancy, and is separated into two or more buildings ~~—~~by ~~fire~~ ~~wall~~firewalls of less than four-hour fire resistance rating without openings.

~~903.2.1.3 Group A-3.~~ An automatic sprinkler system shall be provided for any new Group A-3 occupancies. -An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by table 903.2.
2. The fire area has an occupant load of 300 or more; ~~or~~.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 12,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by ~~fire wall~~ firewalls of less than four hour fire resistance rating without openings.

~~_____~~ **903.2.1.4 Group A-4.** An automatic fire sprinkler system shall be provided for any new Group A-4 occupancies. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by table 903.2
2. The fire area has an occupant load of 300 or more: or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.1.5 Group A-5. An automatic fire sprinkler system shall be provided for any new Group A-5 occupancies in the following areas: ~~€~~concession stands, retail areas, press boxes and other accessory use areas. An automatic sprinkler system shall be provided for Group A-5 occupancies in the following areas: ~~€~~concession stands, retail areas, press boxes, and other accessory use areas where the fire area exceeds the area increases permitted by table 903.2 as a result of an addition or alteration.

~~_____~~ **(327675) Chapter 9, Section 903.2.2 of the California Fire Code is ~~deleted~~ amended to read:**

~~_____~~ **(33) Chapter 9, New Section 903.2.2 of the California Fire Code is added to read:**

~~_____~~ **903.2.2 Group B.** An automatic fire sprinkler system shall be provided throughout new buildings and portions thereof used as Group B occupancies. An automatic fire sprinkler system shall be provided throughout Group B occupancies where any of the following conditions is created as a result of a remodel or addition:

1. ~~_____~~ The fire area exceeds 12,000 square feet.
2. ~~_____~~ The fire area has an occupant load of 300 or more.
3. ~~_____~~ The fire area is increased beyond the areas specified in Table 903.2

~~_____~~ **903.2.2.1 Remodel or addition—Group B aAmbulatory hHealth cCare.** An automatic sprinkler system shall be provided when a Group B ambulatory health care occupancy is created and any of the following conditions result.

- ~~1. Four or more care recipients are incapable of self preservation.~~
- ~~2. One or more care recipients who are incapable of self preservation are located at other than the level of exit discharge serving such occupancy.~~

~~903.2.2 Group B~~ An automatic fire sprinkler system shall be provided for any new Group B occupancies. An automatic sprinkler system shall be provided for any Group B occupancy where the area exceeds the area increases permitted by ~~TABLE~~table 903.2 as a result of an addition or alteration.

~~903.2.2.1 Ambulatory care facilities.~~ An automatic sprinkler system shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exists at any time:

- ~~1. Four or more care recipients are incapable of self-preservation, whether rendered incapable by staff or staff has accepted responsibility for care recipients –already incapable~~
- ~~2. One or more care recipients that are incapable of self preservation are located at other than the level of exit discharge serving such a facility.~~

~~(347776) -Chapter 9, Section 903.2.3 of the California Fire Code is deleted~~**amended as follows:-**

~~(35) Chapter 9, New Section 903.2.3 of the California Fire Code is added to read:~~

~~903.2.3 Group E. An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group E occupancies. An automatic fire sprinkler system shall be provided throughout Group E occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. The fire area exceeds 12,000 square feet.~~
- ~~2. The fire area has an occupant load of 300 or more.~~
- ~~3. The fire area is increased beyond the areas specified in Table 903.2.~~

~~903.2.3.1 Public Schools Automatic Sprinkler Requirements~~

~~903.2.3.1.1 New Public School Campus. An approved automatic sprinkler system shall be provided in all buildings of a new public school campus as defined in Section 202 regardless of occupancy classification.~~

~~Exceptions:~~

- ~~1. Exempted portable buildings.~~

~~2. Ticket booths and athletic field storage buildings that are less than 500 square feet in floor area and located a minimum of 100 feet from all other buildings.~~

~~3. Shade or lunch shelters that are incapable of trapping heat, smoke or other by-products of combustion and located a minimum of 20 feet from all other buildings.~~

~~4. Shade or lunch shelters that are constructed of non-combustible materials and located a minimum of 20 feet from all other buildings.~~

~~903.2.3.1.1.1 Sprinklers shall be installed in spaces where the ceiling creates a “ceiling plenum” or space above the ceiling is utilized for environmental air.~~

903.2.3 Group E. An automatic sprinkler system shall be provided for any new Group E occupancies as follows:

1. Throughout all new Group E occupancies, and where the fire area of an existing Group E occupancy exceeds the area increases permitted by ~~TABLE~~table 903.2 as a result of an addition or alteration.

2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.

~~Exception:~~ **Exception:** An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has a least one exterior exit door at ground level.

3. In rooms or areas with special hazards such as laboratories, vocational shops and other such areas where hazardous materials are in quantities not exceeding the maximum allowable quantity are used or stored.

4. Throughout any Group E structure greater than 12,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by ~~fire~~firewalls of less than four-hour fire resistance rating without openings.

5. For public schools state-funded construction projects see Section 903.2.19.

(77)

~~(3778)~~ Chapter 9, ~~New~~ Section 903.2.4 of the California Fire Code is ~~added~~amended to read:

~~903.2.4 Group F.~~ An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group F occupancies.

~~Exceptions:~~

~~1. Canopied winery crush pads less than 12,000 square feet in area, provided that all of the following conditions are met:~~

a. ~~The canopy and supporting structure are constructed of non-combustible materials.~~

b. ~~If attached, the crush pad is separated from other portions of the building by one-hour fire resistive walls.~~

c. ~~The crush pad is not used for storage of combustible materials.~~

d. ~~The canopy and supporting structure is incapable of trapping heat, smoke or other byproducts of combustion.~~

~~2. Dairy milking facilities less than 12,000 feet in area.~~

~~903.2.4.1 Existing F-1 Woodworking operations. An automatic sprinkler system shall be provided throughout all Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in area which generate finely divided combustible waste or which use finely divided combustible materials. A fire wall of less than four-hour fire resistance rating without openings, or any fire wall with opening shall not be used to establish separate fire areas.~~

~~903.2.4.2 Additions or remodels—F Occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group F occupancy where any of the following conditions is created as a result of a remodel or addition:~~

~~1. The fire area is increased beyond the areas specified in Table 903.2~~

~~2. The fire area exceeds 12,000 square feet.~~

~~3. The fire area is located more than three stories, or more than 30 feet, above grade plane.~~

~~4. The combined area of all fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.~~

~~5. The fire area contains woodworking operations in excess of 2,500 square feet in area which generate finely divided combustible waste or which use finely divided combustible materials.~~

~~**903.2.4 Group F-1.** An automatic sprinkler system shall be provided throughout all new buildings containing a Group F-1 occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:~~

~~1. Group F-1 fire area exceeds the area increases permitted by ~~TABLE~~table 903.2 as a result of an addition or alteration.~~

~~2. A Group F-1 fire area is located more than three stories above grade plane.~~

~~3. The combined areas of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.~~

4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet.

Exceptions:

1. Canopied winery crush pads less than 12,000 square feet in area, provided that all of the following conditions are met:
 - a. The canopy and supporting structure are constructed of non-combustible materials.
 - b. If attached, the crush pad is separated from other portions of the building by one-hour fire-resistive walls.
 - c. The crush pad is not used for storage of combustible materials.
 - d. The canopy and supporting structure is incapable of trapping heat, smoke or other byproducts of combustion.
2. Dairy milking facilities less than 12,000 feet in area.

~~(7978)~~ Chapter 9, ~~New Section~~ **Section 903.2.4.1.1** of the California Fire Code is added to read:

~~903.2.4.1.1 Existing F-1 W~~**903.2.4.1.1 Existing F-1 Woodworking operations.**

An automatic sprinkler system shall be provided throughout all existing Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in area which generate finely divided combustible waste or which use finely divided combustible materials. A ~~fire wall~~**firewall** of less than a four-hour fire resistance rating without openings, or any ~~fire wall~~**firewall** with opening shall not be used to establish separate fire areas.

~~(79~~

~~(38)~~ Chapter 9, ~~Section 903.2.5.5~~ of the California Fire Code is added to read:

~~903.2.5.2 Additions or remodels – H Occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group H occupancy, and where an H Occupancy is created as a result of a remodel or addition.~~

~~(80)~~ Chapter 9, Section 903.2.5.1 of the California Fire Code is amended to read:

~~903.2.5.1 General.~~ **903.2.5.1 General.** An automatic sprinkler system shall be installed in Group H occupancies. An automatic sprinkler system shall be installed when a Group H occupancy undergoes an alteration or area increase.

~~(39)~~ Chapter 9, Section 903.2.6.3 of the California Fire Code is added to read:

~~903.2.6.3 Additions or remodels – I Occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group I occupancy, and where an I Occupancy is created as a result of a remodel or addition.~~

~~(8180)~~ Chapter 9, Section 903.2.6 of the California Fire Code is added to read:

~~903.2.6~~ **Group I.** An automatic sprinkler system shall be provided throughout buildings with a Group I fire area. An automatic sprinkler system shall be installed in Group I occupancies where the fire area exceeds the area increases permitted by ~~TABLE~~table 903.2 as a result of an addition or alteration.

~~Exceptions:~~

1. An automatic sprinkler system installed in accordance with Section 903.1.2 shall be permitted in Group I facilities.
2. An automatic sprinkler system installed in accordance with Section 903.1.3 shall be allowed in Group I-1 facilities with in compliance with all of the following:
 - 2.1 A hydraulic design information sign is located on the system riser;
 - 2.2 Exception 1 of Section 903.4 is not applied; and
 - 2.3 Systems shall be maintained in accordance with the requirements of ~~Section 903.3.1.2.~~
3. An automatic sprinkler system is not required where day care facilities are at the level of exit discharge and where every room where care is provided has at least one exterior exit door.
4. In buildings where Group I-4 day care is provided on levels other than the level of exit discharge, and automatic sprinkler system in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided and all floors between the level of care and the level of exit discharge, all floors below the level of exit discharge, other than areas classified as an open parking garage.

~~903.2.6.1~~ **Group I-2.** An existing, unsprinklered Group I-2 nurses' station open to fire-resistive exit access corridors shall be protected by an automatic sprinkler system located directly above the nurses' station. It shall be permitted to connect the automatic sprinkler system to the domestic water service.

~~903.2.6.2~~ **Group I-3.** Every building, or portion thereof, where inmates are restrained shall be protected by an automatic sprinkler system conforming to NFPA 13. The main sprinkler control valve or valves and all other control valves in the system shall be locked in the open position and electrically supervised so that at least an audible and visual alarm will sound at a constantly attended location when valves are closed. The sprinkler branch piping serving cells may be embedded in the concrete construction.

~~Exception:~~ Sprinklers are not required in cells housing two or fewer inmates and the building shall be considered sprinklered throughout when all the following criteria are met:

1. ~~1-~~Automatic fire sprinklers shall be mounted outside the cell a minimum of ~~six feet (1829 mm)~~6' on center and ~~one foot (305 mm)~~12 inches (305 mm) from the wall with quick response sprinkler heads. Where spacing permits, the head shall be centered over the cell door opening.
2. ~~2-~~The maximum amount of combustibles, excluding linen and

clothing, shall be maintained at three pounds per inmate.

3. ~~3-~~For local detention facilities, each individual housing cell shall be provided with a two-way inmate or sound-actuated audio monitoring system for communication directly to the control station serving the cell(s).

4. ~~4-~~The provisions of the exception in Section 804.4.2 shall not apply.

~~—————(40) Chapter 9, Section 903.2.7 of the California Fire Code is deleted~~

~~—————(418281) Chapter 9, New Section 903.2.7 of the California Fire Code is **added-amended** to read:~~

~~—————903.2.7 Group M. An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group M occupancies, and when an addition or remodel occurs affecting a Group M Occupancy as provided in this section.~~

~~—————Exception: Detached non-combustible motor fuel dispensing facility canopies classified as a Group M occupancy where the canopy and supporting structure is in incapable of trapping heat, smoke or other byproducts of combustion.~~

~~—————903.2.7.1 High piled storage. An automatic sprinkler system shall be provided as required in Chapter 23 in all buildings where storage of merchandise is in high piled or rack storage arrays.~~

~~—————903.2.7.2 Additions or remodels—M Occupancies. An automatic sprinkler system shall be provided for Group M occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. — A Group M fire area exceeds 12,000 square feet.~~
- ~~2. — A Group M fire area is located more than three stories above grade plane.~~
- ~~3. — The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.~~
- ~~4. — A Group M occupancy is used for the display and sale of upholstered furniture.~~
- ~~5. — The structure exceeds 24,000 square feet in area, contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by fire walls of less than 4 hour fire resistance rating.~~
- ~~6. — The fire area is increased beyond the areas specified in Table 903.2~~

~~—————903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a new Group M occupancy. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following~~

conditions exists:

1. A Group M fire area exceeds the area increases permitted by ~~TABLE~~table 903.2 as a result of an addition or alteration.
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (~~2230 m²~~).
4. A Group M occupancy is used for the display and sale of upholstered furniture exceeds 5,000 square feet (~~464 m²~~).
5. The structure exceeds 24,000 square feet (~~465 m²~~), contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by ~~fire~~ **wall**firewalls of less than 4-hour fire- resistance rating.

~~(42) Chapter 9, Section 903.2.8. of the California Fire Code is amended to add Section 903.2.8.1 to read:~~

~~903.2.8.1 Additions or remodels — R Occupancies. An automatic sprinkler system shall be provided for Group R occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. The fire area is increased beyond the areas specified in Table 903.2.~~
- ~~2. The fire area exceeds 12,000 square feet.~~

~~Exception: Attached carports of non-combustible construction classified as a Group U Occupancy where there is no habitable space above, and which are accessory uses to a one or two family residential dwelling.~~

~~(8382) Chapter 9, Section 903.2.8. is amended to read:~~

~~903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area. An automatic sprinkler system shall be installed in Group R occupancies where the fire area exceeds the area increases permitted by ~~TABLE~~table 903.2 as a result of a addition or alteration.~~

~~Exceptions:~~

- ~~1. Existing Group R-3 occupancies converted to Group R-3.1 occupancies not housing bedridden clients, not housing nonambulatory clients above the first floor, and not housing clients above the second floor.~~
- ~~2. Existing Group R-3 occupancies converted to Group R-3.1 occupancies housing only one bedridden client and complying with Section 425.8.3.3 of the California Building Code.~~
- ~~3. Pursuant to Health and Safety Code Section 13113 occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and buildings or portions thereof housing such children have an automatic fire alarm system activated by approved smoke detectors.~~

4. ~~4-~~Pursuant to Health and Safety Code Section 13143.6 occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).

5. ~~5-~~Detached structures less than 3000 square feet in area accessory to a one- or two family dwelling which do not contain space in the building for sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered space in the building for living, sleeping, eating or cooking.

When not used in accordance with Section 504.2 or 506.3 of the California Building Code an automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be allowed in Group R-2.1 occupancies.

An automatic sprinkler system designed in accordance with Section 903.3.1.3 shall not be utilized in Group R-2.1 or R-4 occupancies.

~~8483~~ Chapter 9, Sections 903.2.8.2 and 903.2.8.2.1 are added to read:

~~903.2.8.2~~ **Townhouse automatic fire sprinkler systems.** An automatic residential fire sprinkler system shall be installed in townhouses.

~~903.2.8.2.1~~ **Design and installation.** Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with the 2013 California Residential Code as adopted and amended by Sonoma County Code.

~~8584~~ Chapter 9, Sections 903.2.8.3, 903.2.8.3.1 and 903.2.8.3.2 are added to read:

~~903.2.8.3~~ **One- and two-family dwellings automatic fire systems.** An automatic residential fire sprinkler system shall be installed in one- and two- family dwellings, and factory built housing, mobile homes and manufactured homes when placed on a permanent foundation.

~~903.2.8.3.1~~ **Design and installation for** one- and two- family dwellings. Automatic residential fire sprinkler systems for one- and two- family dwellings shall be designed and installed in accordance with the 2013 California Residential Code as adopted and amended by Sonoma County Code.

~~903.2.8.3.2~~ **Design and installation for** factory built housing, mobile homes and manufactured homes.- Automatic residential fire sprinkler systems installed in: factory built housing, mobile homes and manufactured homes, shall be designed and installed in accordance with California Code of Regulations, Title 25, § 4302.

~~(43) Chapter 9, Section 903.2.9 of the California Fire Code is deleted~~

~~(44) Chapter 9, New Section 903.2.9 of the California Fire Code is added to read:~~

~~903.2.9 Group S. An automatic fire sprinkler system shall be provided throughout new buildings and portions thereof used as Group S occupancies, and when an addition or remodel occurs affecting a Group S Occupancy as provided in this section.~~

~~903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406 of the California Building Code.~~

~~903.2.9.2 Bulk storage of tires. Building, structures used for the storage of tires shall be equipped throughout with an automatic sprinkler system.~~

~~903.2.9.3 Additions or remodels — Group S Occupancies. An automatic fire sprinkler system shall be provided throughout all buildings containing a Group S occupancy where any of the following conditions is created as a result of a remodel or addition:~~

~~1. The fire area is increased beyond the areas specified in Table 903.2.~~

~~2. A Group S-1 fire area exceeds 12,000 square feet.~~

~~3. A Group S-1 fire area is located more than three stories above grade plane.~~

~~4. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.~~

~~5. A Group S-1 fire area used for the storage of commercial trucks or buses where the fire area exceeds 5,000 square feet.~~

~~(86-85) Chapter 9, Sections 903.2.9 and 903.2.9.1 of the California Fire Code are amended to read:~~

~~903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all new buildings containing a Group S-1 occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:~~

~~1. A Group S-1 fire area exceeds the area increases permitted by TABLEtable 903.2 as a result of a addition or alteration.~~

~~2. A Group S-1 fire area is located more than three stories above grade plane.~~

~~3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.~~

4. A Group S-1 fire area used for the storage of commercial trucks or buses where the fire area exceeds 5,000 square feet

5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406 of the California Building Code, as shown:

1. ~~1-~~Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 6,000 square feet
2. ~~2-~~Buildings no more than one story above grade plane, with a fire area containing a repair garage exceeding 6,000 square feet
3. ~~3-~~Buildings with repair garages servicing vehicles parked in basements.
4. ~~4-~~A Group S-1 fire area used for the repair of commercial trucks or buses where the fire area exceeds 5,000 square feet.

~~————(8786) Chapter 9, Section 903.2.10 of the California Fire Code is amended to read:~~

~~—————903.2.10 Group S-2 enclosed parking garages.~~ An automatic sprinkler system shall be provided throughout new buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code. An automatic sprinkler system shall be provided throughout ~~buildings~~ buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code as follows:

1. Where the fire area of the enclosed parking garage exceeds the area increases permitted by ~~TABLE~~table 903.2 as a result of a addition or alteration; or
2. Where the enclosed parking garage is located beneath other groups.

~~————(45) Chapter 9, Section 903.2.11.7 is added to read:~~

~~—————903.2.11.7 Group U Occupancy special requirements.~~ An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group U occupancies, and when an addition or remodel occurs affecting a Group U Occupancy as provided in this section.

~~—————Exceptions:~~

1. ~~————~~Detached Group U occupancies 3000 square feet or less in area
2. ~~————~~Agricultural exempt buildings and agricultural buildings as approved by the Fire Code Official.

~~—————903.2.11.7.1 Group U accessory areas.~~ For a U Occupancy less than 3000 square feet in area: In addition to the occupancy separations of California Building Code Chapter 5, an automatic fire sprinkler system shall be installed throughout all accessory areas of a U Occupancy regardless of the mixed-use ratio.

~~(8887)~~ Chapter 9, Section 903.2.11.7 and 903.2.11.7.1 is added to read:

~~903.2.11.7 -Group U Occupancy~~ **903.2.11.7 -Group U Occupancy special requirements.** An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group U occupancies, and when an addition or remodel occurs affecting a Group U Occupancy as provided in this section.

~~Exceptions:~~ **Exceptions:**

1. Detached Group U occupancies 3,000 square feet or less in area.
2. Agricultural exempt buildings and agricultural buildings as approved by the ~~Fire Code Official~~ fire code official.

~~903.2.11.7.1 Group U accessory areas.~~ **903.2.11.7.1 Group U accessory areas.** For a U Occupancy less than 3,000 square feet in area: In addition to the occupancy separations of California Building Code Chapter 5, an automatic fire sprinkler system shall be installed throughout all accessory areas of a U Occupancy regardless of the mixed-use ratio.

~~(468988)~~ Chapter 9, Table 903.2 is added to the California Fire Code, to read:

Table 903.2

Existing Building Area	Allowable Area Increase
0-1,000 sq ft:	200% ^{-(c)}
1,001-4,000 sq ft:	100% ^{-(a)(c)}
Greater than 4,000 sq ft:	50% ^{-(a)(b)(c)}

^(a) A 2,000 sq ft. maximum increase is allowed.

^(b) Maximum cumulative allowable area is 6,000 sq ft.

^(c) Fire sprinklers are required when additions to Limited Density Owner-Built Rural Dwellings (as described in Sonoma County Code Chapter 7-A) exceed 640 sq ft in area.

~~(479089)~~ Chapter 9, Section 903.2.11.8 is added to read:

~~903.2.11.8 -Changes of Occupancy.~~ **903.2.11.8 -Changes of Occupancy.** When any change of occupancy occurs where the proposed new occupancy classification is more hazardous as determined by the ~~Fire Code Official~~ fire code official including the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.

(90)

~~(9148)~~ Chapter 9, Section 903.2.11.9 is added to read:

~~903.2.11.9~~ **Elevation of existing buildings.**

An automatic fire extinguishing system shall be installed throughout all existing buildings when the building is elevated to: three or more stories, or more than ~~35~~ **thirty-five** feet (**35'**) in height, from grade to the exposed roof.

~~Exceptions:~~

1. An automatic fire-extinguishing system need not be provided when the area above 35 feet (**35'**) is provided for aesthetic purposes only and is a non-habitable space.
2. An automatic fire-extinguishing system need not be provided when existing single-family and two-family dwellings are elevated to comply with the requirements of Chapter 7B of the Sonoma County Code, provided that all of the ~~following~~ following conditions are met:
 - (a) The elevation creates a building no more than three stories in height.
 - (b) Two approved exits are provided for the highest floor, including a third story having less than 500 square feet of floor area.
 - (c) Approved interconnected smoke alarms are installed at each floor level and in all sleeping rooms, and hallways adjacent to sleeping rooms.
 - (d) There is no expansion or modification of use other than installation of the exits required by subparagraph (b) above and a utility room less than 100 square feet. The space created at ground level by the elevation shall be used only as a private parking garage or as unused vacant space.
 - (e) Any addition to the building after the elevation shall require installation of an automatic fire-extinguishing system.

~~(49) Chapter 9, Section 903.2.18 of the California Fire Code is deleted.~~

~~(509291)~~ Chapter 9, ~~New Section~~ **Section 903.2.18 of the California Fire Code is added amended** to read:

~~903.2.18~~ **Group U private garages and carports accessory to Group R-3 occupancies.** Carports with habitable space above, attached garages, and detached Group U structures greater than 3,000 square feet in area containing a use similar to a: ~~B Occupancy~~ **Occupancy**, ~~S Occupancy~~ **Occupancy**, or ~~M Occupancy~~ **Occupancy**, which is accessory to Group R-3 occupancies, shall be protected by residential fire sprinklers in accordance with this section. Residential fire sprinklers shall be connected to, and installed in accordance with, an automatic residential fire sprinkler system that complies with Section R313 of the California Residential Code or with NFPA 13D. Fire sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a minimum density of 0.05 gpm per square foot over the area of the garage and/or carport, but not to exceed two sprinklers for hydraulic calculation purposes. Garage doors shall not be considered obstructions to sprinkler placement.

~~(9392)~~ Section 903.3.1 is amended to read:

— **903.3.1 Standards.** Sprinkler systems shall be designed and installed in accordance with 903.3.1.1 unless otherwise permitted by sections 903.3.1.2 and 903.3.1.3

— **Exceptions:**

1. Buildings when approved by the fire code official 6,000 square feet and less in fire area may be authorized to reduce coverage areas to a minimum ~~four~~ (4) head calculation.
2. Buildings greater than 6,000 square feet and less ~~than~~ 12,000 square feet ~~sqft~~ in fire area may be authorized to use alternative fire pump designs as approved by the fire code official.

(93

— ~~(94)~~ **Section 903.4.1 is amended to read:**

— **903.4.1 Monitoring.** Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved supervising station or, when approved by the fire code official, shall sound an audible signal at a constantly attended location.

— **Exceptions:**

1. Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.
2. Backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.
3. Existing legal non-conforming automatic sprinklers systems shall be monitored for water flow only when the existing building is remodeled or a permit is required for sprinkler alterations and the alarm shall be transmitted to an approved supervising station or, when approved by the fire code official, shall sound an audible signal at a constantly attended location.

— ~~(51) Chapter 9, Section 903.4.2 of the California Fire Code is deleted.~~

— ~~(52) Chapter 9, New Section 903.4.2 of the California Fire Code is added to read:~~

~~**903.4.2 Alarms.** At least one exterior approved audible device activated by the water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system shall be connected to every automatic fire alarm system in an approved location, and approved audible devices shall be connected to every automatic sprinkler system for the purpose of occupant notification. Every new fire alarm system installed for the purpose of evacuation, including those systems activated solely by fire sprinkler systems shall be designed so that all occupants of the building shall be notified audibly and visually.~~

— ~~(9594)~~ **Chapter 9, New SectionSection 903.4.2 of the California Fire Code is amended to read**

~~_____~~ **903.4.2 Alarms.** One exterior approved audible device shall be connected to every automatic sprinkler system in an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. Visible and audible alarm notification appliances shall be located in areas as approved by the fire code official and installed in accordance with Sections 907.6.2.3.1, 907.6.2.1.1 and 907.6.2.1.2 unless required by section 907.2 and 907.3.

~~(_____~~ ~~(5396)~~ **95) Chapter 9, Section 905.3.1 is amended to read as follows:**

~~_____~~ **905.3.1 Height.** In other than R-3 and R-3.1 occupancies, Class III standpipe systems shall be installed throughout at each floor level where any of the following occur:

1. Buildings where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.
2. Buildings that are ~~four~~ three or more stories in height.
3. Buildings where the floor level of the lowest story is located more than 30 feet below the highest level of fire department vehicle access.
4. Buildings that are two or more stories below the highest level of fire department vehicle access.

~~5. On the roof of buildings three or more stories in height.~~

Exceptions:

1. Class I standpipes are allowed in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Class I manual standpipes are allowed in open parking garages where the highest floor is located not more than 150 feet above the lowest level of fire department vehicle access.
3. Class I manual dry standpipes are allowed in open parking garages that are subject to freezing temperatures, provided that the hose connections are located as required for Class II standpipes in accordance with Section 905.5.
4. Class I standpipes are allowed in basements equipped throughout with an automatic sprinkler system.
5. In determining the lowest level of fire department vehicle access, it shall not be required to consider:
 - 5.1. Recessed loading docks for four vehicles or less; and
 - 5.2. Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.

~~_____~~ ~~(5497)~~ **96) Chapter 9, Section 905.9 is amended to read as follows:**

~~_____~~ **905.9 Valve supervision.** Valves controlling water supplies shall be supervised in the

open position so that a change in the normal position of the valve will generate a supervisory signal at the supervising station required by Section 903.4. Where a fire alarm system is provided, a signal shall also be transmitted to the control unit.

— **Exceptions:**

Valves to underground key or hub valves in roadway boxes provided by the municipality or public utility do not require supervision.

~~Valves locked in the normal position and inspected as provided in this Code in buildings not equipped with a fire alarm system.~~

— ~~(559897)~~ Chapter 9, Section 907.2.8.1 is amended to read as follows:

— **907.2.8.1 Manual fire alarm system for R-1 Occupancies**
occupancies. A manual fire alarm system that activates the occupant notification system in accordance with -Section 907.5 shall be installed in Group R-1 occupancies.

— **Exceptions:**

~~A manual fire alarm system is not required in buildings not more than two stories in height where all individual sleeping units and contiguous attic and crawl spaces to those units are separated from each other and public or common areas by at least 1 hour fire partitions and each individual sleeping unit has an exit directly to a public way, exit court or yard.~~

Manual fire alarm boxes are not required throughout the building when the following conditions are met:

1. The building is equipped throughout with an automatic fire sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Notification devices will activate within each residential unit upon sprinkler water flow.
3. At least one manual fire alarm box is installed in an approved location.

(98)

— ~~(9956)~~ Chapter 1433, Section 14143314.3 is added to read:

14143314.3 Buildings under construction. In buildings four or more stories in height required to have sprinklers, such sprinklers shall be installed and extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

(~~5710099~~) Chapter 1433, Section 14143314.4 is added to read:

— **14143314.4 Buildings being demolished.** Where a building is being demolished and a sprinkler system exists within such a building, such sprinkler system shall be maintained in an operable condition so as to be available for use by the fire department. Such sprinkler system may be demolished with the building but shall not be demolished more than one floor below the floor being demolished.

~~((58) Chapter 27, Section 2701.5.3 is added to read:~~

~~2701.5.3 Electronic Reporting. All hazardous Material Management Plans (HMMP) and Hazardous Material Inventory Statements (HMIS) shall be submitted electronically as approved by the Fire Code Official.~~

~~(59) Chapter 34, Section 3404.1.1 is added to read:~~

~~3404.1.1 Tank storage prohibited. No new aboveground tanks for the storage of Class I and Class II liquids (except LPG-Propane) outside of buildings shall be permitted on mercantile, residential, and other congested parcels. Existing tanks on such parcels shall be removed within one (1) year after written notice from the Fire Code Official.~~

~~(60) Chapter 34, Section 3404.1.2 is added to read:~~

~~3404.1.2 Tank storage—other locations. New aboveground tanks for storage of Class I and II liquids on parcels not covered under Section 3404.1.2 shall be enclosed in a flammable liquid storage vault constructed in accordance with the standards of the fire department. Existing tanks on such parcels shall conform to this section within one (1) year after written notice from the fire department.~~

~~(61) Chapter 34, Section 3404.1.3 is added to read:~~

~~3404.1.3 Existing Tank Storage. Existing Tank storage shall meet the requirements of new tank installations within one year of notice from the Fire Code Official.~~

~~(62) Chapter 34, Section 3404.1.4 is added to read:~~

~~3404.1.4 Permits. In addition to any permits otherwise required by this Code, all existing and new aboveground tanks for storage of Class I and II liquids shall comply with the permit requirements of any federal, state, or local agency regulating the storage of such liquids in the jurisdiction.~~

~~(63) Chapter 38, Section 3803.3.1 is added to read:~~

~~3803.3.1 Seismic Anchoring. An approved seismic anchoring system shall be installed on all permanently installed, propane/LPG-gas containers.~~

~~————(64101) 100) Chapter 49, Section 4903 is amended to add the following:~~

~~————4903.1 General. A fire protection plan shall be required for any new residential or commercial building within a wildland-urban interface fire area. The plan shall be prepared by a~~

qualified professional and shall be approved by the County ~~Fire Code Official~~ fire code official. The plan shall include, at a minimum, defensible space zones, identification of vegetation types, replacement of non-native flammable vegetation with approved fire resistive vegetation, and a maintenance program for all vegetation. The property owner shall record a covenant, in a form satisfactory to County Counsel, which ensures that the approved plan will be implemented and maintained. When required by the code official, the property owner shall record a covenant, in a form satisfactory to County Counsel, which ensures that the approved plan will be implemented and maintained.

4903.2 Content. The fire protection plan shall be based upon a site-specific wildfire risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management.

4903.3 Cost. The cost of fire protection plan preparation and review shall be the responsibility of the applicant.

4903.4 Plan retention. A copy of the fire protection plan shall be retained by the property owner.

(102101) Section 5905.4 is added to read:

~~Section 4905.4~~ **Setbacks for structure defensible space.** Except where more restrictive requirements apply, construction, projections, openings and penetrations of exterior walls of buildings constructed on parcels within State Responsibility Areas (SRA) shall have setbacks to the property line and/or exterior wall protection according to ~~Table 4905.4 (a) or Table 4905.4 (b).~~ This is to meet the intent of California SRA Fire Safe Regulations Sec. 1276.01.

(103102) Chapter 49, Table 4905.4(a) and Table 4905.4(b) is added to read:

Table 4905.4 (a)
eExterior wWalls, within sState rResponsibility aArea,
without aAutomatic fFire sSprinkler pProtection

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure <i>from</i> both sides	< 10feet
	(Not fire-resistance rated)	Comply with CRC Sec R327.7 or CBC Sec 707A	≥ 10 feet
Projections	(Fire-resistance rated)	1 hour on the underside	< 10 feet

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
	(Not fire-resistance rated)	Comply with CRC Section R327.7 or CBC Section 707A Comply with Section CRC Sec R327.9 or CBC Sec.709A	10 feet
Openings in walls	Not allowed	N/A	< 10 feet
	25% maximum of wall area	Comply with Section R327.8 or CBC Sec 708A	>10 feet
	Unlimited	Comply with Section R327.8 or CBC Sec 708A	20 feet
Penetrations	All	Comply with Section R302.4 or CBC 714.3	< 10 feet
		Comply with Section R327.6 or CBC 706A	10 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

Table 4905.4 (B)

Exterior Walls, Within State Responsibility Area, With Automatic Residential Fire Sprinkler Protection

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure from both sides	< 10 feet
	(Not fire-resistance rated)	Comply with Section R327.7 or CBC Sec 707A	10 feet
Projections	(Fire-resistance rated)	1 hour on the underside	< 10 feet
	(Not fire-resistance rated)	Comply with Section R327.9 or CBC Sec.709A	10 feet
Openings in walls	Not allowed	N/A	< 10 feet
	Unlimited	Comply with Section R327.8 or CBC Sec 708A	10 feet
Penetrations	All	Comply with Section R302.4 or CBC 714.3	< 10 feet

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
		Comply with Section R327.6 or CBC 706A	10 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

(104103) Chapter 50, 5001.5.3 is added to read:

5001.5.3 Required Submittal of ~~(HMMP)~~ and HMIS plans. PHMMP and HMIS plans, when required by the fire code official, shall be submitted no later than 30 days from time of notification.

(105104) Chapter 50, Section 5004.1.1 is added to read:

5004.1.1 Tank storage prohibited. No new aboveground tanks for the storage of Class I and Class II liquids (except LPG-Propane) outside of buildings shall be permitted on mercantile, residential, and other congested parcels. Existing tanks on such parcels shall be removed within one (1) year after written notice from the ~~Fire Code Official~~ fire code official.

(106105) Chapter 50, Section 5004.1.2 is added to read:

5004.1.2 Tank storage — other locations. New aboveground tanks for storage of Class I and II liquids on parcels not covered under Section 3404.1.2 shall be enclosed in a flammable liquid storage vault constructed in accordance with the standards of the fire department. Existing tanks on such parcels shall conform to this section within one (1) year after written notice from the fire department.

(107106) Chapter 50, Section 5004.1.3 is added to read:

5004.1.3 Existing tank storage. Existing ~~t~~ Tank storage shall meet the requirements of new tank installations within one year of notice from the ~~Fire Code Official~~ fire code official.

(108107) Chapter 50, Section 5004.1.4 is added to read:

5004.1.4 Permits. In addition to any permits otherwise required by this Code, all existing and new aboveground tanks for storage of Class I and II liquids shall comply with the permit requirements of any federal, state, or local agency regulating the storage of such liquids in the jurisdiction.

(~~109~~108) Chapter 61, Section 6103.3.1 is added to read:

6103.3.1 Seismic Anchoring. An approved seismic anchoring system shall be installed on all permanently installed, propane/LPG gas containers.

(~~11065~~-109) Appendix B, Section B101.1 is amended to read:

B101.1 Scope. The procedure for determining fire-flow requirements for buildings or portions of buildings hereafter constructed shall be in accordance with this Appendix. This Appendix does not apply to structures other than buildings. This section applies to residential and commercial developments. One- and two-family residential dwellings in unincorporated areas shall comply with Sonoma County Fire Safe Standards. Design and construction shall be in accordance with the following sections unless otherwise authorized by the ~~Fire Code Official~~ fire code official in accordance with Chapter 1, Division II, Section 104.9 Alternative Materials and Methods.

(~~66111~~110) Appendix B, Section B102.1 is amended to read:

B102.1 Fire-flow. The flow rate of a water supply, measured at 20 pounds per square inch (psi) (~~138 kPa~~) residual pressure, measured in the water main in the vicinity of the flowing hydrant, that is available for fire fighting.

(~~67112~~111) Appendix B, Section B103.3 is amended to read:

B103.3 Areas without water supply systems. For information regarding water supplies for firefighting purposes in rural and suburban areas in which adequate water supply systems do not exist, the ~~Fire Code Official~~ fire code official is authorized to utilize the 2007 Edition of NFPA 1142, the International Wildland-Urban Interface Code or the Sonoma County Fire Safe Standards.

(~~68113~~112) Appendix B, Section B105.1 is amended to read:

B105.1 B105.1 One- and two-family dwellings. The minimum fire-flow requirements for one- and two-family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet (~~344.5 m²~~) shall be 1,500 gallons per minute (~~3,785.4 L/min~~). Fire-flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet (~~344.5 m²~~) shall not be less than that specified in ~~t~~Table B-105.1.

Exceptions:

1. A reduction in required fire-flow of 50 percent, as approved, is allowed when the building is provided with an approved fire sprinkler system.
2. County unincorporated areas not served by a municipal water system.

(69114)113) Appendix B, Section B105.2 is amended to read:

B105.2 Buildings other than one- and two-family dwellings. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in ~~T~~table B105.1.

Exceptions:

1. A reduction in required fire-flow of up to 50 percent (50%), as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (~~5,678 L/min~~) for the prescribed duration as specified in ~~T~~table B105.1.

2. Group B, S-2 and U occupancies having a floor area not exceeding 1,000 square feet (~~93m³~~), primarily constructed of noncombustible exterior walls with wood or steel roof framing, having a Class A roof assembly, with uses limited to the following or similar uses:

- 2.1. California State Parks Buildings of an accessory nature (restrooms).
- 2.2. Safety roadside rest areas (SRRA), public restrooms.
- 2.3. Truck inspection facilities (TIF), CHP office space and vehicle inspection bays.
- 2.4. Sand/salt storage buildings, storage of sand and salt.
- 2.5. Volunteer fire facilities, including office space and vehicle storage bays.

(70115)114) Appendix C, Section C101.1 is amended to read:

C101.1 Scope. Fire hydrants shall be provided in accordance with this Appendix for the protection of buildings, or portions of buildings, hereafter constructed. This section applies to residential and commercial developments. One- and two-family residential dwellings and buildings accessory to one- and two-family residential dwellings in rural areas may comply with the Sonoma County Fire Safe Standards. Design and construction shall be in accordance with the following sections unless otherwise authorized by the ~~Fire Code Official~~fire code official in accordance with Chapter 1, Division II, Section 104.9 Alternative Materials and Methods.

Exception: Group B, S-2 and U occupancies having a floor area not exceeding 1,000 square feet (~~93m³~~), primarily constructed of noncombustible exterior walls with wood or steel roof framing, having a Class A roof assembly, with uses limited to the following or similar uses:

1. California State Parks ~~Buildings~~buildings of an accessory nature (restrooms).
2. Safety roadside rest areas (SRRA), public restrooms.
3. Truck inspection facilities (TIF), CHP office space, and vehicle inspection bays.
4. Sand/salt storage buildings, storage of sand and salt.
5. Volunteer fire facilities, including office space and vehicle storage bays.

(7116115) Appendix C, Section C102.1 is amended to read:

C102.1 Fire hydrant locations. Where fire hydrants are required, they shall be provided along required fire apparatus access roads and adjacent public streets. A fire hydrant shall be located within 50 feet of any fire department connection, or as approved by the ~~Fire Code Official~~ fire code official.

(7217116) Appendix C, Section C105.1 is amended to read:

C105.1 ~~C105.1~~ Hydrant spacing. The average spacing between fire hydrants shall not exceed that listed in ~~T~~table C105.1.

Exceptions:

1. The ~~Fire Chief~~ fire chief is authorized to accept a deficiency of up to 10 percent (10%) where existing fire hydrants provide all or a portion of the required fire hydrant service.
2. One— and two—family residential dwellings and buildings accessory to one- and two-family residential dwellings in rural areas may comply with the Sonoma County Fire Safe Standards. Regardless of the average spacing, fire hydrants shall be located such that all points on streets and access roads adjacent to a building are within the distance listed in ~~t~~Table C105.1.

~~(7318117)~~ Appendix C, Table C105.1 footnote f and g is added to read:

- f. ~~-~~For commercial, industrial and multi-family residential, average spacing shall be no greater than 300 feet.
- g. ~~-~~A fire hydrant shall be located within 50 feet of the Fire Department Connection (FDC), and standpipe systems installed in accordance with Section 905 or as approved by the ~~Fire Code Official~~ fire code official

(119118) Appendix C, Section C105.12 and ~~T~~table C-105.2 is added to read:

C105.2. When public or private water mains are not available to supply fire--flow ~~[not within 1,000 feet (304 800 mm)]~~ of the proposed building, ~~T~~table C-105.2 may be used for isolated one- and two-family buildings, and accessory buildings thereto less than 3,000 square feet in area, in rural areas or small communities where the development of full fire-flow requirements is impractical.

Table C-105.2

Exception To Hydrant Distance		
<i>Distance is measured from driveway entrance to the hydrant</i>		
Road Distance	Flow Rate	Minimum Residual Pressure
800 feet	500 gpm	20 psi
1,800 feet	1,000 gpm	20 psi
2,800 feet	1,500 gpm	20 psi
3,800 feet	2,000 gpm	20 psi
4,800 feet	2,500 gpm	20 psi

(74120119) Appendix D, Section D101.1 is amended to read:

D101.1 Scope. Fire apparatus access roads shall be in accordance with this Appendix as amended and all other applicable requirements of the California Fire Code. This section applies to residential and commercial developments. Design and construction shall be in accordance with the following sections unless otherwise authorized by the ~~Fire Code Official~~ fire code official in accordance with 104.9 Alternative Materials and Methods.

Exception: One- and two-family residential dwellings; detached U ~~Occupancy~~ occupancy buildings less than 1,000 square feet in area accessory to a one- or two-family dwelling; and agricultural exempt buildings less than 8,000 square feet in area may comply with the fire apparatus access road requirements of the Sonoma County Fire Safe Standards.

(75121120) Appendix D, Section D102.1 is amended to read:

D102.1 ~~D102.1~~ Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (~~34,050 kg~~) or as approved by the ~~Fire Code Official~~ fire code official.

Exception: One and two-family residential dwellings; detached U ~~Occupancy~~ occupancy buildings less than ~~1000~~ 3000 square feet in area accessory to a one or two-family dwelling; and agricultural exempt buildings less than 8,000 square feet in area may comply with the fire apparatus access road requirements of the Sonoma County Fire Safe Standards.

~~(76122)~~-121) Appendix D, Section D103.2 is amended to read:

D103.2~~D103.2~~ Grade. Fire apparatus access roads shall not exceed 10 percent (10%) in grade.

Exception: Grades steeper than 10 percent (10%) and up to 20 percent (20%) as approved by the ~~Fire Code Official~~fire code official.

~~(77123)~~122) Appendix D, Section D103.3 is amended to read:

D103.3 Turning radius. The minimum turning radius shall be determined by the ~~Fire Code Official~~fire code official or as approved by local standards.

~~(78124)~~123) Appendix D, Section D103.4 is amended to read:

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (~~45,720 mm~~) shall be provided with width and turnaround provisions in accordance with the local agency requirements for public streets or as approved by local standards.

~~(79125)~~124) Appendix D, Table D103.4 is deleted.

~~(80126)~~-125) Appendix D, Section D103.6 is ~~added~~amended -to read:

D103.6 Signs. Where required by the ~~Fire Code Official~~fire code official, fire apparatus access roads shall be marked with permanent “No Parking-Fire Lane” signs complying with the California Vehicle Code.

~~(81127)~~126) Appendix D, Section D104.2 is amended to delete Exception and read:

D104.2 Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet (~~5,760 m²~~) shall be provided with two separate and approved fire apparatus access roads.

~~(82128)~~127) Appendix D, Section D106.1 is amended to delete Exception and read as follows:

D106.1 Projects having more than 50 dwelling units. Multiple family residential projects having more than 50 dwelling units shall be provided with two separate and approved fire apparatus access roads.

~~(83129)~~128) Appendix D, Section D106.2 is deleted.

~~(84130)~~129) Appendix D, Section D107.1 is amended to delete Exceptions and read:

D107.1 One-or two-family dwelling residential developments. Developments of one- and two-family dwellings where the number of dwelling units exceeds 50 shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of section D104.3.

Exception:

The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the ~~Fire Code Official~~ fire code official.

(130) Article V. Chapter 13 of the Sonoma County Code is amended to read:

Article V. Fire Safe Standards

Division A. In General.

Sec. 13-21. Findings.

The Board of Supervisors makes the following findings pertaining to the conditions and requirements contained in this article:

- (a) The conditions and requirements contained in this article are consistent with and in furtherance of the goals, objectives and policies of the public safety element of the general plan.
- (b) The conditions and requirements contained in this article are necessary because the failure to adopt them would place residents and property within the unincorporated area of the county in a condition perilous to health or safety, or both.
- (c) The conditions and requirements contained in this article are necessary to comply with the requirements of Public Resources Code section 4290.
- (d) The conditions and requirements contained in this article are necessary because growth and development within the unincorporated area of the county has increased the potential for significant losses from wildland and structure fires and adversely impacted rural and wildland fire

fighting resources.

(e) The conditions and requirements contained in this article are necessary because wildland fires are becoming an increasing threat to structures and loss of life, where in the past the only threat was to wildland resources.

(f) The conditions and requirements contained in this article are necessary because structure fires are escaping to the surrounding wildlands and destroying other structures as well as wildland resources.

(g) The conditions and requirements contained in this article are necessary because there are not enough fire fighting resources available, even with mutual aid, to protect both wildland resources and the structures intermingled amongst such resources and it is financially infeasible to increase fire-fighting resources to the level necessary to provide such protection.

(h) The conditions and requirements contained in this article are necessary because they represent a cost effective alternative to increasing fire-fighting resources.

(i) The conditions and requirements contained in this article will ensure that all new development within the unincorporated area of the county will provide a basic level of fire protection around itself making it easier and safer for ~~fire fighter~~firefighters to fight wildland and structure fires.

(j) The conditions and requirements contained in this article will not totally prevent losses from wildland and structure fires, but will reduce the severity of the losses that do occur through built-in fire protection and better fire response infrastructure.

(k) The conditions and requirements contained in this article will create an opportunity for ~~fire fighter~~firefighters to defend a structure from a threatening wildland fire and protect the wildlands from an escaping structure fire.

(l) The conditions and requirements contained in this article will increase the safety of ~~fire fighter~~firefighters protecting lives, structures and wildland resources.

Sec. 13-22. Citation — Purpose.

This article shall be known and may be cited as the “Sonoma County Fire Safe Standards” or the “Fire Safe Standards.” This article is adopted for the purpose of establishing minimum fire safe standards for development within the unincorporated area of the county. Where a development subject to the provisions of this article cannot meet a specified standard, an exception to the standard may be applied for pursuant to Section 13-23. This article is not intended to restrict or otherwise limit the authority or discretion of the eCounty to impose additional requirements when reviewing applications for development. Nothing in this article is intended to supersede more restrictive provisions of this Code and where another provision of this Code establishes a more stringent requirement, that requirement shall control.

Sec. 13-23. Compliance with standards required — ~~e~~Exceptions to standards.

(a) All development subject to the provisions of this article shall be constructed and maintained in compliance with the standards specified in this article. Approvals and permits for any development may be withheld or refused until adequate provision has been made to ensure such compliance.

(b) Exceptions to the standards specified in this article and mitigated practices may be allowed where the exception or mitigated practice provides the same overall practical effect as the specified standards.

(c) Application for an exception or mitigated practice shall be made in writing by an applicant for development or the applicant's authorized representative. The application shall state the specific section or sections of this article for which an exception or mitigated practice is proposed, material facts supporting the contention of the applicant, the details of the exception or mitigated practice proposed, and a map showing the proposed location and setting of the exception or mitigated practice. The burden of proving that a proposed exception or mitigated practice is warranted shall be on the applicant.

(d) The County ~~Fire Chief~~ ~~fire chief~~ shall determine whether to grant, deny, or modify any application for an exception or mitigated practice filed in connection with the issuance of any building permit. The planning commission, board of zoning adjustments, project review and advisory committee, or design review committee shall determine whether to grant, deny, or modify any application for an exception or mitigated practice filed in connection with any development approval under their respective jurisdictions. Modification of an application for an exception or mitigated practice by the County ~~Fire Chief~~ ~~fire chief~~, planning commission, board of zoning adjustments, project review and advisory committee, or design review committee shall be limited to the alternate fire protection measures specified in Section 13-62.

(e) Where an application for an exception or mitigated practice is denied or modified, the applicant may appeal such denial or modification. Appeal from a denial or modification by the County ~~Fire Chief~~ ~~fire chief~~ shall be made pursuant to Article III of this chapter. Appeal from a denial or modification by the planning commission, board of zoning adjustments, project review and advisory committee, or design review committee shall be made pursuant to Chapter 25 or Chapter 26 of this Code, as appropriate. In order to grant an appeal, the body hearing the appeal must find that the exception or mitigated practice proposed meets the intent of this article.

(f) A written copy of any decision granting an appeal within a ~~state responsibility area~~ ~~State Responsibility Area~~ shall be provided to the director of ~~f~~Forestry and ~~f~~Fire ~~p~~Protection within ten (10) days after the decision is final.

Sec. 13-24. Scope of coverage.

(a) Except as otherwise provided in Section 13-25, the provisions of this article

shall apply to all development on all lands within the unincorporated area of the county.

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(b) Except as otherwise provided in this article, all applications for development approvals shall be accompanied by plans, engineering calculations, and other data necessary to determine compliance with the provisions of this article.

(c) Except as otherwise provided in this article, compliance with the provisions of this article shall occur prior to the commencement of construction of any structure unless otherwise authorized by the County ~~Fire Chief~~ fire chief.

Sec. 13-25. Exemptions.

The provisions of this article shall not apply to any of the following, except to the extent provided for herein:

(a) Any building granted an agricultural exemption pursuant to Chapter 7 of this Code, provided that the building does not exceed 8,000 square feet in size and is not located in a ~~State Responsibility Area~~.

(b) Any road or bridge used exclusively for access to an agricultural operation; or an agricultural exempt structure; or a Group U ~~Occupancy~~ accessory to a one- or two-family residential dwelling, as defined in the County Building Code, that is under less than 1,000 square feet in area.

(c) Any road or bridge used exclusively for the management and harvesting of wood products.

(d) Any new building having a floor area of less than six hundred forty (640) square feet and containing an occupancy other than a detached Group U ~~Occupancy~~ as defined in the County Building Code, except that the provisions of Divisions C and E of this article shall apply to all such buildings.

(e) Any new building accessory to a one- or two-family residential dwelling with a floor area of less than one thousand (1,000) square feet and containing a detached Group U ~~Occupancy~~ as defined in the County Building Code, except that the provisions of Divisions C and E of this article shall apply to all such buildings.

(f) Any existing road that provides year-round unobstructed access to conventional drive vehicles, including sedans and fire engines, which was constructed and serving a legal parcel prior to January 1, 1992, except that (1) the provisions of Division C of this article shall apply to all such roads, and (2) all of the other provisions of this article shall apply to any such road if it is extended, reconstructed or improved pursuant to a development approval, but only to the portion of the road that is extended, reconstructed or improved.

(g) Any road required as a condition of any development approval granted

prior to January 1, 1992, except that (1) the provisions of Division C of this article shall apply to all such roads, and (2) all of the other provisions of this article shall apply to any such road if it is extended, reconstructed or improved pursuant to a new development approval, but only to the portion of the road that is extended, reconstructed or improved.

(h) Any driveway serving a legally constructed residential building prior to January 1, 1992, except that (1) the provisions of Division C of this article shall apply to all such roads, and (2) all of the other provisions of this article shall apply to any such driveway if it is extended, reconstructed or improved pursuant to a new development approval, but only to the portion of the driveway that is extended, reconstructed or improved.

(i) Any legal or legal non-conforming building constructed prior to January 1, 1992, or any building for which a building permit was issued or an application for a building permit was accepted as complete for filing prior to January 1, 1992; except that the provisions of this article shall apply to any such building if the occupancy is changed, altered, or otherwise converted to any Group R, Division 3 occupancy as defined in the County Building Code.

(j) Any addition to an existing building adding a floor area less than six hundred forty (640) square feet including a detached Group U ~~Occupancy~~ occupancy as defined in the County Building Code, except that the provisions of Divisions C and E of this article shall apply to all such buildings.

Sec. 13-26. Administration and enforcement — ~~i~~ inspections.

(a) The administration and enforcement of the provisions of this article shall be the shared responsibility of the County ~~Fire Chief~~ fire chief and the ~~Director~~ director of Permit and Resource Management.

(b) Inspections to determine compliance with the provisions of this article shall be the responsibility of the County ~~Fire Chief~~ fire chief or the ~~Director~~ director of Permit and Resource Management, as appropriate. The County ~~Fire Chief~~ fire chief or the ~~Director~~ director of Permit and Resource Management may authorize a local fire chief to conduct inspections within a local fire protection district under the direction of the County ~~Fire Chief~~ fire chief or the ~~Director~~ director of Permit and Resource Management. In such cases, inspection results shall be provided to the County ~~Fire Chief~~ fire chief or the ~~Director~~ director of Permit and Resource Management promptly after completion of the inspection.

Sec. 13-27. Distance measurements.

All distances specified or referenced in this article shall be measured horizontally

unless otherwise stated.

Division B. Emergency Access.

Sec. 13-28. Intent.

This division establishes minimum emergency access requirements to provide safe access for emergency fire equipment and civilian evacuation concurrently, and to allow unobstructed traffic circulation during a wildfire emergency.

Sec. 13-29. Availability of emergency access.

All buildings shall be accessible to emergency fire equipment by a road or driveway constructed to within one hundred fifty (150) feet of any portion of an exterior wall of the first story of the building or such closer distance as the ~~Director~~director of Permit and Resource Management deems necessary to provide adequate access for emergency fire equipment. All buildings located on slopes of greater than five percent (5%) shall also include such additional fire protection measures under Section 13-63, as the County ~~Fire Chief~~fire chief deems necessary to mitigate access constraints.

Sec. 13-30. Road and driveway surfaces.

All roads and driveways shall have all-weather driving surfaces. All structural sections shall be constructed so as to meet or exceed the following standards:

- (a) On level areas and grades of less than five percent (5%), roads and driveways shall have a gravel surface. The structural section of the road or driveway shall be at least one foot (1') of compacted Class 2 Aggregate Base.
- (b) On grades of between five percent (5%) and ten percent (10%), roads and driveways shall have a double seal coat surface. The structural section of the road or driveway shall have an armor coat surface, constructed according to CalTrans Standard Specifications Section 37, Bituminous Seal Double Application, and the base portion of the road or driveway shall be at least one foot (1') of compacted Class 2 Aggregate Base.
- (c) On grades of greater than ten percent (10%), roads and driveways shall have an asphalt concrete surface. The structural section of the road or driveway shall be asphalt concrete of at least two tenths of ~~one~~one-a foot (0.2') thick. The base portion of the structural section shall be at least five tenths of ~~one~~one-a foot (0.5') of compacted Class 2 Aggregate Base.
- (d) In lieu of the prescriptive structural sections required by subsections (a), (b) and (c), a design of the section may be prepared by a licensed civil engineer using a soils investigation that provides soil R-value and expansion index. Alternatively, the engineer

may use an R-value of 5 and waive the soil report unless a soil engineering report is required because of specific site conditions. The traffic index to be used for the design shall be not less than 3.5.

Sec. 13-31. Road and driveway grades.

(a) No road or driveway shall have a maximum grade in excess of fifteen percent (15%), without the approval of the County ~~Fire Chief~~ fire chief. In granting such approval, the County ~~Fire Chief~~ fire chief may require such additional fire protection measures under Section 13-63 as he or she deems necessary to mitigate access constraints. A road or driveway may include grades up to twenty percent (20%) for distances not exceeding three hundred feet (300') within any one thousand feet (1,000') of road or driveway.

(b) A vertical curve shall be required for any road or driveway when the algebraic difference in grade exceeds three percent (3%) for driveways, and two percent (2%) for private roads. The length of any vertical curve shall not be less than fifty feet (50').

(c) The maximum surface cross slope shall be five percent (5%) for all surface types unless a greater cross slope is required to meet super elevation requirements. The minimum surface cross slope for all surface types shall be two percent (2%).

(d) Turnarounds shall have a maximum longitudinal slope of eight percent (8%). The longitudinal slope is defined as the slope corresponding to the long axis of a vehicle as it travels into, out of, and through a turnaround. This slope shall be maintained beginning and ending at the point of tangency of the edge of pavement curves for the turnaround. The cross slope perpendicular to the longitudinal slope shall not exceed five percent (5%).

Sec. 13-32. Road and driveway horizontal curves and intersections.

(a) No road or driveway shall have a horizontal inside radius of curvature of less than fifty feet (50'). If the roadway or driveway width is less than twenty-four feet (24'), then additional roadway or driveway widths shall be required as follows:

(1) Four feet (4') of additional width for curves with a horizontal inside radius of fifty feet (50') to one hundred feet (100') and a central angle greater than forty-five (45°) degrees; and

(2) Two feet (2') of additional width for curves with a horizontal inside radius of one hundred feet (100') to two hundred feet (200') and a central angle greater than forty-five (45°) degrees.

The road shall have the full width widening beginning at the point of tangency of the curve requiring the widening to the end point of tangency of that curve or subsequent curves requiring widening (if reverse curves are used). A five-to-one (5:1) taper shall be used to transition from the base width into and out of the widened width.

(b) Unless otherwise approved by the County ~~Fire-Chieffire~~ chief, where a private road, with a throat width equal to or greater than eighteen feet (18') as measured thirty feet (30') from the edge of pavement, intersects a public road, the edge of pavement radius shall begin with a line a minimum of twelve feet (12') from and parallel to the physical centerline of the public road and a minimum radius of twenty-five feet (25') shall be provided from this point to the point of tangency with the edge of pavement of the private road. A taper of not less than ten-to-one (10:1) shall be provided along the public road when the public road is less than twenty-four feet (24') wide.

(c) Where a private road, with a throat width measuring equal to or greater than twelve feet (12') and less than eighteen feet (18') or a driveway with a throat width equal to or greater than ten feet (10') as measured thirty feet (30') from the edge of pavement, intersects a public or private road, the edge of pavement radius shall begin with a line a minimum of twelve feet (12') from and parallel to the physical centerline of the public or private road and a minimum radius of twenty-five feet (25') shall be provided from this point to the point of tangency with the edge of pavement of the private road or driveway. A taper of not less than ten-to-one (10:1) shall be provided along the public or private road when the public or private road is less than twenty-four feet (24') wide. In lieu of a ten-to-one (10:1) taper connecting private road or driveway to private road only, a radius of forty feet (40') may be used.

(d) Where a driveway, with a throat width measuring equal to or greater than ten feet (10') and less than eighteen feet (18') as measured thirty feet (30') from the edge of pavement, intersects a private road, the edge of pavement shall be a minimum radius of forty feet (40'). Any driveway with a throat width greater than eighteen feet (18'), as measured thirty feet (30') from the edge of the pavement, that intersects a private road, shall comply with the private road/public road requirements set forth in subsection (b) of this section.

(e) Road and driveway horizontal curves and intersections may be reduced when proven by scientific method of a recognized vehicle modeling program. The method shall be performed based on the length, width, wheel base and turning radius of a standard Type 1 Fire Apparatus.

Sec. 13-33. Roadway and driveway structures (bridges).

(a) All roadway and driveway structures shall be designed, constructed, and maintained in accordance with applicable sections of the County Building Code, the Standard Specifications for Highway Bridges, and any administrative regulations adopted

pursuant to Section 13-2, and shall have a minimum designed live-load capacity of HS-20. All roadway and driveway structures shall be constructed pursuant to a valid building permit. All roadway and driveway structures shall be inspected according to the administrative and inspection provisions of the County Building Code.

(b) All roadway and driveway structures shall have appropriate signing identifying structure capability, including weight and vertical clearance limits, and any one-way road or single traffic lane conditions.

(c) All roadway bridges having only one traffic lane shall be constructed to provide a minimum unobstructed width of twelve feet (12') shall provide for unobstructed visibility from one end to the other and shall have turnouts at both ends.

(d) All driveway structures shall be constructed to provide a minimum of one (1) twelve foot (12') traffic lane and an unobstructed vertical clearance of fifteen feet (15') along the entire length of the driveway structure. Any driveway structure with a minimum unobstructed width of twelve feet (12') shall not exceed sixty-five feet (65') in length.

(e) Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum turning radius of forty feet (40'), bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

(f) Any road or driveway structure required to have a turnout, shall have a turnout that is a minimum of twenty feet (20') wide, including the roadway and the turnout, and thirty feet (30') long with a minimum taper of twenty-five feet (25') on each end. The length of the turnout shall be measured along the roadway or driveway centerline.

Sec. 13-34. Two-way roads.

(a) In addition to meeting the applicable standards in the preceding sections, all two-way roads shall have a right-of-way of not less than twenty-five (25') and shall be constructed to provide a roadway with a minimum of two (2) nine foot (9') traffic lanes providing two-way traffic flow. When permitted in a subdivision's conditions of approval and approved by the appropriate county departments, as identified in the subdivision's conditions of approval, the subdivision may have a two-way road of not less than twelve feet (12') with turnouts and turnarounds. Spacing of the turnarounds shall be as set forth in the subdivision's conditions of approval. If the subdivision's conditions of approval do not set forth spacing requirements, then turnarounds shall be at a minimum interval of one thousand three hundred and twenty feet (1,320').

(b) Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum turning radius of forty feet (40') bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

(c) Any road or driveway structure required to have a turnout shall have a turnout that is a minimum of twenty feet (20') wide, including the roadway and the turnout and thirty feet (30') long with a minimum taper of twenty-five feet (25') on each end. The length of the turnout shall be measured along the roadway or driveway centerline.

Sec. 13-35. One-way roads.

In addition to meeting the applicable standards in the preceding sections, all one-way roads shall comply with the following requirements:

(a) All one-way roads shall have a right-of-way of not less than twenty feet (20') and shall be constructed to provide a roadway with a minimum of one (1) twelve foot (12') traffic lane providing one-way traffic flow.

(b) All one-way roads shall connect to a two-way road at both ends, and shall provide access to an area zoned for no more than ten (10) dwelling units.

(c) All one-way roads exceeding five hundred feet (500') in length shall have a turnout constructed at approximately the midpoint of the road. Any one-way road exceeding one thousand feet (1,000') in length shall also have turnouts constructed

approximately every five hundred feet (500') along the entire length of the road.

(d) No one-way road shall exceed two thousand six hundred forty feet (2,640') in length.

(e) Any road or driveway structure required to have a turnout, shall have a turnout that is a minimum of twenty feet (20') wide, including the roadway and the turnout and thirty feet (30') long with a minimum taper of twenty-five feet (25') on each end. The length of the turnout shall be measured along the roadway or driveway centerline.

Sec. 13-36. Dead-end roads.

In addition to meeting the applicable standards in the preceding sections, all dead-end roads shall comply with the following requirements:

(a) All dead-end roads shall have a maximum length, including any dead-end roads accessed from the original dead-end road, not exceeding the following cumulative lengths regardless of the number of parcels served:

- (1) Parcels zoned for less than one (1) acre - eight hundred feet (800');
- (2) Parcels zoned for ~~one (1)~~ 1 acre to 4.99 acres - one thousand three hundred twenty feet (1,320');
- (3) Parcels zoned for ~~five (5)~~ 5 acres to 19.99 acres - two thousand six hundred forty feet (2,640'); and
- (4) Parcels zoned for ~~twenty (20)~~ 20 acres or larger - five thousand two hundred eighty feet (5,280').

All lengths shall be measured from the edge of the roadway at the intersection that begins the dead-end road to the farthest point on the dead-end road. Where a dead-end road crosses areas of differently zoned parcels, requiring different length limits, the average size of the parcels served shall determine the maximum allowable length of the road.

(b) All dead-end roads serving parcels five (5) acres or larger shall have turnarounds constructed approximately every one thousand three hundred twenty feet (1,320') along the entire length of the road.

(c) All dead-end roads shall have a turnaround constructed at the terminus of the road. Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum

turning radius of forty feet (bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top-of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

Sec. 13-37. Driveways.

In addition to meeting the applicable standards in the preceding sections, all driveways shall comply with the following requirements:

(a) All driveways shall be constructed to provide a minimum of one (1) twelve foot (12') traffic lane and an unobstructed vertical clearance of fifteen feet (15') along the entire length of the driveway.

(b) All driveways exceeding one hundred fifty feet (150') in length shall have a turnout constructed at approximately the midpoint of the driveway. Any driveway exceeding eight hundred feet (800') in length shall have turnouts constructed approximately every four hundred feet (400') along the entire length of the driveway.

(c) All driveways exceeding one hundred fifty feet (150') in length shall have a turnaround constructed at each residential building served by the driveway.

(d) Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum turning radius of forty feet (bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top -of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

Sec. 13-38. Gate entrances.

(a) All gate entrances and similar structures shall be at least two feet (2') wider than the width of the traffic lane(s) serving the gate or structure.

(b) All gates providing access from a public road to a private road or private driveway shall be located at least thirty feet (30') from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the roadway.

(c) Where a gated entrance is locked, a lock box or other emergency release device approved by the County ~~Fire Chief~~ ~~fire chief~~ shall be provided for emergency access.

Division C. Signing and Building Numbering.

Sec. 13-39. Intent.

This division establishes minimum signing and building numbering requirements to facilitate locating a fire and to avoid delays in response.

Sec. 13-40. Names of roads.

(a) All roads serving more than two (2) parcels shall be identified by a road name.

(b) All public roads requiring a road name shall be named by the Board of Supervisors pursuant to procedures established by resolution or ordinance of the Board of Supervisors. Any public road having a road name may be renamed using the procedures for naming a public road.

(c) All private roads requiring a road name shall be named by the ~~Director~~ ~~director~~ of Permit and Resource Management pursuant to procedures established by resolution or ordinance of the Board of Supervisors. Any private road having a road name may be renamed using the procedures for naming a private road.

(d) When naming or renaming any road, the Board of Supervisors or the ~~Director~~ ~~director~~ of Permit and Resource Management, as the case may be, shall use the following standards:

(1) Road names shall not be greater than eighteen (18) characters in length, exclusive of road digits and suffixes.

(2) Road names shall have simple spelling and easy pronunciation.

(3) Road names shall be compatible with road and street names in cities and other counties where appropriate.

(4) Road names shall not duplicate or cause confusion with existing road names. Road names shall be deemed to be duplicates if they have different suffixes, but are otherwise the same.

(5) Road names that are numbers or letters shall be avoided.

- (6) Road names that are geographically misleading shall be avoided.
- (7) Road names that are inappropriate or offensive shall be prohibited.
- (8) A road having a continuous alignment shall bear the same name.
- (9) Road extensions shall bear the same name as the existing road.
- (10) Roads or portions of roads to be connected in the future into a continuous alignment shall bear the same name.
- (11) Roads intersecting one another, or forming a deflection angle of greater than ninety (90) degrees shall generally have different names.
- (12) A cul-de-sac road may bear the same name as the road it intersects, provided that the suffix is court or place.
- (13) No road shall be named such that it will intersect itself or create an intersection with a road having a duplicate name.
- (14) Any other standards established by resolution or ordinance of the Board of Supervisors.

Sec. 13-41. Size of letters, numbers and symbols for road signs.

All letters, numbers and symbols designating names on road signs shall be according to county road standards.

Sec. 13-42. Visibility and legibility of road signs.

All road signs shall be visible and legible from both directions of vehicle travel for a distance of at least one hundred feet (100'). All road signs shall indicate the road name and whether the road is public or private in each direction of vehicle travel in conformance with county road standards.

Sec. 13-43. Orientation and height of road signs.

All road signs shall have an orientation and height in conformance with county road standards.

Sec. 13-44. Placement of road signs identifying intersecting roads.

All road signs identifying intersecting roads shall be placed at the intersection of such roads.

Sec. 13-45. Signs identifying traffic access limitations.

All road signs identifying traffic access or flow limitations, including but not limited to, weight or vertical clearance limits, dead-end roads, one-way roads or single traffic lane conditions, shall be placed as follows:

- (a) At the intersection preceding the traffic access limitation; and
- (b) No more than one hundred feet (100') before such traffic access limitation.

Sec. 13-46. Addresses for buildings.

All buildings shall be identified by an address issued by the ~~Director~~director of Permit and Resource Management. When issuing addresses, the ~~Director~~director of Permit and Resource Management shall use the following standards:

- (a) Addresses shall be compatible with addresses in cities and other counties where appropriate.
- (b) Addresses shall be assigned to reflect the road from which the primary driveway originates.
- (c) Addresses shall be issued in sequential order and have even numbers on one side of the road and odd on the other. In general, the even numbers shall be on the north and east sides of roads and/or on the right when facing in the direction of increasing magnitude. Existing addresses for roads requiring a road name change that do not conform ~~with~~to the provisions of this subsection may be accepted if the sequence is in logical order and the addresses are approved by the ~~Director~~director of Permit and Resource Management and the County ~~Fire Chief~~fire chief.
- (d) All buildings other than accessory buildings shall be assigned separate addresses. Individual units within residential and commercial buildings may be assigned subsidiary numbers or letters (e.g., apartment 10; suite A). Where possible, individual units in multiple story buildings shall be assigned numbering sequences that identify the floor by the leading digit(s).
- (e) Any other standards adopted by resolution or ordinance of the Board of Supervisors or by administrative regulation of the ~~Director~~director of Permit and Resource Management.

Sec. 13-47. Size of letters, numbers and symbols for addresses.

- (a) **Numbers for one- and two- family dwellings.** Numbers for one- and two-

family dwellings shall be a minimum of ~~4~~four inches (~~101.6mm~~4") high with a minimum stroke width of 0.5 inches (0.5") (~~12.7 mm~~). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure.

(b) **Numbers for other than one- and two- family dwellings.** Numbers for other than one- and two- family dwellings shall be a minimum of 12 inches (12") high with a minimum stroke width of ~~one~~1 inch (1"). Suite numbers for other than one- and two-family dwellings shall be a minimum of six ~~6~~inches (6") high and 0.5 inches (0.5") stroke.

Exceptions:

1. These requirements may be modified with the approval of the ~~Fire Code Official~~fire code official.
2. Illuminated address numbers are not required for existing buildings where approved; reflective numbers are to be installed.

Sec. 13-48. Installation, location and visibility of addresses.

(a) All buildings shall have a permanently posted address, which shall be placed on building and shall be plainly visible and legible from the road on which the address is located or the primary driveway. The numbers shall contrast with their background.

(b) All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and shall be visible and legible from both directions of travel along the road on which the address is located.

Exception: An approved internally lighted building address device may be used when such building address device is located on the building and the building is located within thirty feet (30' of the edge of the road on which the address is located.

(c) All address signs along one-way roads shall be visible from both the intended direction of travel and the opposite direction.

(d) Where multiple addresses are required at a single driveway, such addresses shall be mounted on a single approved post.

(e) Where a road provides access solely to a commercial building, the address sign shall be placed at the nearest road intersection providing access to the site.

Division D. Emergency Water Supply.

Sec. 13-50. Intent.

This division establishes minimum emergency water supply requirements to ensure a supply of water to attack a fire or defend property from a fire.

Sec. 13-51. Emergency water supply.

(a) All buildings shall have a permanent emergency water supply approved by the County ~~Fire Chief~~ fire chief, which shall be installed, maintained and available for use as follows:

(1) Except as otherwise provided in subsection (a)(3), where water is provided by a public water system, the permanent emergency water supply shall be installed and available for use prior to the completion of road construction;

(2) Except as otherwise provided in subsection (a)(3), where water is provided by a water system other than a public water system, the permanent emergency water supply shall be installed and available for use prior to the commencement of construction of any permanent structure;

(3) When authorized by the County ~~Fire Chief~~ fire chief, an interim emergency water supply acceptable to the County ~~Fire Chief~~ fire chief may be substituted for the permanent emergency water supply provided the permanent emergency water supply is installed and available for use prior to issuance of an occupancy permit or final inspection;

(4) When authorized by the County ~~Fire Chief~~ fire chief and local fire chief, the emergency water supply requirements may be waived when sufficient evidence is proven the intent to Title 14 of the Natural Resources Code, Division 1.5, Article 4 - Emergency Water Standards have been met.

(b) If the water supply to the parcel is provided by a public or community water system (urban parcel - see ~~definitions~~Definitions) the emergency water supply for residential buildings shall consist of a permanent hydrant located on the road within two hundred fifty feet (250') of the driveway measured from where the driveway intersects with the public or private road. Distance measurements shall be determined by hose lay along the road, not horizontal distance.

(c) If the water supply to the parcel is provided by a private water well (non-urban parcel - see ~~definitions~~Definitions) an emergency water storage of not less than two thousand five hundred (2,500) gallon capacity shall be provided. A single two-thousand-five-hundred (2,500) gallon tank may serve more than one building on the same parcel,

provided all hydrants are located in accordance with Section 13-52. When multiple tanks are utilized to achieve the required volume of water, the connection between the tanks shall be an approved minimum four inch (4") diameter water line.

(d) Water tanks for emergency water supply placed inside the minimum setback requirement of Section 13-55 shall be constructed of non-combustible material. A flammable vegetation clearance of not less than twenty feet (20') shall be maintained around all poly-plastic or similar water tanks.

(e) All permanent emergency water supplies for commercial buildings shall meet the requirements of the ~~Uniform~~ California Fire Code if the building is served by a public water system or NFPA 1142, "Standard on Water Supplies for Suburban and Rural Fire Fighting" if the building is served by a water system other than a public water system.

Sec. 13-52. Hydrants.

(a) All buildings shall be protected by hydrants. The location, number, and type of hydrants for any building shall be as required and approved by the County ~~Fire~~ **Chief** or the ~~Director~~ **director** of Permit and Resource Management.

(b) All hydrants for residential and commercial buildings that are part of a public water system on urban parcels shall have a fire flow which is the greater of either five hundred (500) gallons per minute with a residual pressure of twenty (20) pounds per square inch or the minimums specified in Public Utilities Commission of California revised General Order No. 103, adopted June 12, 1956 (corrected September 7, 1983, Decision 83-09-001), Section VIII Fire Protection Standards and other applicable sections relating to fire protection water delivery systems or the minimums for static water systems equaling or exceeding the National Fire Protection Association Standard 1142, "Standard on Water Supplies for Suburban and Rural Fire Fighting."

(c) All hydrants for non-urban parcels shall comply with the following requirements:

(1) Hydrant outlets shall be a minimum of eighteen inches (18") and a maximum of twenty-four inches (24") above grade, eight feet (8') from flammable vegetation, no closer than six feet (6') nor farther than twelve feet (12') from the edge of the road or driveway, and in a location where emergency fire equipment using it will not block the roadway. The hydrant serving any residential building shall be located at a turnout or turnaround, along the driveway to the building, or along the road that intersects with the driveway. The hydrant serving any residential building shall be connected to the emergency water supply by an approved minimum four inch (4") diameter water line.

(2) All hydrants shall be located between sixty feet (60') and one

hundred fifty feet (150') from the residential building. The fire hydrant shall be installed so that a fire engine utilizing the hydrant may maintain a minimum distance of sixty feet (60') from the residential building. Distance measurements shall be determined by hose lay along a road or driveway, not horizontal distance.

Exceptions:

1. The distance to the hydrant, on a non-urban parcel with exclusively residential buildings on it, may exceed one hundred fifty feet (150') by one hundred fifty feet (150') for each additional five hundred (500) gallons of water storage capacity up to a maximum of two thousand five hundred and fifty feet (2,550') from the residential building as allowed by Table 13-52a.

2. A public fire hydrant can be used for the emergency water supply as allowed by Table 13-52b, for non-urban parcels with exclusively residential buildings on them.

a. ~~(d)~~—All hydrants shall have at least one (1) two and one-half inch (2½") outlet with male National Hose Threads and a cap. On water systems of greater than ten thousand five hundred (10,500) gallons, there shall also be at least one (1) four and one-half inch (4½") outlet with male National Hose Threads and a four and one half inch (4½") by two and one half inch (2½") reducer with a cap.

b. ~~(e)~~—All hydrants shall be a wet barrel hydrant or a draft hydrant as required by the delivery system and shall have suitable crash protection. The maximum height differential between the water source and the draft hydrant outlet shall be 10 feet (10'). Draft hydrants shall be supplied by six inch (6") minimum pipe size, and be equipped with a four and one-half inch (4½") National Hose male thread fitting with a cap.

c. ~~(f)~~—Crash protection shall be per California Fire Code, Chapter Three, Section 312.

Table 13-52a¹

**Distance to hydrants based on volume of storage -
Distance is from structure to hydrant**

Gallons of Storage/Distance to Hydrant

Gallons of Storage/Distance to Hydrant

2,500/150'	7,000/1,500'
3,000/300'	7,500/1,650'

Gallons of Storage/Distance to Hydrant

	3,500/450'	8,000/1,800'
	4,000/600'	8,500/1,950'
	4,500/750'	9,000/2,100'
	5,000/900'	9,500/2,250'
	5,500/1,050'	10,000/2,400'
	6,000/1,200'	10,500/2,550'
	6,500/1,350'	
2,500/150'	7,000/1,500'	
3,000/300'	7,500/1,650'	
3,500/450'	8,000/1,800'	
4,000/600'	8,500/1,950'	
4,500/750'	9,000/2,100'	
5,000/900'	9,500/2,250'	
5,500/1,050'	10,000/2,400'	
6,000/1,200'	10,500/2,550'	
6,500/1,350'		

Note:

¹— This table applies only to parcels that have exclusively residential buildings on them.

Table 13-52b¹
Exception to hydrant distance²
Distance is measured from driveway entrance to the hydrant

Road Distance	Flow Rate	Minimum Residual Pressure
800 feet	500 GPM	20 PSI
1,800 feet	1,000 GPM	20 PSI
2,800 feet	1,500 GPM	20 PSI
3,800 feet	2,000 GPM	20 PSI
4,800 feet	2,500 GPM	20 PSI

Notes:

¹— This table applies only to parcels that have exclusively residential buildings on them.

²— Distances within these ranges can be prorated based on volume of flow available.

Sec. 13-53. Signing of water sources.

Each hydrant or access to water for any residential or commercial building shall be

identified as follows:

(a) If located along a driveway, a reflective blue marker, with a minimum dimension of three inches (3"), shall be located on the driveway address sign and mounted on a fire retardant post; or

(b) If located along a road either of the following ~~are is~~ acceptable:——

(1) A reflective blue marker, with a minimum dimension of three inches (3"), shall be mounted on a fire retardant post. The sign post shall be within three feet (3') of the hydrant, with the sign no less than three feet (3') nor greater than five feet (5') above ground, aimed toward headlights, in a horizontal position and visible from the driveway, or

(2) As specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.

Division E. Fuel Modification.

Sec. 13-54. Intent.

This division establishes minimum fuel modification requirements to reduce the possibility and intensity of a wildfire, to provide increased safety for emergency fire equipment, personnel and evacuating civilians, and to provide a point of attack against or defense from a wildfire.

Sec. 13-55. Setback for building defensible space.

(a) On parcels less than one (1) acre, all buildings shall have a setback from any property line or the centerline of any road of not less than the applicable minimum setbacks specified in Chapter 26 of the County Building Code.

(b) On parcels one (1) acre or larger all buildings and accessory buildings shall have setbacks to the property line and/or exterior wall protection according to Table 13-55-(a) and Table 13-55(b).

~~**EXCEPTION:** Commercial building and R-1 occupancy residential building setbacks in local responsibility areas shall be according to Section 503 of the County Building Code.~~

TABLE 13-55 SETBACKS AND EXTERIOR WALL PROTECTION REQUIREMENTS[†]

Fire Resistance of Location ²	Openings in Exterior Walls ³	Exterior Walls ⁴
Less than 10'	1 hour construction	Not Allowed
10' to less than 20'	1 hour construction	Protected
20' to less than 30'	1 hour construction	Allowed
30' or more	None	Allowed

Notes:

1. Where setbacks and exterior wall and opening protection of the County Building Code are more stringent, the more stringent requirement shall apply as if part of this Code.
2. Distance to property line shall be measured at a right angle from the property line.
3. 1 hour exterior walls and projections there from shall conform to the requirements of the county building code.
4. Openings shall comply with the requirements of Chapter 7 of the County Building Code.

Table 13-55 (a)
Exterior walls, within State Responsibility Area, without automatic fire sprinkler protection

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure from both sides	< 10feet
	(Not fire-resistance rated)	Comply with CRC Sec R327.7 or CBC Sec 707A	≥ 10 feet
Projections	(Fire-resistance rated)	1 hour on the underside	< 10 feet
	(Not fire-resistance rated)	Comply with CRC Section R327.7 or CBC Section 707A Comply with Section CRC Sec R327.9 or CBC Sec.709A	10 feet
Openings in walls	Not allowed	N/A	< 10 feet
	25% maximum of wall area	Comply with Section R327.8 or CBC Sec 708A	>10 feet
	Unlimited	Comply with Section R327.8 or CBC Sec 708A	20 feet
Penetrations	All	Comply with Section R302.4 or CBC 714.3	< 10 feet

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
		Comply with Section R327.6 or CBC 706A	10 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

~~For SI: 1 foot = 304.8 mm.~~

~~N/A = Not Applicable.~~

Table 4905.4 (B)

**Exterior Walls, Within State Responsibility Area,
With Automatic Fire Sprinkler Protection**

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure from both sides	< 10 feet
	(Not fire-resistance rated)	Comply with Section R327.7 or CBC Sec 707A	10 feet
Projections	(Fire-resistance rated)	1 hour on the underside	< 10 feet
	(Not fire-resistance rated)	Comply with Section R327.9 or CBC Sec.709A	10 feet
Openings in walls	Not allowed	N/A	< 10 feet
	Unlimited	Comply with Section R327.8 or CBC Sec 708A	10 feet
Penetrations	All	Comply with Section R302.4 or CBC 714.3	< 10 feet
		Comply with Section R327.6 or CBC 706A	10 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

~~For SI: 1 foot = 304.8 mm.~~

~~N/A = Not Applicable.~~

Sec. 13-56. Flammable vegetation clearance areas for roads and driveways.

All roads and driveways shall have a flammable vegetation clearance area on each side of the road or driveway of not less than ten feet (10') unless otherwise authorized by the ~~Director~~director of Permit and Resource Management.

**Sec. 13-57. Setbacks for planted vegetation from electric power lines—~~I~~—
installation of new power lines.**

All electric utility companies shall make every reasonable effort to select routes and types of conductors that minimize the risk of fire when installing new overhead electric utilities.

Sec. 13-58. Disposal of flammable vegetation and fuels.

All disposal, including chipping, burying, burning or removal to a landfill site, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, or fuel modification shall be completed prior to completion of road or driveway construction, or foundation inspection for a building permit, whichever occurs first.

Sec. 13-59. Greenbelts.

Any development which designates a facility or land use as a greenbelt shall locate the greenbelt strategically, as a separation between wildland fuels and buildings. The ~~Director~~director of Permit and Resource Management shall approve the location of any greenbelt.

Sec. 13-59.5. Defensible Space.

(a) A Fire Protection Plan shall be required for any new residential or commercial building within a State Responsibility Area (SRA)- located in a Very High Severity Zone. The plan shall be prepared by a qualified professional and shall be approved by the County ~~Fire Chief~~fire chief. The plan shall include, at a minimum, defensible space zones, identification of vegetation types, replacement of non-native flammable vegetation with approved fire--resistive vegetation, and a maintenance program for all vegetation. When required by the Code ~~Official~~official, the property owner shall record a covenant, in a form satisfactory to County Counsel, which ensures that the approved plan will be implemented and maintained.

(b) The fire protection plan shall be based upon a site-specific wildfire risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management.

(c) A copy of the fire protection plan shall be retained by the property owner.

(d) The cost of fire protection plan preparation and review shall be the responsibility of the applicant. All existing buildings shall meet the requirements of Public Resources Code (PRC 4291) for defensible space.

(e) All existing buildings shall meet the requirements of the California Fire Code, Chapter 49, Section 4906 and 4907.

Sec. 13-60. Roofing.

All structures regulated by the County Building Code shall have roof coverings that comply with the requirements of Chapter 7 of this Code.

Division F. Other Fire Protection Measures.

Sec. 13-61. Intent.

This division establishes alternate fire protection measures for use in place of standards specified in this article which cannot be met and additional fire protection measures to mitigate parcel specific fire protection problems.

Sec. 13-62. Alternate fire protection measures.

When authorized, pursuant to Section 13-23, any of the following alternate fire protection measures may be used as exceptions to the standards specified in this article or as mitigated practices:

- a) ~~(a)~~—Increased emergency water supply requirements;
- b) ~~(b)~~—Installation of a sprinkler system that meets the requirements of the National Fire Protection Association and includes protection of eaves where not required by code;
- c) ~~(c)~~—Increased flammable vegetation clearance areas for buildings;
- d) ~~(d)~~—Increased flammable vegetation clearance areas for roads and driveways;
- e) ~~(e)~~—Use of fire--resistive vegetation;
- f) ~~(f)~~—Installation of fire--resistive exterior siding;
- g) ~~(g)~~—Use of fire-resistive deck and eave construction;
- h) Construction of additional turnouts and turnarounds;
- i) Creation of areas of safe refuge;

- j) Installation of a centrally monitored fire alarm system;
 - k) Provision of a secondary means of ingress and egress to the parcel.
- Increased width
- ~~Use of fire resistive deck and eave construction;~~
- ~~(h) — Construction of additional turnouts and turnarounds;~~
 - ~~(i) — Creation of areas of safe refuge;~~
 - ~~(j) — Installation of a centrally monitored fire alarm system;~~
 - ~~(k) — Provision of a secondary means of ingress and egress to the parcel.~~
- ~~g)l) (l) — Ingress width and surface for emergency vehicle access.~~

Sec. 13-63. Additional fire protection measures.

When the County ~~Fire Chief~~ fire chief determines that access constraints, hazard severity or topography and terrain adversely affect the ability of emergency fire equipment and personnel to respond to an emergency on a parcel, the County ~~Fire Chief~~ fire chief may require additional fire protection measures as follows:

(a) Where conditions delay, limit or prohibit access by emergency fire equipment and personnel to a parcel, the County ~~Fire Chief~~ fire chief may require any of the following fire protection measures in addition to the other standards specified in this article:

- (1) Increased emergency water supply;
 - (2) Installation of an automatic sprinkler system that meets the requirements of the National Fire Codes and local regulations where not required by code;
 - (3) Increased flammable vegetation clearance areas for buildings;
 - (4) Use of fire-resistive vegetation;
 - (5) Use of fire-resistive deck and eave construction;
 - (6) Installation of fire-resistive exterior siding;
 - (7) Installation of a centrally monitored fire alarm system;
 - (8) Creation of areas of safe refuge;
 - (9) Vegetation management plan.
- ~~(1) — Increased emergency water supply;~~

- ~~(2) Installation of an automatic sprinkler system that meets the requirements of the National Fire Codes and local regulations where not required by code;~~
 - ~~(3) Increased flammable vegetation clearance areas for buildings;~~
 - ~~(4) Use of fire resistive vegetation;~~
 - ~~(5) Use of fire resistive deck and eave construction;~~
 - ~~(6) Installation of fire resistive exterior siding;~~
- ~~(7) Installation of a centrally monitored fire alarm system;~~
- ~~(8) Creation of areas of safe refuge;~~
 - ~~(9) Vegetation management plan.~~

(b) Where a parcel is located within a high or very high fire hazard severity zone as defined by the California Department of Forestry and Fire Protection, the County ~~Fire-Chieffire chief~~ may require any of the following fire protection measures in addition to the other standards specified in this article:

- (1) Any of the fire protection measures specified in subsection (a);
- (2) Construction of additional turnouts and turnarounds;
- (3) Provision of a secondary means of ingress and egress to the parcel;
- (4) Vegetation management plan.

(c) Where features of topography or terrain create conditions on a parcel which the County ~~Fire-Chieffire chief~~ determines warrant additional fire protection measures, the County ~~Fire-Chieffire chief~~ may consider the parcel to be an area of high or very high fire hazard severity and require any of the fire protection measures specified in subsection (b) in addition to the other standards specified in this article.

Article VI. Fireworks.

Sec. 13-66. Sale, use or discharge of fireworks prohibited--Exception.

(a)- Except for public displays of fireworks authorized pursuant to this section, it is unlawful for any person to possess, store, offer or expose for sale, sell at retail, give away or in any manner dispose of any fireworks, or to use, explode, or otherwise discharge any fireworks within the unincorporated area of the county.

(b) Any person or group desiring to perform a public display of fireworks within the unincorporated area of the county shall first make written application for a

permit to the local fire chief, if the display is to be held within a local fire protection district, or the County ~~Fire Chief~~ fire chief, if the display is to be held within a portion of the unincorporated area of the county not in a local fire protection district. Application for a permit shall be made in writing at least twenty (20) days prior to the proposed display. The application shall be considered and acted upon by the local fire chief or County ~~Fire Chief~~ fire chief, as appropriate, pursuant to Title 19 of the California Code of Regulations. Any permit for a public display of fireworks may be suspended or revoked at any time by the local fire chief or the County ~~Fire Chief~~ fire chief, as appropriate. (Ord. No. 5373 § 2, 2002; Ord. No. 4905 § 1, 1995.)

Article VII. Open Burning.

Sec. 13-71. Burning permits required.

It is unlawful for any person to undertake or authorize the undertaking of any open burning within the unincorporated area ~~of the County of the county~~ at any time between May 1st and the date the ~~Director~~ director of Forestry and Fire Protection declares, by proclamation, that the hazardous fire conditions have abated for that year or at any other time when the ~~Director~~ director of Forestry and Fire Protection has declared, by proclamation, that unusual fire hazard conditions exist within the region wherein the County is located without first obtaining a written burning permit as follows:

- (a) Within those portions of the unincorporated area ~~of the County of the county~~ in a fire protection district, burning permits shall be obtained from the fire protection district.
- (b) Within those portions of the unincorporated area ~~of the County of the county~~ in a ~~state responsibility area~~ State Responsibility Area, burning permits shall be obtained from the California Department of Forestry and Fire Protection or, if the location of the open burning is also in a fire protection district and the district is authorized by the California Department of Forestry and Fire Protection to issue such permits, from the fire protection district.
- (c) Within those portions of the unincorporated area ~~of the County of the county~~ not in a fire protection district or ~~state responsibility area~~ State Responsibility Area, burning permits shall be obtained from **Sonoma County's Bay Area Management District**.
- (d) If the County ~~Fire Chief~~ fire chief determines that conditions of high fire hazard exist within any or all of the unincorporated area ~~of the County of the county~~, the County ~~Fire Chief~~ fire chief may suspend the issuance of any burning permit authorized by this section or stay the effect of any such permit already issued or both for such period as the County ~~Fire Chief~~ fire chief deems necessary, not to exceed one hundred fifty (150) days. The County ~~Fire Chief~~ fire chief shall notify the Board of Supervisors of any such

suspension or stay by memorandum within twenty-four (24) hours following its commencement. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-72. Hours and days for burning.

All burning permits issued pursuant to this article shall restrict open burning to the hours and days specified by the air pollution control district having jurisdiction. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-73. Burning of land of another.

No burning permit shall be issued pursuant to this article for open burning by the applicant upon land owned by another person unless the applicant has the written consent of the owner, lessee or other person in charge or control of the land on which the open burning is to be done. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-74. Effect of article on fire protection districts and state responsibilities.

Nothing in this article shall be construed as preventing any fire protection district within the county from adopting an ordinance or ordinances regulating burning containing more restrictive regulations, nor shall anything herein be construed as limiting or releasing the state or the California Department of Forestry and Fire Protection of any responsibility for fire prevention and suppression under the laws of this state. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-75. Effect of issuance of permit.

The issuance of any burning permit pursuant to this article shall not be deemed to be a waiver of noncompliance within or authorize violation of any zoning or other law whatsoever or constitute a sanction of or permit for any public or private nuisance. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-76. Burning to be under supervision of responsible person.

All burning for which a permit is required pursuant to this article shall be done under the direction and constant surveillance of a responsible person. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Article VIII. Fees and Charges.

Sec. 13-81. Schedule of fees and charges.

(a) The Board of Supervisors may from time to time establish a schedule of fees and charges following the procedure set forth in California law (currently

Government Code Section 66016 et seq.) to recover the reasonable cost of providing services, issuing permits and enforcing regulations pursuant to this chapter.

(b) The Board of Directors of any fire protection district may from time to time establish a schedule of fees and charges following the procedure set forth in California Law to recover the reasonable cost of providing services, issuing permits and enforcing regulations pursuant to this Chapter. Pursuant to Health and Safety Code Section 13916, no such fee or charge on new construction or development shall be for construction of public improvements or facilities or the acquisition of equipment. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Article IX. Enforcement.

Sec. 13-86. Responsibility for enforcement.

Except as otherwise provided herein, the County ~~Fire Chief~~ ~~fire chief~~ shall be responsible for enforcing the provisions of this chapter. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-87. Issuance of citations.

The County ~~Fire Chief~~ ~~fire chief~~, ~~Director~~ ~~director~~ of Permit and Resource Management, and local fire chiefs may, pursuant to Section 836.5 of the California Penal Code, arrest a person without a warrant whenever they have reasonable cause to believe that the person to be arrested has committed a misdemeanor in their presence which is a violation of this chapter or any other ordinance or statute which they have a duty to enforce, and to issue a written notice to appear and to release such person on his or her written promise to appear in court, as prescribed by Chapter 5C (commencing with section 853.6) of the California Penal Code. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Article X. Chapter 13 of the Sonoma County Code is amended to read: Violations.

Article X. Violations.

Sec. 13-91. Violation--Penalty.

Any person who violates or fails to comply with any provision of the ~~Uniform~~ California Fire Code, the ~~Uniform~~ California Fire Code Standards, or the National Fire Codes, as adopted, or this chapter, or who violates or fails to comply with any order or regulation made thereunder, or who acts in violation of any detailed statement of specifications or plans submitted and approved thereunder, or who violates any provisions of a certificate or permit issued thereunder, is guilty of a misdemeanor, punishable as provided by law. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified in any citation or notice of violation, each day or portion thereof that prohibited conditions are maintained shall constitute a separate offense. The application of the provisions of this section shall not be held to prevent the enforced removal of prohibited conditions. (Ord. No. 5373 § 2, 2002; Ord. No. 4905 § 1, 1995.)

SECTION II. Pursuant to Health and Safety Code, Section 13143.5 and 17958.7, the Board of Supervisors expressly finds that this ordinance and the changes or modifications made herein to the 2010-13 California Fire Code, including the adoption of fire protection sprinkler and fire alarm standards, are reasonably necessary because of local climatic, geological, and topographical conditions. The Board of Supervisors further finds in connection therewith as follows:

1. Sonoma County has climatic conditions which are unique in character. The county is subject to year--round coastal winds. Average yearly rainfall for the county is approximately 30 inches. This rainfall generally occurs from October to April. During the summer months (July, August, September), the prevalent Pacific High Cell creates early morning fog, which assists the natural vegetation in growth. During the summer months, dry winds and vegetation mix to create a hazardous fuel condition. This condition causes grassland and brushland fires each year. While normal temperatures do not exceed 85--90 degrees Fahrenheit (85-90° F) during the summer months, temperatures can climb to higher than 110 degrees Fahrenheit plus (110° F) in parts of the County of the county. Afternoon winds can move a fire quickly in any part of the county, particularly during times of high temperatures and low humidity.

Drought conditions occur periodically in the County and when they occur they often last for several years. When drought conditions occur, they result in reduced available water. Groundwater as well as surface supplies are affected. When drought conditions occur, they create a situation where lowered water tables, water contamination, and increased demand on water systems due to population growth all

negatively impact water availability for fire protection. These impacts degrade the quality of fixed fire protection as well as fire suppression activities.

2. Sonoma County has geological and geographic characteristics which have scenic appeal for residents and visitors alike. The County is situated in a primarily rural setting with rugged coastline forming its western boundary, rugged mountainous areas forming its northern and eastern boundaries, and forested areas and grasslands making up much of the County of the county. These features establish the roadways and building sites in the county as well as create barriers to accessibility for emergency fire equipment and personnel.

The forested areas in the County create windbreaks from oncoming winds, but also produce fuel through the annual fall needles and leaves which drop to the ground along with decayed trees and branches which contribute to the fuel load. The dry vegetation and low water availability create a terrain which causes access problems and other problems for emergency fire equipment and personnel.

The grassland areas in the County have easily ignitable fuels which are subject to high winds. A southern exposure and unbroken fuel create a potential for major conflagrations.

The County has potentially active seismic hazards within its boundaries (the San Andreas Fault and several other fault traces have been identified within the county). Large portions of the county are within the Alquist-Priolo Special Studies Zones. While systems have been developed to study and monitor the activity of earthquakes, science has not yet been able to predict (with reliability) the potential for activity on active faults. Seismic activity within the county occurs yearly with little or no damage although the very real potential for damage exists with the active faults within the county. While new construction may be limited by their respective distances to faults, existing structures and replacement of these structures present a serious problem.

The mixture of developed and undeveloped areas within the County creates hazardous conditions when a storm of “gale-force winds” causes trees to fall onto roadways used for access by emergency fire equipment and personnel. In addition, flooding occurs in certain areas of the County of the county during heavy winter storms limiting or eliminating access for emergency fire equipment and personnel.

Landslides have been experienced in various areas of the County of the county. While stabilization can sometimes be provided, heavy winter storms cause failures. These failures have closed roadways within the county making access for emergency fire equipment and personnel impossible until properly cleared.

3. Sonoma County has topographical conditions which are closely associated with the geological and geographic characteristics noted above. The

topographical conditions are the result of the design and construction of development within the county based on elevation changes in the county as well as the hills, canyons, lakes and streams which exist in the county.

The sources of water within the County are directly affected by its topographical layout. The water sources consist of on-site water storage tanks, lakes, pools, wells, mutual water systems, and the Sonoma County Water Agency distribution network. Water supplies within the county vary from less than ten (10) gallons per minute to flows in excess of four thousand (4,000) gallons per minute. This wide variation causes major problems to development as well as fire suppression forces.

The roadway system through most of the county is designed around the topographical lay of the land and consists in many cases of narrow, winding roads, steep grades, and overhanging tree branches. The grades on roadway surfaces sometimes exceed 25% and widths of less than twelve ~~(12)~~ feet (12') are not uncommon.

The topographical conditions also make construction more restricted to the level and semi-level portions of the county, with high concentrations of building within these areas. The exposure created by these structures poses a significant problem. For practical and cost reasons, these structures are built of wood (Type V) construction. The potential of conflagration exists with the high buildout of certain areas in the county. The concentrated commercial, industrial, and residential occupancies in these areas cause concern when considering the "exposure" of building-to-building and building-to-grassland areas of the county.

The topographical nature of the county also lends itself to power failures caused when fallen trees and limbs tear out sections of electrical transmission lines which run throughout the County. These power failures cause electrical pumps to become inactive and, thus, water supplies are interrupted. Vehicular accidents also have been known to interrupt this pumping operation. Due to the narrow roads which are congested with residents and visitors alike, this situation occurs more than could be normally expected.

4. The preceding findings identify the local climatic, geological, and topographical conditions which the Board has considered in adopting this ordinance. The Board finds that these conditions make the modifications or changes to the requirements published in the California Building Standards Code contained herein reasonably necessary. This Board further finds that it has amended the ~~2010~~2013 California Fire Code to assist in mitigating such conditions.

SECTION III. Except as added, revised, amended or deleted herein, the remaining provisions of Chapter 13 as previously adopted shall remain in full force and effect.

SECTION IV. The County ~~Fire Chief~~ fire chief is directed to file a copy of this

Ordinance with the State Fire Marshal and California Building Standards Commission of the State of California.

SECTION V. The provisions of this Code shall not be construed as imposing upon the County of Sonoma any liability or responsibility for damages to persons or property resulting from defective work, nor shall the County of Sonoma, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this Code of any permits or certifications issued under this Code.

SECTION VI. The Board of Supervisors finds and determines that this ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of the State CEQA Guidelines as it can be seen with certainty that there is no possibility that this ordinance may have a significant effect on the environment. This finding and determination is based on the environmental determination of the Permit and Resource Management Department for this ordinance. The ~~Director~~director of Permit and Resource Management Department is directed to file a notice of exemption in accordance with CEQA and the State CEQA Guidelines.

SECTION VII. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION VIII. This ordinance shall be and the same is hereby declared to be in full force and effect on January 1, ~~2011~~2014. The ordinance shall be published once before the expiration of fifteen (15) days after its passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation published and circulated in the County of Sonoma.

SECTION VIII. This ordinance shall be and the same is hereby declared to be in full force and effect on January 1, ~~2011~~2014. The ordinance shall be published once before the expiration of fifteen (15) days after its passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation published and circulated in the County of Sonoma.

In regular session of the Board of Supervisors of the County of Sonoma introduced on the ~~22nd day of October, 2013~~19th day of October, 2010, and finally passed and adopted this ~~5th day of November~~2nd day of November, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

~~Kerns~~ Gorin _____ Zane _____ ~~Kelley~~ McGuire _____ Carrillo _____
~~Brown~~ Rabbitt _____

Ayes _____ Noes _____ Absent _____ Abstain _____

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Veronica Ferguson, County Clerk and
Clerk of the Board of Supervisors

IT IS SO ORDERED

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING CHAPTER 13, "FIRE SAFETY ORDINANCE" OF THE SONOMA COUNTY CODE TO ADOPT BY REFERENCE AND AMEND SELECTED PROVISIONS, CHAPTERS AND APPENDICES OF THE CALIFORNIA CODE OF REGULATIONS, TITLE 24, 2013 EDITION OF THE CALIFORNIA FIRE CODE; TO ADOPT LOCAL FINDINGS; AND TO MAKE TECHNICAL AND ADMINISTRATIVE REVISIONS TO CHAPTER 13.

SECTION I. Chapter 13 of the Sonoma County Code is amended to read:

**CHAPTER 13
SONOMA COUNTY FIRE SAFETY ORDINANCE**

Article I. General Provisions.

Sec. 13-1. Short title.

This chapter shall be known and may be cited as the Sonoma County Fire Safety Ordinance.

Sec. 13-2. Administrative regulations.

(a) The County fire chief, the director of Permit and Resource Management, or both may adopt, amend or repeal administrative regulations to implement, interpret or make specific provisions of this chapter. Notice of the proposed adoption, amendment, or repeal of a regulation pursuant to this section shall be posted for a period of thirty (30) days in the public lobby of the permit and resource management building, and shall be mailed to every person who has filed a request for notice of such actions with the County fire chief, the director of Permit and Resource Management, or both. Every notice shall include a copy of the express terms of the proposed action and a statement that the public may submit written comments on the proposed action prior to the close of the posting period. The County fire chief, the director of Permit and Resource Management, or both, as appropriate, may approve, modify, or withdraw the proposed adoption, amendment or repeal of a regulation following the posting period.

(b) The adoption, amendment or repeal of a regulation pursuant to this section shall take place not less than fifteen (15) nor more than one hundred eighty (180) days following the close of the posting period specified in subsection (a), and shall be effective upon posting of an order of adoption, amendment or repeal in the public lobby of the permit and resource management building. Each such order shall include a concise and

clear summary of the action taken by the County fire chief, the director of Permit and Resource Management, or both, and shall remain posted for a period of thirty (30) days.

(c) The regulations adopted or amended pursuant to this section shall have the same force and effect as provisions of this chapter. Failure by any person to comply with any regulation adopted or amended pursuant to this section shall be a violation of this chapter.

(d) The regulations adopted or amended pursuant to this section shall be periodically compiled and copies thereof made available to the public for purchase at cost or review free of charge at the office of Fire and Emergency Services Department or the Department of Permit and Resource Management.

Article II. Definitions is amended to read:

Article II. Definitions.

Sec. 13-6 Definitions.

Unless the provision or context requires otherwise, the definitions contained in this section shall govern the construction of this chapter. The definition of a word applies to any of that word's variants.

“Accessory Building” means any building containing solely a Group U occupancy as defined in the County Building Code.

“Agricultural Building” means any structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged; nor shall it be a place used by the public.

“Agricultural Operation” means includes the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural commodity, including timber, viticulture, apiculture or horticulture, and the raising of livestock, fur-bearing animals, fish or poultry.

“All-Weather Driving Surface” means any surface that provides unobstructed access to conventional drive vehicles, including sedans and fire engines, and is capable of supporting a forty thousand (40,000) pound axle load during wet weather conditions.

“Board of Building Appeals” means the Board of Building Appeals created in Chapter 7 of the Sonoma County Code.

“Building” means any structure used or intended for supporting or sheltering any use or occupancy. Building is also any structure as to which state agencies have regulatory power, and housing or enclosure of persons, animals, chattels, equipment or property of any kind. Building is also any structure wherein things may be grown, made, produced, kept, handled, stored or disposed of, and all appendages, accessories, apparatus, appliances and equipment installed as a part thereof. Building shall not include machinery, equipment or appliances installed for manufacture or process purposes only, nor shall it include any construction installations which are not a part of a building, any tunnel, mine shaft, highway or bridge, or include any house trailer or vehicle which conforms to the California Vehicle Code.

Note: Building shall have the same meaning as defined in Health and Safety Code, Section 17920 and 18908 for the applications specified in Sections 101.17.9 and 101.17.10 of the Building Code.

“Building, existing” means a building legally erected prior to the adoption of this Code, or one for which a legal building permit was issued for the construction or legalization thereof prior to the adoption of this Code.

“Building, new” means a building for which a legal building permit is issued for the construction or legalization thereof after the adoption of this Code.

“Building Code” means the County Building Code as set forth in Chapter 7 of the Sonoma County Code.

“Building Official” means the Chief Building Official as defined in Section 7-2 of the Sonoma County Code.

“California Fire Code” means the regulations in California Code of Regulations, Title 24, Part 9, 2013 California Fire Code, which incorporate by adoption the 2012 Edition of the International Fire Code of the International Code Council with necessary California amendments.

“Central Alarm Station” means a publicly or privately operated alarm receiving center that is constantly attended by appropriately trained staff.

“Chief” means the County fire chief or his or her authorized representative for those portions of the unincorporated area of the county not in a fire protection district, and the local fire chief or his or her authorized representative for those portions of the unincorporated area of the county in a local fire protection district. Notwithstanding the preceding, the County fire chief shall be responsible for plan checking and inspection of new construction and alterations subject to this Code within both those portions of the unincorporated area of the county not in a fire protection district and those portions of the

unincorporated area of the county in a local fire protection district, unless a local fire protection district notifies the County fire chief in writing that it has elected to have the local fire chief exercise those responsibilities within its jurisdictional area.

“Commercial building” means any building containing an occupancy other than a Group R-3 occupancy, a one- or two-family dwelling, or Group U Occupancy accessory to a Group R-3 occupancy, as defined in the County Building Code.

“County” means the County of Sonoma, in the state of California.

“County Building Code” means the building regulations in Chapter 7 of this Code.

“County fire chief” means the director of the Sonoma County Fire and Emergency Services Department.

“County Fire Prevention Officers Association” means the Sonoma County Fire Prevention Officers Association.

“Certified Unified Program Agencies (CUPA)” means the regulatory division of Sonoma County Fire and Emergency Services Department hazardous materials enforcement division.

“Dairy Milking Facility” means a single-story structure constructed of non-combustible materials with two or more open sides that is used exclusively for milking dairy animals. A dairy milking facility may have either an office or a storage area of less than four hundred (400) square feet. A dairy milking facility shall not have any sleeping areas within the structure.

“Dangerous Fireworks” means dangerous fireworks as defined in Health and Safety Code, Section 12505.

“Dead-End Road” means any road that has only one point of vehicular ingress/egress, including culs-de-sac and looped or circular roads.

“Development Approval” means any of the following: (1) any discretionary approval granted pursuant to Chapter 25, 26, or 26C of this Code to allow residential, commercial, or industrial development of land, including, but not limited to, any approval of a zone change, tentative map, lot line adjustment, use permit, or design review; (2) any building permit issued pursuant to Chapter 7 of this Code to erect, construct, enlarge, alter, repair, move, improve, or convert any building, or to install a manufactured home; or (3) any grading permit issued pursuant to Chapter 7 of this Code to construct a new road or driveway, or to extend, reconstruct, or improve an existing road or driveway.

“Director of Forestry and Fire Protection” means the director of the California

Department of Forestry and Fire Protection or his or her authorized representative.

“Director of Permit and Resource Management” means the Sonoma County director of Permit and Resource Management or his or her authorized representative.

“Driveway” means any way or place in private ownership that provides vehicular access to no more than two (2) residential buildings, containing no more than three (3) dwelling units, and any number of accessory buildings on a single parcel.

“Driveway Structure” means any bridge, culvert or other appurtenant structure that supplements the driveway bed or shoulder.

“Dwelling Unit” means any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation, as required by the County Building Code, for not more than one (1) family.

“Exception” means an alternative to a standard specified in Article V of this chapter that is requested by an applicant for development due to health, safety, environmental conditions, physical site limitations or other limiting conditions, and provides mitigation of a problem.

“Executive Body” means the Board of Supervisors of Sonoma County for those portions of the county not in a fire protection district, and the Board of Directors of the Fire Protection District having jurisdiction for those portions of the county in that Fire Protection District.

“Exterior Wall” means any wall or element of a wall, or any member or group of members, which defines the exterior boundaries or courts of a building and which has a slope of sixty (60) degrees or greater from the horizontal plane.

“Existing Building” see “building, existing.”

“Fire Alarm” means any device, control or circuit designed to produce an alarm signal in the event of fire or system activation, together with the energy necessary to sound an alarm, electrically supervise the system where required, and activate the alarm bells, trouble bells or trouble signals.

“Fire and Emergency Services Department” means the Sonoma County Fire and Emergency Services Department.

“Fire Apparatus Access Road” means a road that provides fire apparatus access from a fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane and access roadway. Public streets maybe defined by the standards of the local agency

having jurisdiction over the project.

“Fire Code Official” means the fire chief and any other designated authority charged with the administration and enforcement of code, or a duly authorized representative. This shall include representatives who enforce Sonoma County Code Chapter 29 Hazardous Materials Management.

“Fire Department” means the Sonoma County Fire and Emergency Services Department for those unincorporated areas of the county not in a local fire protection district, and the local fire protection district having jurisdiction for those unincorporated areas of the county in a local fire protection district.

“Fire Lane” means that portion of an access roadway reserved for emergency vehicles and the conduct of fire fighting or rescue operations, or as designated by the fire department, and posted in accordance with California Vehicle Code Section 22500.1.

“Fireworks” means any fireworks as defined in Health and Safety Code, Section 12511.

“Floor Area-Fire Flow Calculations” means the floor area used for calculating the required fire flow shall be the total floor area of all floor levels within the exterior walls that are under the horizontal projection of the roof, except as modified in Appendix B, Section B104.

“General Plan” means the Sonoma County General Plan.

“Greenbelt” means a facility or land use designed for a use other than fire protection which will slow or resist the spread of a wildfire. Greenbelts include parking lots, irrigated or landscaped areas, golf courses, parks, playgrounds, maintained vineyards, orchards and annual crops that do not cure in the field.

“Hammerhead/T” means a roadway that provides a “T” shaped, three-point turnaround space for emergency equipment. The turnaround space shall be no narrower than the road it serves.

“HS-20” means the HS-20 class of highway loading as defined by the American Association of State Highway and Transportation officials.

“Hydrant” means a valve connection on a water supply/storage system to supply fire apparatus and hoses with water.

“Jurisdiction” means the County of Sonoma, in the State of California.

“Jurisdictional Area” means the territory within a local fire protection district.

“Local fire chief” means the fire chief of a local fire protection district or his or her authorized representative.

“Local Fire Protection District” means any fire protection district organized and operating under the provisions of the Fire Protection District Law of 1987, Part 3 (commencing with Section 13800) of Division 12 of the Health and Safety Code, or any other special district lawfully exercising any of the powers, functions, or duties vested in or imposed upon a fire protection district pursuant to the Fire Protection District Law of 1987, all or part of whose territory is within the unincorporated area of the county. Notwithstanding the preceding, local fire protection district shall not include any County Service Area organized and operating under the provisions of the County Service Area Law, Chapter 2.2 (commencing with Section 25210.1) of Part 2 of Division 2 of Title 3 of the Government Code.

“Local Responsibility Area” means that portion of the unincorporated area of the county not classified by the State Board of Forestry as a State Responsibility Area.

“Manufactured Home” means any manufactured home as defined in Health and Safety Code, Sections 18007, 18008 and 19971.

“National Fire Codes” means the most current edition of the National Fire Codes published by the National Fire Protection Association.

“New Building” see “building, new.”

“Non-Urban Parcel” means any parcel served by a water system other than a public water system.

“Occupancy” means the purpose for which a building or part thereof is used or intended to be used.

“One-Way Road” means a road designed for traffic flow in one (1) direction only.

“Open Burning” means any combination of combustible material of any type outdoors in the open, not in any enclosure, where the productions of combustion are not directed through a flue. Open burning shall not include a fire in a barbecue pit, either permanent or portable, when the barbecue pit is operated on a patio or other appropriate dooryard area adjacent to and in conjunction with the dwelling of the person operating the barbecue pit.

“Planning Official” means the director of the Permit and Resource Management Department.

“Private Riding Arena” means an enclosed or unenclosed building or portion of a building used exclusively for private equestrian activities by the building owner, guests, or employees, not to exceed a maximum capacity of thirty (30) persons. The area within a private riding arena shall not be used for storage areas, animal stalls, offices, viewing areas, shows, events, public riding lessons, or similar uses or occupancies. A private riding arena shall be classified as a Group U occupancy.

“Private Road” means any way or place in private ownership that provides vehicular access to more than one (1) parcel, to a commercial building or agricultural operation on a single parcel, or to more than two (2) residential buildings or two (2) residential buildings, containing more than three (3) dwelling units, on a single parcel.

“Public Display of Fireworks” means any public display of fireworks as defined in Health and Safety Code, Section 12524.

“Public Road” means any county highway or state highway.

“Public Water System” means a system, regardless of type of ownership, for the provision of piped water to the public for human consumption that has fifteen (15) or more service connections.

“Residential Building” means any one- or two-family dwelling containing a Group R-3 occupancy, or Group U occupancy accessory to a Group R-3 occupancy as defined in the County Building Code.

“Road” means any public or private road.

“Roadway” means that portion of any road improved, designed or ordinarily used for vehicular travel.

“Roadway Structure” means any bridge, culvert or other appurtenant structure that supplements the roadway bed or shoulder.

“Same Practical Effect” means an exception or alternative with the capability of applying accepted fire suppression strategies and tactics, and provisions for firefighter safety, including: (1) access for emergency fire equipment; (2) safe civilian evacuation; (3) signing that avoids delays in emergency equipment response; (4) available and accessible water to effectively attack a fire or defend a structure from a wildfire; and (5) fuel modification sufficient for civilian and firefighter safety.

“Shall” is mandatory and “May” is permissive, however, use of the word “shall” in this Code is not intended to, nor shall it be deemed to create a mandatory duty imposed by enactment within the meaning of Government Code, Section 815.6.

“Shoulder” means the roadbed or surface of a roadway adjacent to the traffic lane.

“Single-Family Dwelling” means a dwelling that contains one dwelling unit for one family of one or more persons. Single-family dwelling does not include a dwelling used for a large family day-care home, lodging house, congregate residence, or other similar use.

“Standard Specifications for Highway Bridges” means the Standard Specifications for Highway Bridges, published by the American Association of State Highway and Transportation officials.

“State Responsibility Area” means that portion of the unincorporated area of the county classified by the State Board of Forestry as a State Responsibility Area.

“Structure” means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

“Subdivision” means any subdivision as defined in Government Code, Section 66424 and Section 25-2 of this Code.

“Subdivision Ordinance” means the Subdivision Ordinance of Sonoma County.

“Traffic Lane” means that portion of a roadway that provides a single line of vehicle travel.

“Turnaround” means a roadway, unobstructed by parking, which allows for a safe opposite change of direction for emergency equipment.

“Turnout” means a widening on a roadway or driveway to allow vehicles to pass.

“Two-Family Dwelling” means a dwelling that contains two (2) dwelling units for two (2) families of one or more persons. Two-family dwelling does not include a dwelling used for a large family day-care home, lodging house, congregate residence, or other similar use.

“Two-Way Road” means a road designed for traffic flow in opposing directions.

“Urban Parcel” means any parcel served by a public water system or mutual water system.

“Vertical Clearance” means the minimum specified height of a bridge or overhead projection above a roadway.

“Wildfire” means a wildfire as defined in Public Resources Code, Sections 4103 and 4104.

Article III. Appeals is amended to read:

Article III. Appeals.

Sec. 13-11. Board of Appeals.

The Board of Building Appeals shall function as the Board of Appeals under this chapter. Except where inconsistent with the provisions of Sonoma County Code Sections 7-3 and Section 13-12 of this Code, the duties of the Board of Appeals shall be as prescribed in Chapter 1, Division II, Section 108 of the California Fire Code.

Sec. 13-12. Appeals.

(a) Except as otherwise provided in subsection (b), any applicant, permit holder or other interested person dissatisfied with a decision of the County fire chief, the director of Permit and Resource Management, or a local fire chief under this chapter may appeal the decision to the Board of Appeals, provided, however, that such appeal may not be made more than thirty (30) days after the decision from which the appeal is being made has been rendered. All interested persons shall be given a reasonable opportunity to be heard and present evidence to the Board of Appeals on any appeal. Decisions of the Board of Appeals shall be in writing and shall be delivered to the appellant and the applicant or permit holder, if different from the appellant, either in person or by mailing to the address stated on the appeal or application. Decisions of the Board of Appeals are final. Should no decision be rendered within twenty (20) days after the filing of the appeal, such appeal shall be deemed to be denied unless time is extended by action of the Board of Appeals.

(b) Appeals of notice and orders issued pursuant to violations of this chapter shall be conducted and determined by a hearing officer pursuant to Section 1-7.3 and Chapter 7 of Sonoma County Code.

Article IV. County Fire Code is amended to read:

Article IV. County Fire Code.

Sec. 13-15. County Fire Code designated--Administration and enforcement--Amendment by local fire protection districts.

(a) The 2013 California Fire Code as adopted by reference and amended in this article, shall constitute the County Fire Code.

(b) Except as otherwise provided in subsection (c), the administration and

enforcement of the County Fire Code within a local fire protection district shall be the responsibility of the local fire chief. The County fire chief shall be responsible for the administration and enforcement of the County Fire Code within those portions of the unincorporated area of the county not in a local fire protection district.

(c) The County fire chief shall be responsible for plan checking and inspection of new construction and alterations subject to the County Fire Code within both those portions of the unincorporated area of the county not in a local fire protection district and those portions of the unincorporated area of the county in a local fire protection district, unless a local fire protection district notifies the County fire chief in writing that it has elected to have the local fire chief exercise those responsibilities within its jurisdictional area. Any such action shall only be effective if it is thereafter approved by the Board of Directors of the local fire protection district.

(d) Pursuant to Health and Safety Code, Section 13869.7, a local fire protection district may amend all or any part of the County Fire Code for application within its jurisdictional area. Any such amendment shall first be referred to the County Fire Prevention Officers Association for review and recommendation, and shall only be effective if it is thereafter approved by the Board of Directors of the local fire protection district and ratified by the Board of Supervisors. The Board of Supervisors shall not ratify such amendment if it includes provisions that are less restrictive than the provisions of the County Fire Code.

Sec. 13-16. Conflicting regulations.

The provisions of this chapter shall prevail over any inconsistent provision contained in the California Fire Code or the National Fire Codes; provided, in the case of inconsistent regulations, no regulation shall prevail that is less restrictive than the regulations established by the State of California unless otherwise authorized by the State.

Sec. 13-17. California Fire Code adopted amendments.

(a) The portion of the California Building Standards Code that imposes substantially the same requirements as are contained in the California Fire Code, 2013 Edition published by the International Code Council and the California Building Standards Commission with Errata, including Appendices, Chapters 4, B, BB, C, CC, D and H; published by the International Code Council, save and except such portions as are hereinafter deleted, modified, or amended by subsection (b) of this section, are adopted and incorporated as fully as if set out at length herein for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosions within the unincorporated area of the county.

(b) The California Fire Code, 2013 Edition, is hereby amended as follows:

(1) Chapter 1, Division II, Section 101.1 is amended to read:

101.1 Title. These regulations shall be known as the Sonoma County Fire Code, hereinafter referred to as “this Code.”

(2) Chapter 1, Division II, Section 102.3 is amended to read:

102.3 Change of use or occupancy. No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this Code, the Sonoma County Building Code, and the California Building Code. Subject to the approval of the fire code official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all the requirements of this Code, the Sonoma County Building Code, and the California Building Code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

(3) Chapter 1, Division II, Section 102.4 is amended to read:

102.4 Application of Building Code. The design and construction of new structures shall comply with the 2013 California Building Code, Volumes 1 and 2, the 2013 California Historical Building Code, the 2013 California Existing Building Code, and the 2013 California Residential Code, as adopted and amended by the County of Sonoma, and any alterations, additions, changes in use or changes in structures required by this Code, which are within the scope of the 2013 California Building Code Volumes 1 and 2, the 2013 California Historical Building Code, 2013 California Existing Building Code and the 2013 California Residential Code, as adopted and amended by the County of Sonoma, shall be made in accordance therewith.

(4) Chapter 1, Division II, Section 103.1 is amended to read:

103.1 General. The Division of Fire Prevention is established within the Fire and Emergency Services Department under the direction of the fire code official. The function of the division shall be the implementation, administration and enforcement of the provisions of this Code.

(5) Chapter 1, Division II, Section 103.3.1 is added to read:

103.3.1 Authority to issue citations. The fire chief, the fire code official and his or her deputies who have the discretionary duty to enforce a statute or ordinance, pursuant to Section 836.5 of the California Penal Code and subject to the provisions thereof, may arrest a person without a warrant whenever the fire chief or member of the Fire Prevention Bureau has reasonable cause to believe that the person to be arrested has committed a violation in the presence of the fire chief or member of the Fire Prevention Bureau which he or she has discretionary duty to enforce, and to issue a notice to appear and to release such person on his or her written promise to appear in court, pursuant to the provisions of Section 853.5 et seq. of the California Penal Code.

(6) Chapter 1, Division II, Section 105.1.2 is amended to read:

105.1.2 Types of permits. There shall be two types of permits as follows:

1. Operational permit. An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Chapter 1, Section 105.6, including local amendments for either:
 - 1.1. A prescribed period.
 - 1.2. Until renewed or revoked.
2. Construction permit. A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by Chapter 1, Section 105.7 including local amendments.

(7) Chapter 1, Division II, Section 105.3.3.1 is added to read:

105.3.3.1 Occupancy permits. The fire chief may notify the building official not to authorize temporary or final occupancy of any building for which a permit is required by this Code until the building has been inspected and found to be in compliance with this Code. The building official shall not authorize temporary or final occupancy of any new commercial building for which a permit is required by this Code until certification of required fire flow is provided to the fire chief. The certification of required fire flow shall include static pressure, residual pressure, and gallons per minute as witnessed by, or acceptable to, the fire chief.

(8) Chapter 1, Division II, Section 105.3.3.2 is added to read:

105.3.3.2 Temporary connection approval. Nothing in Section 105 shall prohibit the granting or approval of a temporary connection for gas or electricity to

allow construction to occur.

(9) Chapter 1 Division II, Section 105.5 is amended to read:

105.5 Revocation of permits. Any permit issued under this Code may be modified, suspended, or revoked whenever the fire chief determines any of the following:

(1) The permit has been used by a person other than the person to whom it was issued.

(2) The permit has been used for a location other than that for which it was issued.

(3) The conditions or limitations set forth in the permit have been violated.

(4) The permittee has failed, refused, or neglected to comply with orders or notices duly served in accordance with the provisions of this Code within the time provided therein.

(5) There has been a false statement or misrepresentation as to a material fact in the application or plans on which the permit or application was based.

(10) Chapter 1, Division II, Section 105.5.1 is added to read:

105.5.1 Revocation procedure. Revocation of any permit issued under this Code shall only occur after written notice of the violation has been given by the fire chief to the permittee at his or her last place of residence as shown on the permit or certificate, which notice shall order the permittee to either correct the violation within ten (10) days or appear before the local fire chief, unless the local fire protection district issues a written notice electing to have the County fire chief hear the matter, at a date and time certain to show cause why the permit or certificate should not be modified, revoked or suspended. At the hearing before the fire chief, the permittee shall have an opportunity to appear and be heard on the question of whether the permit issued to him should be revoked or suspended. Upon conclusion of the hearing or as soon thereafter as practicable, the chief shall issue a decision in writing to the permittee determining whether to modify, revoke or suspend the permit. Any interested person may appeal the fire chief's decision to the Board of Appeals. All appeals shall be filed in writing with the fire chief within ten (10) calendar days of the date of the decision being appealed.

(11) Chapter 1, Division II, Section 105.6.47 is amended to read:

105.6.47 Additional operational permits. In addition to the operational permits required by Section 105.6, the following permits shall be obtained from the division of fire prevention prior to engaging in the following activities, operations, practices or functions:

1. Production facilities. To change use or occupancy, to allow the attendance of a live audience, or for wrap parties.
2. Pyrotechnics and special effects. To use pyrotechnic special effects, open flame, use of flammable or combustible liquids and gasses, welding, and the parking of motor vehicles for the purpose of motion picture, television and commercial production.
3. Live audiences. To install seating arrangements for live audiences in approved production facilities, production studios, and sound stages. See Chapter 48.
4. Apartment, hotel, motel. An operational permit is required to operate an apartment house, hotel, or motel.
5. Bonfires or rubbish fires. An operational permit is required to kindle or authorize the kindling or maintenance of bonfires or rubbish fires.
6. Day care. An operational permit is required to operate a day care occupancy with an occupant load over eight (8) persons.
7. Emergency responder radio coverage system. An operational permit is required for buildings and/or facilities with emergency responder radio coverage systems and related equipment.
8. Fire protection systems. An operational permit is required for buildings and/or facilities with fire protection systems and related equipment such as fire pumps, fire hydrant systems, fire suppression systems, fire alarm systems, smoke management systems, and similar systems governed by this Code.
9. High-rise building. An operational permit is required to operate a high-rise building as defined in the Building Code.
10. Institutional or residential occupancy (six (6) or fewer persons). An operational permit is required to operate an institutional or residential occupancy for six (6) or fewer persons, except day care and residential care facilities for the elderly.

11. Institutional or residential occupancy (more than six (6) persons). An operational permit is required to operate an institutional or residential occupancy for more than six (6) persons. Exception: A permit is not required for large-family day care providing care for fewer than nine (9) children.

12. Medical gas systems. An operational permit is required for buildings and/or facilities with medical gas systems and related equipment, and similar systems governed by this Code.

13. Oil or natural gas well. An operational permit is required to own, operate or maintain an oil or natural gas well.

14. Organized camps. An operational permit is required to operate an organized camp (Group C occupancy).

15. Public haunted house. An operational permit is required to operate a haunted house, ghost walk or similar amusement. Such amusement shall be in compliance with the 2013 California Fire Code, Appendix K.

16. Special event. An operational permit is required for any organized procession or assemblage of 50 or more people, which could significantly impact vehicular traffic or create a safety problem. Examples include, but are not limited to: music festivals, outdoor markets, circus, walkathons, runs, marathons, trail rides, bicycle races, celebrations, parades and other similar activities.

17. Winery caves – publicly accessible. An operational permit is required to operate a Type-2 or Type-3 winery cave that is accessible to the public.

(12) Chapter 1, Division II, Section 105.7.17 is added to read:

105.7. 17Additional construction permits. In addition to the permits required by Section 105.7, the following construction permits shall be obtained from the division of Fire Prevention prior to starting construction:

1. Emergency vehicle access facilities. A construction permit is required for installation or modification of roadways and roadway structures used for emergency vehicle access.

2. Excavation near flammable or combustible liquid pipeline. A construction permit is required to excavate or do any work below grade within ten (10) feet of any pipeline for the transportation of flammable or combustible liquid.

3. Fire-line underground utility piping. A construction permit is required to install, alter, or make improvements to fire-line underground utility piping. A separate utility permit from the building official is required prior to installing any private underground fire protection water piping and associated appliances.

4. Gates. A construction permit is required for the installation of security gates across a fire apparatus access road.

5. Hazardous materials site disclosure (aboveground facility & underground tank). A construction permit is required to permanently remove hazardous materials storage or use premises from service, including the permanent removal of a hazardous materials tank.

6. Medical gas system. A construction permit is required to install a medical gas system.

7. Oil or natural gas well. A construction permit is required to drill an oil or natural gas well.

(13) Chapter 1, Division II, Section 109.4 is amended to read:

109.4 Violation penalties. Persons who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code official, or of a permit or certificate used under provisions of this Code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not exceeding six months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(14) Chapter 1, Division II, Section 111.4 is amended to read:

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100.00 dollars or more than \$500.00 dollars. A person shall be fined for each day he or she continues to work after having been served with a stop work order.

(15) Chapter 2, Section 202 is amended to revise the definition of “building” to read:

“Building” is defined as set forth in Chapter 13 of the Sonoma County Code.

(16) Chapter 3, Section 307.1 is amended to read:

307.1 General. Open burning shall be conducted in accordance with this section and Article VII of Chapter 13 of the Sonoma County Code.

(17) Chapter 3, Section 307.2 is amended to read:

307.2 Permit required. Prior to commencement of open burning, a burning permit shall be obtained pursuant to section 13-71 of the Sonoma County Code.

(18) Chapter 3, Section 311.3.1 is added to read:

311.3.1 Removal of debris after fire. All rubble, waste, rubbish, and other materials lying upon any premises within the jurisdictional area; having been accumulated thereon by reason of a fire, and having been rendered useless thereby shall be removed from within ten (10) days after notice has been given to do so in writing by the fire chief to the owner, lessee, or other person in charge or control of the premises.

(19) Chapter 5, Section 503.1.1 is amended to read:

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within one hundred fifty feet (150') of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Buildings located on slopes of greater than five percent (5%) shall be provided with additional fire protection measures to mitigate access constraints when required by the County fire chief.

Exception: The fire code official is authorized to increase the dimension of one hundred fifty feet (150') where:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions,

and an approved alternative means of fire protection is provided.

3. There are not more than two Group R-3 or Group U occupancies.

(20) Chapter 5, Section 503.1.2 is amended to read:

503.1.2 Additional access. The fire code official is authorized to require more than one fire apparatus access road in accordance with Appendix D or based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

(21) Chapter 5, Section 503.1.3 is amended to read:

503.1.3 High-piled storage. Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 32 and Appendix D.

(22) Chapter 5, Section 503.2.1 is amended to read:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width in accordance with this section and Appendix D, including an unobstructed vertical clearance of not less than 13 feet 6 inches.

(23) Chapter 5, Section 503.2.1.1 is added to read:

503.2.1.1 Two-way roads. All two-way roads shall have a right-of-way of not less than twenty-five feet (25') and shall have an unobstructed width of not less than twenty feet (20'), exclusive of shoulders, except for approved security gates in accordance with Section 503.6.

When permitted in a subdivision's conditions of approval and approved by the appropriate County departments, as identified in the subdivision's conditions of approval, the subdivision may have a two-way road of not less than twelve feet (12'), exclusive of shoulders, with turnouts and turnarounds. Spacing of the turnarounds shall be as set forth in the subdivision's conditions of approval. If the subdivision's conditions of approval do not set forth spacing requirements, then turnarounds shall be at a minimum interval of one thousand three hundred and twenty feet (1,320').

(24) Chapter 5, Section 503.2.1.2 is added to read:

503.2.1.2 One-way roads. In addition to meeting the applicable standards in the preceding sections, all one-way roads shall comply with the following requirements:

(a) All one-way roads shall have a right-of-way of not less than twenty feet (20'), exclusive of shoulders, and shall be constructed to provide a roadway with a minimum of one (1) twelve foot (12') traffic lane, exclusive of shoulders, providing one-way traffic flow.

(b) All one-way roads shall connect to a two-way road at both ends, and shall provide access to an area zoned for no more than ten (10) dwelling units.

(c) All one-way roads exceeding five hundred feet (500') in length shall have a turnout constructed at approximately the midpoint of the road. Any one-way road exceeding one thousand feet (1,000') in length shall also have turnouts constructed approximately every five hundred feet (500') along the entire length of the road.

(d) No one-way road shall exceed two thousand six hundred forty feet (2,640') in length.

(25) Chapter 5, Section 503.2.1.3 is added to read:

503.2.1.3 Driveways. Driveways shall apply only to one- and two-family dwellings, and accessory structures associated with one- and two family dwellings unless otherwise approved by the fire code official. In addition to meeting the applicable standards in the preceding sections, all driveways shall comply with the following requirements:

(a) All driveways shall be constructed to provide a minimum of one (1) twelve foot (12') traffic lane, exclusive of shoulders, and an unobstructed vertical clearance of fifteen feet (15') along the entire length of the driveway.

(b) All driveways exceeding one hundred fifty feet (150') in length shall have a turnout constructed at approximately the midpoint of the driveway. Any driveway exceeding eight hundred feet (800') in length shall have turnouts constructed approximately every four hundred feet (400') along the entire length of the driveway.

(c) All driveways exceeding one hundred fifty feet (150') in length shall have a turnaround constructed at each residential building served by the

driveway. Additional turnarounds shall be provided when a driveway exceeds one thousand three hundred twenty feet (1,320') in length at a length approved by the fire code official.

(26) Chapter 5, Section 503.2.1.4 is added to read:

503.2.1.4 Roadway turnarounds. Any road or driveway structure required to have a turnaround may have either an approved hammerhead/T, a stub out, or approved terminus bulb. All turnarounds shall have a minimum turning radius of forty feet, bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

(27) Chapter 5, Section 503.2.1.5 is added to read:

503.2.1.5 Roadway turnouts. Any road or driveway structure required to have a turnout shall have an approved turnout that is a minimum of twenty feet (20') wide, including the roadway and the turnout and thirty feet (30') long with a minimum taper of twenty-five feet (25') on each end. The length of the turnout shall be measured along the roadway or driveway centerline.

(28) Chapter 5, Section 503.2.3 is amended to read:

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. The surface shall provide unobstructed access to conventional drive vehicles, including sedans and fire engines. Surfaces shall be capable of supporting a minimum 40,000 pound load. When other areas of this code require compliance with Appendix D the surface shall be designed pursuant to Section D102 for access and loading, unless otherwise approved by the fire code official.

(29) Chapter 5, Section 503.2.3.1 is added to read:

503.2.3.1 Surface Construction. All structural sections shall be constructed to meet or exceed the following standards:

- (a) On level areas and grades of less than five percent (5%),

roads and driveways shall have a gravel surface. The structural section of the road or driveway shall be at least one foot (1') of compacted Class 2 Aggregate Base.

(b) On grades of between five percent (5%) and ten percent (10%), roads and driveways shall have a double seal coat surface. The structural section of the road or driveway shall have an armor coat surface, constructed according to CalTrans Standard Specifications Section 37, Bituminous Seal Double Application, and the base portion of the road or driveway shall be at least one foot (1') of compacted Class 2 Aggregate Base.

(c) On grades of greater than ten percent (10%), roads and driveways shall have an asphalt concrete surface. The structural section of the road or driveway shall be asphalt concrete of at least two-tenths of one foot (0.2') thick. The base portion of the structural section shall be at least five-tenths of one foot (0.5') of compacted Class 2 Aggregate Base.

(d) On grades of greater than fifteen percent (15%), a design of the section shall be prepared by a licensed civil engineer using a soils investigation that provides soil R-value and expansion index. Alternatively, the engineer may use an R-value of 5 and waive the soil report unless a soil engineering report is required because of specific site conditions. The traffic index to be used for the design shall be not less than 3.5.

(e) In lieu of the prescriptive structural sections required by subsections (a), (b) and (c), a design of the section may be prepared by a licensed civil engineer using a soils investigation that provides soil R-value and expansion index. Alternatively, the engineer may use an R-value of 5 and waive the soil report unless a soil engineering report is required because of specific site conditions. The traffic index to be used for the design shall be not less than 3.5.

(30) Chapter 5, Section 503.2.4 is amended to read:

503.2.4 Turning radius The required turning radius of a fire apparatus road shall be as follows:

(a) No road or driveway shall have a horizontal inside radius of curvature of less than fifty feet (50'). If the roadway or driveway width is less than twenty-four feet (24'), then additional roadway or driveway widths shall be required as follows:

1) Four feet (4') of additional width for curves with a horizontal inside radius of fifty feet (50') to one hundred feet (100') and a central angle greater than forty-five (45°) degrees.

2) Two feet (2') of additional width for curves with a horizontal inside radius of one hundred feet (100') to two hundred feet (200') and a central angle

greater than forty-five degrees(45°).

The road shall have the full width widening beginning at the point of tangency of the curve requiring the widening to the end point of tangency of that curve or subsequent curves requiring widening (if reverse curves are used). A five-to-one (5:1) taper shall be used to transition from the base width into and out of the widened width.

(b) Unless otherwise approved by the County fire chief, where a private road, with a throat width equal to or greater than eighteen feet (18') as measured thirty feet (30') from the edge of pavement, intersects a public road, the edge of pavement radius shall begin with a line a minimum of twelve feet (12') from and parallel to the physical centerline of the public road and a minimum radius of twenty-five feet (25') shall be provided from this point to the point of tangency with the edge of pavement of the private road. A taper of not less than ten-to-one (10:1) shall be provided along the public road when the public road is less than twenty-four feet (24') wide.

(c) Where a private road, with a throat width measuring equal to or greater than twelve feet (12') and less than eighteen feet (18') or a driveway with a throat width equal to or greater than ten feet (10') as measured thirty feet (30') from the edge of pavement, intersects a public or private road, the edge of pavement radius shall begin with a line a minimum of twelve feet (12') from and parallel to the physical centerline of the public or private road and a minimum radius of twenty-five feet (25') shall be provided from this point to the point of tangency with the edge of pavement of the private road or driveway. A taper of not less than ten-to-one (10:1) shall be provided along the public or private road when the public or private road is less than twenty-four feet (24') wide. In lieu of a ten-to-one (10:1) taper connecting private road or driveway to private road only, a radius of forty feet (40') may be used.

(d) Where a driveway, with a throat width measuring equal to or greater than ten feet (10') and less than eighteen feet (18') as measured thirty feet (30') from the edge of pavement, intersects a private road, the edge of pavement shall be a minimum radius of forty feet (40'). Any driveway with a throat width greater than eighteen feet (18'), as measured thirty feet (30') from the edge of the pavement, that intersects a private road, shall comply with the private road/public road requirements set forth in subsection (b) of this section.

(e) Road and driveway horizontal curves and intersections may be reduced when proven by scientific method of a recognized vehicle modeling program. The method shall be performed based on the length, width, wheel base and turning radius of a standard Type 1 fire apparatus.

(31) Chapter 5, Section 503.2.5 is amended to read:

503.2.5 Dead ends. In addition to meeting the applicable standards in the preceding sections, all dead-end roads shall comply with the following requirements:

(a) Dead-end fire apparatus access roads in excess of one hundred fifty feet (150') in length shall be provided with an approved area for turning around fire apparatus.

(b) All dead-end roads shall have a maximum length, including any dead-end roads accessed from the original dead-end road, not exceeding the following cumulative lengths regardless of the number of parcels served:

1) Parcels zoned for less than one (1) acre - eight hundred feet (800')

2) Parcels zoned for one (1) acre to 4.99 acres - one thousand three hundred twenty feet (1,320')

3) Parcels zoned for five (5) acres to nineteen and ninety-nine hundredths (19.99) acres - two thousand six hundred forty feet (2,640')

4) Parcels zoned for twenty (20) acres or larger - five thousand two hundred eighty feet (5,280').

(c) All lengths shall be measured from the edge of the roadway at the intersection that begins the dead-end road to the farthest point on the dead-end road. Where a dead-end road crosses areas of differing zoned parcel sizes, requiring length limits, the shortest allowable length shall apply.

(d) All dead-end roads serving parcels five (5) acres or larger shall have turnarounds constructed approximately every one thousand three hundred twenty feet (1,320') along the entire length of the road.

(32) Chapter 5, Section 503.2.6 is amended to read:

503.2.6 Bridges and elevated surfaces. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

503.2.6.1 Minimum Design .All roadway and driveway structures shall be designed, constructed, and maintained in accordance with applicable sections of the County Building Code, the Standard Specifications for Highway Bridges, and any administrative regulations adopted pursuant to Sonoma County Code Section 13-2, and

shall have a minimum designed live-load capacity of HS-20.

(33) Chapter 5, Section 503.2.6.2 is added to read:

503.2.6.2 Evaluation. All existing private bridges and elevated surfaces shall be evaluated by a California licensed civil engineer experienced in structural engineering or a California licensed structural engineer, for the purposes of safety and weight rating, and the vehicle load limits shall be posted at both entrances to bridges. These evaluations shall be performed at the direction of the fire code official.

(34) Chapter 5, Section 503.2.6.2 is added to read:

503.2.6.2 Certification. All new and existing bridges and elevated structures providing emergency access shall be routinely evaluated and maintained in accordance with the American Association of State Highway and Transportation Officials (AASHTO) Manual: "The Manual for Bridge Evaluation" Second Edition, 2011, published by the American Association of State Highway and Transportation Officials; or other approved standards.

(35) Chapter 5, Section 503.2.6.4 is added to read:

503.2.6.4 Signage All roadway and driveway structures shall have appropriate signing identifying structure capability, vertical clearance limits, any one-way road or single traffic lane conditions and include weight and/or by axle limit.

(36) Chapter 5, Section 503.2.6.5 is added to read:

503.2.6.5 Width All roadway bridges having only one traffic lane shall be constructed to provide a minimum unobstructed width of twelve feet (12'), shall provide for unobstructed visibility from one end to the other and shall have turnouts at both ends.

(37) Chapter 5, Section 503.2.7 is amended to read:

503.2.7 Grade. No road or driveway shall have a maximum grade in excess of fifteen percent (15%).

Exception: A road or driveway may include grades up to twenty percent (20%) for distances not exceeding three hundred feet (300') within any one thousand feet (1,000') of road or driveway with the approval of the County fire chief when one or more

of the following is provided:

1. A secondary means of ingress and egress to the parcel is provided.
2. Additional turnouts and turnarounds are provided.
3. Increased roadway width is provided.
4. Increased emergency water supply is provided
5. Fuel modification sufficient for civilian and firefighter safety is

provided.

(38) Chapter 5, Section 503.2.7.1 is added to read:

503.2.7.1 Surface cross slope. The maximum roadway surface cross slope shall be five percent (5%) for all surface types unless a greater cross slope is required to meet super elevation requirements. The minimum surface cross slope for all surface types shall be two percent (2%).

(39) Chapter 5, Section 503.2.7.2 is added to read:

503.2.7.2 Surface cross slope turnaround. Turnarounds shall have a maximum longitudinal slope of eight percent (8%). The longitudinal slope is defined as the slope corresponding to the long axis of a vehicle as it travels into, out of, and through a turnaround. This slope shall be maintained beginning and ending at the point of tangency of the edge of pavement curves for the turnaround. The cross slope perpendicular to the longitudinal slope shall not exceed five percent (5%).

(40) Chapter 5, Section 503.2.8 is amended to read:

503.2.8 Angles of approach and departure. A vertical curve shall be required for any road or driveway when the algebraic difference in grade exceeds three percent (3%) for driveways, and two percent (2%) for private roads. The length of any vertical curve shall not be less than fifty feet (50').

(41) Chapter 5, Section 503.3.1 is added to read

503.3.1 Signs. Signs shall be installed in compliance with Appendix D 103.6

(42) Chapter 5, Section 503.6 is amended to read:

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire chief and shall comply with section 503.6.1 to

503.6.4 and Appendix D 103.5. A permit is required for the installation of security gates across a fire apparatus access road.

(43) Chapter 5, Section 503.6.1 is added to read:

503.6.1 Width. All gate entrances and similar structures shall be at least two feet (2') wider than the width of the traffic lane(s) serving the gate or structure.

(44) Chapter 5, Section 503.6.2 is added to read:

503.6.2 Setbacks. All gates providing access from a public road to a private road or private driveway shall be located at least thirty feet (30') from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the roadway.

(45) Chapter 5, Section 503.6.3 is added to read:

503.6.3 Emergency operation. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.

(46) Chapter 5, Section 503.6.4 is added to read:

503.6.4. Where a one-way road with a single traffic lane provides access to a gated entrance, a minimum of a 40 foot (40') turning radius shall be used.

(47) Chapter 5, Section 505.1 is amended to read:

505.1 Address identification. New and existing buildings shall have approved illuminated address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional locations to facilitate emergency response. Address numbers shall be Arabic numerals or alphabet letters. Where access is by means of a private road and the building cannot be viewed from the public way a monument, signpost or other sign or means shall be used to identify the

structure. Address numbers shall be maintained.

Exceptions:

1. These requirements may be modified with the approval of the fire code official.
2. Illuminated address numbers are not required for existing buildings where approved, reflective numbers are installed.

(48) Chapter 5, Section 505.1.1 is added to read:

505.1.1 Addresses for buildings. All buildings shall be issued an address by the local jurisdiction which conforms to that jurisdiction's overall address system. Accessory buildings will not be required to have a separate address; however, each unit within a building shall be separately identified.

(49) Chapter 5, Section 505.1.2 is added to read:

505.1.2 Numbers for one- and two- family dwellings. Numbers for one- and two- family dwellings shall be a minimum of four inches (4") high with a minimum stroke width of five tenths of an inch (0.5"). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure.

(50) Chapter 5, Section 505.1.3 is added to read:

505.1.3 Numbers for other than one- and two- family dwellings. Numbers for other than one- and two- family dwellings shall be a minimum of twelve inches (12") high with a minimum stroke width of one inch (1"). Suite numbers for other than one- and two- family dwellings shall be a minimum of six inches (6") high and five tenths of an inch (0.5") stroke.

(51) Chapter 5, Section 505.1.4 is added to read:

505.1.4 Installation, location and visibility of addresses. All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located.

(52) Chapter 5, Section 505.1.4.1 is added to read:

505.1.4.1 Signs posted one-way roads. Address signs along one-way roads shall be visible from both the intended direction of travel and the opposite direction.

(53) Chapter 5, Section 505.1.4.2 is added to read:

505.1.4.2 Multiple addresses. Where multiple addresses are required at a single driveway, they shall be mounted on a single post.

Where a roadway provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest road intersection providing access to that site.

(54) Chapter 5, Section 505.2.1 is added to read:

505.2.1 Size of letters, numbers and symbols for street and road signs. Size of letters, numbers, and symbols for street and road signs shall be a minimum of three inches (3") for letter height with a three-eighths inch (3/8") stroke, reflectorized, and contrasting with the background color of the sign.

(55) Chapter 5, Section 505.2.2 is added to read:

505.2.2 Visibility and legibility of street and road signs. Street and road signs shall be visible and legible from both directions of vehicle travel for a distance of at least one hundred feet (100').

(56) Chapter 5, Section 505.2.3 is added to read:

505.2.3 Height of street and road signs. Height of street and road signs shall be uniform countywide, and meet the visibility and legibility standards of this section.

(57) Chapter 5, Section 505.2.4 is added to read:

505.2.4 Names and numbers on street and road signs. Newly constructed or approved public and private roads and streets must be identified by a name or number through a consistent countywide system that provides for sequenced or patterned numbering and/or non-duplicating naming within the county. All signs shall be mounted and oriented in a uniform manner. This section does not require any entity to

rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering.

(58) Chapter 5, Section 505.2.5 is added to read:

505.2.5 Intersecting roads, streets and private lanes. Signs required by this article identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes.

(59) Chapter 5, Section 505.2.6 is added to read:

505.2.6 Signs identifying traffic access limitations. A sign identifying traffic access or flow limitations, including, but not limited to weight or vertical clearance limitations, dead-end road, one-way road (or single land conditions) shall be placed: (a) at the intersection preceding the traffic access limitation, and (b) no more than one hundred feet (100') before such traffic access limitation.

(60) Chapter 5, Section 505.2.7 is added to read:

505.2.7 Installation of road, street, and private lane signs. Road, street and private land signs required by this article shall be installed prior to final acceptance by the local jurisdiction of road improvements.

(61) Chapter 5, Section 507.1.1 is added to read:

507.1.1 Completion. The emergency water system shall be available on site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved.

(62) Chapter 5, Section 507.1.2 is added to read:

507.1.2 Temporary water supply. When authorized by the County fire chief, an interim emergency water supply acceptable to the County fire chief may be substituted for the permanent emergency water supply provided the permanent emergency water supply is installed and available for use prior to issuance of an occupancy permit or final inspection.

(63) Chapter 5, Section 507.2.2 is amended to read:

507.2.2 Water tanks. Water tanks for private fire protection shall be installed in accordance with NFPA 22.

Exception: For Group R-3 occupancies, equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, and associated accessory structures up to 3,000 square feet in area, plastic water tanks up to 5,000 gallons in volume may be used. A flammable vegetation clearance of not less than twenty feet (20') shall be maintained around all poly-plastic or similar water tanks.

(64) Chapter 5, Section 507.2.3 is added to read:

507.2.3 Urban water system for one- and two-family dwellings, and accessory structures associated with one- and two-family dwellings. If the water supply to the parcel is provided by a public or community water system (urban parcel - see Definitions) the emergency water supply for residential buildings shall consist of a permanent hydrant located on the road within two hundred fifty feet (250') of the driveway measured from where the driveway intersects with the public or private road. Distance measurements shall be determined by hose lay along the road, not horizontal distance.

(65) Chapter 5, Section 507.2.4 is added to read:

507.2.4 Non-urban water system. If the water supply to the parcel is provided by a private water well (non-urban parcel - see Definitions) the fire code official is authorized to utilize NFPA 1142 or the *International Wildland-Urban Interface Code*.

Exception: When authorized by the authority having jurisdiction, the emergency water supply requirements for one- and two-family dwellings, and accessory structures associated with one- and two-family dwellings, may be waived when sufficient evidence is proven that the Emergency Water Standards of Title 14 of the Natural Resources Code, Division 1.5, Article 4 have been met.

(66) Chapter 5, Section 507.3 is amended to read:

507.3 Fire flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method or Appendix B.

Exception: When the Emergency Water Standards of Title 14 of the Natural Resources Code, Division 1.5, Article 4 have been met, the fire chief is authorized to reduce the fire-flow requirements for isolated buildings or a group of buildings in rural areas or small communities, where the development of full fire-flow requirements is

impractical.

(67) Chapter 5, Section 507.5.1 is amended to read:

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet (45,179 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exception:

For Group R-3 and Group U Occupancies, equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, the distance requirement shall be not more than six hundred feet (600’).

(68) Chapter 5, Section 507.5.1.1 is amended to read

507.5.1.1 Hydrant for standpipe and/or fire sprinkler systems.

Buildings equipped with standpipe and/or fire sprinkler systems installed in accordance with section 903 and/or section 905 shall have a fire hydrant within fifty feet (50’) of the fire department connection (FDC).

Exception: The distance shall be permitted to exceed fifty feet (50’) where approved by the fire code official.

(69) Chapter 5, Section 507.5.1.2 is added to read

507.5.1.2 Other areas. Fire hydrant systems shall be required where a public water system, regardless of type of ownership, provides water for human consumption to fifteen (15) or more service connections.

(70) Chapter 5, Section 510.1 is amended to read:

510.1 Emergency responder radio coverage in new buildings. All new buildings, Type-2 winery caves and Type-3 winery caves shall have approved radio coverage for emergency responders within the building or winery cave based upon the existing coverage levels of the public safety communication systems of the jurisdiction, at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

Exceptions:

1. Where approved by the building official and the fire code official, a wired communication system in accordance with Section 907.2.13.2, may be permitted to be installed in lieu of an approved radio coverage system.
2. Where it is determined by the fire code official that the radio coverage system is not necessary.
3. In facilities where emergency responder radio converge is required and such systems, components or equipment could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency radio coverage system.

(71) Chapter 9, Section 901.7.7 - 901.7.7.2 is added to read:

901.7.7 Notice of nuisance alarm. The officer in charge of fire units responding to a fire alarm signal shall determine whether a true emergency exists. If the officer determines that an emergency does not exist, the chief of the local fire agency or the County fire chief may issue a written notice of nuisance alarm to the owner or person in charge or control of the facility where the alarm signal originated.

901.7.7.1 Unreliable fire alarm systems. The fire chief of the local fire agency or the County fire chief may determine that a fire alarm system is unreliable upon receipt of more than four (4) nuisance alarms within a twelve (12) month period. Upon finding that an alarm system is unreliable, the chief of the local fire agency or the County fire chief may order the following:

1. For any nuisance alarm where the system is not restored, the fire chief may require the system owner to provide standby personnel as defined in Chapter 4, Section 403.1 or take such other measures, as the fire chief deems appropriate. Persons or activities required by the fire chief shall remain in place until a fire department-approved fire alarm maintenance firm certifies in writing to the fire chief that the alarm system has been restored to a reliable condition. The chief may require such tests, as he deems necessary to demonstrate the adequacy of the system.
2. Upon the fifth (5th) and sixth (6th) nuisance alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of \$150.00, plus the cost of fire engine response, for each occurrence.
3. Upon the seventh (7th) and eighth (8th) nuisance alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of \$300.00, plus the cost of fire engine response.

4. Upon the ninth (9th) and following nuisance alarms from the alarm system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of \$500.00, plus the cost of fire engine response, for each occurrence.

901.7.7.2 Hearing on notice. Any person receiving a notice of nuisance alarm who contends that the fire chief erroneously determined that the fire alarm system was not functioning as designed, may file a written request with the fire chief for a hearing on the determination within ten (10) days after receipt of the notice of nuisance alarm. The fire chief shall give the requesting party a hearing on the determination within thirty (30) days of receipt of the request. The request shall set forth: (1) that the system functioned as designed, or (2) that the nuisance alarm resulted from an act of God, flooding, or other violent natural condition without fault and beyond the control of the requesting party. Within ten (10) days following the hearing, the chief shall give written notice of his or her decision to the requesting party.

(72) Chapter 9, Section 902 is amended to add the following definitions:

“Emergency” is an occasion that reasonably calls for a response by the fire department. A response due to failure of an alarm system or to personnel error is not an emergency.

“False Alarm” is an alarm signal activated by a properly functioning fire alarm system, necessitating response by the fire department when an emergency does not exist.

(73) Chapter 9, Section 903.2 of the California Fire Code is amended to read:

Section 903.2. Where required approved automatic sprinkler systems in buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12.

(74) Chapter 9, Section 903.2.1 - 903.2.1.5 of the California Fire Code is amended to read:

903.2.1 Group A. An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group A occupancies as provided in this section. For Group A-1, A-2, A-3 and A-4 occupancies, the automatic sprinkler system shall be provided throughout the floor area where the Group A-1, A-2, A-3 or A-4 occupancy is located, and in all floors from the Group A occupancy to, and including, the nearest level of exit discharge serving the Group A occupancy. For Group A-5 occupancies, the automatic sprinkler system shall be provided in the spaces indicated in Section 903.2.1.5.

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for any new Group A-1 occupancies. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by table 903.2.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies; or
4. The fire area contains a multi-theater complex.

903.2.1.2 Group A-2. An automatic sprinkler system shall be provided for any new Group A-2 occupancies. -An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by table 903.2.
2. The fire area has an occupant load of 100 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 5,000 square feet, contains more than one fire area containing a Group A-2 occupancy, and is separated into two or more buildings by firewalls of less than four-hour fire resistance rating without openings.

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for any new Group A-3 occupancies. -An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by table 903.2.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 12,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by firewalls of less than four hour fire resistance rating without openings.

903.2.1.4 Group A-4. An automatic fire sprinkler system shall be provided for any new Group A-4 occupancies. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by table 903.2

2. The fire area has an occupant load of 300 or more: or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.1.5 Group A-5. An automatic fire sprinkler system shall be provided for any new Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes and other accessory use areas. An automatic sprinkler system shall be provided for Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes, and other accessory use areas where the fire area exceeds the area increases permitted by table 903.2 as a result of an addition or alteration.

(75) Chapter 9, Section 903.2.2 of the California Fire Code is amended to read:

903.2.2 Group B An automatic fire sprinkler system shall be provided for any new Group B occupancies. An automatic sprinkler system shall be provided for any Group B occupancy where the area exceeds the area increases permitted by table 903.2 as a result of an addition or alteration.

903.2.2.1 Ambulatory care facilities. An automatic sprinkler system shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exists at any time:

1. Four or more care recipients are incapable of self-preservation, whether rendered incapable by staff or staff has accepted responsibility for care recipients already incapable
2. One or more care recipients that are incapable of self preservation are located at other than the level of exit discharge serving such a facility.

(76) Chapter 9, Section 903.2.3 of the California Fire Code is amended as follows:

903.2.3 Group E. An automatic sprinkler system shall be provided for any new Group E occupancies as follows:

1. Throughout all new Group E occupancies and where the fire area of an existing Group E occupancy exceeds the area increases permitted by table 903.2 as a result of an addition or alteration.
2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.

Exception: An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has a least one exterior exit door at ground level.

3. In rooms or areas with special hazards such as laboratories, vocational shops and other such areas where hazardous materials are in quantities not

exceeding the maximum allowable quantity are used or stored.

4. Throughout any Group E structure greater than 12,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by firewalls of less than four-hour fire resistance rating without openings.

5. For public school state-funded construction projects see Section 903.2.19.

(77) Chapter 9, Section 903.2.4 of the California Fire Code is amended to read:

903.2.4 Group F-1. An automatic sprinkler system shall be provided throughout all new buildings containing a Group F-1 occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. Group F-1 fire area exceeds the area increases permitted by table 903.2 as a result of an addition or alteration.

2. A Group F-1 fire area is located more than three stories above grade plane.

3. The combined areas of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.

4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet.

Exceptions:

1. Canopied winery crush pads less than 12,000 square feet in area, provided that all of the following conditions are met:

a. The canopy and supporting structure are constructed of non-combustible materials.

b. If attached, the crush pad is separated from other portions of the building by one-hour fire-resistive walls.

c. The crush pad is not used for storage of combustible materials.

d. The canopy and supporting structure is incapable of trapping heat, smoke or other byproducts of combustion.

2. Dairy milking facilities less than 12,000 feet in area.

(78) Chapter 9, Section 903.2.4.1.1 of the California Fire Code is added to read:

903.2.4.1.1 Existing F-1 woodworking operations. An automatic sprinkler system shall be provided throughout all existing Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in area which generate finely divided combustible waste or which use finely divided combustible materials. A firewall of less than a four-hour fire resistance rating without openings, or any firewall with opening shall not be used to establish separate fire areas.

(79) Chapter 9, Section 903.2.5.1 of the California Fire Code is amended to read:

903.2.5.1 General. An automatic sprinkler system shall be installed in Group H occupancies. An automatic sprinkler system shall be installed when a Group H occupancy undergoes an alteration or area increase.

(80) Chapter 9, Section 903.2.6 of the California Fire Code is added to read:

903.2.6 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I fire area. An automatic sprinkler system shall be installed in Group I occupancies where the fire area exceeds the area increases permitted by table 903.2 as a result of an addition or alteration.

Exceptions:

1. An automatic sprinkler system installed in accordance with Section 903.1.2 shall be permitted in Group I facilities.

2. An automatic sprinkler system installed in accordance with Section 903.1.3 shall be allowed in Group I-1 facilities with in compliance with all of the following:

2.1 A hydraulic design information sign is located on the system riser;

2.2 Exception 1 of Section 903.4 is not applied; and

2.3 Systems shall be maintained in accordance with the requirements of Section 903.3.1.2.

3. An automatic sprinkler system is not required where day care facilities are at the level of exit discharge and where every room where care is provided has at least one exterior exit door.

4. In buildings where Group I-4 day care is provided on levels other than the level of exit discharge, and automatic sprinkler system in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided and all floors between the level of care and the level of exit discharge, all floors below the level of exit discharge, other than areas classified as an open parking garage.

903.2.6.1 Group I-2. An existing, unsprinklered Group I-2 nurses' station open to fire-resistive exit access corridors shall be protected by an automatic sprinkler system located directly above the nurses' station. It shall be permitted to connect the automatic sprinkler system to the domestic water service.

903.2.6.2 Group I-3. Every building, or portion thereof, where inmates are restrained shall be protected by an automatic sprinkler system conforming to NFPA 13. The main sprinkler control valve or valves and all other control valves in the system shall be locked in the open position and electrically supervised so that at least an audible and visual alarm will sound at a constantly attended location when valves are closed. The sprinkler branch piping serving cells may be embedded in the concrete

construction.

Exception: Sprinklers are not required in cells housing two or fewer inmates and the building shall be considered sprinklered throughout when all the following criteria are met:

1. Automatic fire sprinklers shall be mounted outside the cell a minimum of six feet (6') on center and one foot (1') from the wall with quick response sprinkler heads. Where spacing permits, the head shall be centered over the cell door opening.
2. The maximum amount of combustibles, excluding linen and clothing, shall be maintained at three pounds per inmate.
3. For local detention facilities, each individual housing cell shall be provided with a two-way inmate or sound-actuated audio monitoring system for communication directly to the control station serving the cell(s).
4. The provisions of the exception in Section 804.4.2 shall not apply.

(81) Chapter 9, Section 903.2.7 of the California Fire Code is amended to read:

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a new Group M occupancy. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds the area increases permitted by table 903.2 as a result of an addition or alteration.
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet .
4. A Group M occupancy is used for the display and sale of upholstered furniture exceeds 5,000 square feet.
5. The structure exceeds 24,000 square feet, contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by firewalls of less than 4-hour fire resistance rating.

(82) Chapter 9, Section 903.2.8. is amended to read:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area. An automatic sprinkler system shall be installed in Group R occupancies where the fire area exceeds the area increases permitted by table 903.2 as a result of a addition or

alteration.

Exceptions:

1. Existing Group R-3 occupancies converted to Group R-3.1 occupancies not housing bedridden clients, not housing nonambulatory clients above the first floor, and not housing clients above the second floor.
2. Existing Group R-3 occupancies converted to Group R-3.1 occupancies housing only one bedridden client and complying with Section 425.8.3.3 of the California Building Code.
3. Pursuant to Health and Safety Code Section 13113 occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and buildings or portions thereof housing such children have an automatic fire alarm system activated by approved smoke detectors.
4. Pursuant to Health and Safety Code Section 13143.6 occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).
5. Detached structures less than 3000 square feet in area accessory to a one- or two family dwelling which do not contain space in the building for sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered space in the building for living, sleeping, eating or cooking.

When not used in accordance with Section 504.2 or 506.3 of the California Building Code an automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be allowed in Group R-2.1 occupancies.

An automatic sprinkler system designed in accordance with Section 903.3.1.3 shall not be utilized in Group R-2.1 or R-4 occupancies.

(83) Chapter 9, Sections 903.2.8.2 and 903.2.8.2.1 are added to read:

903.2.8.2 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses.

903.2.8.2.1. Design and installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with the 2013 California Residential Code as adopted and amended by Sonoma County Code.

(84) Chapter 9, Sections 903.2.8.3, 903.2.8.3.1 and 903.2.8.3.2 are added to read:

903.2.8.3. One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system shall be installed in one- and two- family

dwellings, and factory built housing, mobile homes and manufactured homes when placed on a permanent foundation.

903.2.8.3.1. Design and installation for one- and two- family dwellings. Automatic residential fire sprinkler systems for one- and two- family dwellings shall be designed and installed in accordance with the 2013 California Residential Code as adopted and amended by Sonoma County Code.

903.2.8.3.2. Design and installation for factory built housing, mobile homes and manufactured homes. Automatic residential fire sprinkler systems installed in: factory built housing, mobile homes and manufactured homes, shall be designed and installed in accordance with California Code of Regulations, Title 25, § 4302.

(85) Chapter 9, Sections 903.2.9 and 903.2.9.1 of the California Fire Code are amended to read:

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all new buildings containing a Group S-1 occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds the area increases permitted by table 903.2 as a result of a addition or alteration.
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.
4. A Group S-1 fire area used for the storage of commercial trucks or buses where the fire area exceeds 5,000 square feet
5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406 of the California Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 6,000 square feet
2. Buildings no more than one story above grade plane, with a fire area containing a repair garage exceeding 6,000 square feet
3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 fire area used for the repair of commercial

trucks or buses where the fire area exceeds 5,000 square feet.

(86) Chapter 9, Section 903.2.10 of the California Fire Code is amended to read:

903.2.10 Group S-2 enclosed parking garages. An automatic sprinkler system shall be provided throughout new buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code as follows:

1. Where the fire area of the enclosed parking garage exceeds the area increases permitted by table 903.2 as a result of a addition or alteration; or
2. Where the enclosed parking garage is located beneath other groups.

(87) Chapter 9, Section 903.2.11.7 and 903.2.11.7.1 is added to read:

903.2.11.7 Group U occupancy special requirements. An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group U occupancies, and when an addition or remodel occurs affecting a Group U occupancy as provided in this section.

Exceptions:

1. Detached Group U occupancies 3,000 square feet or less in area.
2. Agricultural exempt buildings and agricultural buildings as approved by the fire code official.

903.2.11.7.1 Group U accessory areas. For a U occupancy less than 3,000 square feet in area: In addition to the occupancy separations of California Building Code Chapter 5, an automatic fire sprinkler system shall be installed throughout all accessory areas of a U occupancy regardless of the mixed-use ratio.

(88) Chapter 9, Table 903.2 is added to the California Fire Code, to read:

Table 903.2

Existing Building Area	Allowable Area Increase
0-1,000 sq ft:	200% ^(c)
1,001-4,000 sq ft:	100% ^{(a)(c)}
Greater than 4,000 sq ft:	50% ^{(a)(b)(c)}

^(a)A 2,000 sq ft. maximum increase is allowed.

^(b)Maximum cumulative allowable area is 6,000 sq ft.

^(c)Fire sprinklers are required when additions to Limited Density Owner-Built Rural

Dwellings (as described in Sonoma County Code Chapter 7-A) exceed 640 sq ft in area.

(89) Chapter 9, Section 903.2.11.8 is added to read:

903.2.11.8 Changes of occupancy. When any change of occupancy occurs where the proposed new occupancy classification is more hazardous as determined by the fire code official including the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.

(90) Chapter 9, Section 903.2.11.9 is added to read:

903.2.11.9 Elevation of existing buildings. An automatic fire extinguishing system shall be installed throughout all existing buildings when the building is elevated to three or more stories, or more than thirty-five feet (35') in height, from grade to the exposed roof.

Exceptions:

1. An automatic fire-extinguishing system need not be provided when the area above 35 feet (35') is provided for aesthetic purposes only and is a non-habitable space.

2. An automatic fire-extinguishing system need not be provided when existing single-family and two-family dwellings are elevated to comply with the requirements of Chapter 7B of the Sonoma County Code, provided that all of the following conditions are met:

(a) The elevation creates a building no more than three stories in height.

(b) Two approved exits are provided for the highest floor, including a third story having less than 500 square feet of floor area.

(c) Approved interconnected smoke alarms are installed at each floor level and in all sleeping rooms, and hallways adjacent to sleeping rooms.

(d) There is no expansion or modification of use other than installation of the exits required by subparagraph (b) above and a utility room less than 100 square feet. The space created at ground level by the elevation shall be used only as a private parking garage or as unused vacant space.

(e) Any addition to the building after the elevation shall require installation of an automatic fire-extinguishing system.

(91) Chapter 9, Section 903.2.18 of the California Fire Code is amended to read:

903.2.18 Group U private garages and carports accessory to Group R-3 occupancies. Carports with habitable space above, attached garages, and detached Group U structures greater than 3,000 square feet in area containing a use similar to a B occupancy, S occupancy, or M occupancy, which is accessory to Group R-3 occupancies, shall be protected by residential fire sprinklers in accordance with this section. Residential fire sprinklers shall be connected to, and installed in accordance with, an automatic residential fire sprinkler system that complies with Section R313 of the California Residential Code or with NFPA 13D. Fire sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a minimum density of 0.05 gpm per square foot over the area of the garage and/or carport, but not to exceed two sprinklers for hydraulic calculation purposes. Garage doors shall not be considered obstructions to sprinkler placement.

(92) Section 903.3.1 is amended to read:

903.3.1 Standards. Sprinkler systems shall be designed and installed in accordance with 903.3.1.1 unless otherwise permitted by sections 903.3.1.2 and 903.3.1.3

Exceptions:

1. Buildings when approved by the fire code official 6,000 square feet and less in fire area may be authorized to reduce coverage areas to a minimum four (4) head calculation.
2. Buildings greater than 6,000 square feet and less than 12,000 square feet in fire area may be authorized to use alternative fire pump designs as approved by the fire code official.

(93) Section 903.4.1 is amended to read:

903.4.1 Monitoring. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved supervising station or, when approved by the fire code official, shall sound an audible signal at a constantly attended location.

Exceptions:

1. Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.
2. Backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and

separately annunciated.

3. Existing legal non-conforming automatic sprinklers systems shall be monitored for water flow only when the existing building is remodeled or a permit is required for sprinkler alterations and the alarm shall be transmitted to an approved supervising station or, when approved by the fire code official, shall sound an audible signal at a constantly attended location.

(94) Chapter 9, Section 903.4.2 of the California Fire Code is amended to read

903.4.2 Alarms. One exterior approved audible device shall be connected to every automatic sprinkler system in an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. Visible and audible alarm notification appliances shall be located in areas as approved by the fire code official and installed in accordance with Sections 907.6.2.3.1, 907.6.2.1.1 and 907.6.2.1.2 unless required by section 907.2 and 907.3.

(95) Chapter 9, Section 905.3.1 is amended to read as follows:

905.3.1 Height. In other than R-3 and R-3.1 occupancies, Class III standpipe systems shall be installed throughout at each floor level where any of the following occur:

1. Buildings where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.
2. Buildings that are three or more stories in height.
3. Buildings where the floor level of the lowest story is located more than 30 feet below the highest level of fire department vehicle access.
4. Buildings that are two or more stories below the highest level of fire department vehicle access.

Exceptions:

1. Class I standpipes are allowed in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Class I manual standpipes are allowed in open parking garages where the highest floor is located not more than 150 feet above the lowest level of fire department vehicle access.
3. Class I manual dry standpipes are allowed in open parking garages that are subject to freezing temperatures, provided that the hose connections are located as required for Class II standpipes in accordance with Section 905.5.
4. Class I standpipes are allowed in basements equipped throughout

with an automatic sprinkler system.

5. In determining the lowest level of fire department vehicle access, it shall not be required to consider:

- 5.1. Recessed loading docks for four vehicles or less; and
- 5.2. Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.

(96) Chapter 9, Section 905.9 is amended to read as follows:

905.9 Valve supervision. Valves controlling water supplies shall be supervised in the open position so that a change in the normal position of the valve will generate a supervisory signal at the supervising station required by Section 903.4. Where a fire alarm system is provided, a signal shall also be transmitted to the control unit.

Exceptions:

Valves to underground key or hub valves in roadway boxes provided by the municipality or public utility do not require supervision.

(97) Chapter 9, Section 907.2.8.1 is amended to read as follows:

907.2.8.1 Manual fire alarm system for R-1 occupancies. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-1 occupancies.

Exceptions:

Manual fire alarm boxes are not required throughout the building when the following conditions are met:

1. The building is equipped throughout with an automatic fire sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Notification devices will activate within each residential unit upon sprinkler water flow.
3. At least one manual fire alarm box is installed in an approved location.

(98) Chapter 33, Section 3314.3 is added to read:

3314.3 Buildings under construction. In buildings four or more stories in height required to have sprinklers, such sprinklers shall be installed and extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

(99) Chapter 33, Section 3314.4 is added to read:

3314.4 Buildings being demolished. Where a building is being demolished and a sprinkler system exists within such a building, such sprinkler system shall be maintained in an operable condition so as to be available for use by the fire department. Such sprinkler system may be demolished with the building but shall not be demolished more than one floor below the floor being demolished.

(100) Chapter 49, Section 4903 is amended to add the following:

4903.1 General. A fire protection plan shall be required for any new residential or commercial building within a wildland-urban interface fire area. The plan shall be prepared by a qualified professional and shall be approved by the County fire code official. The plan shall include, at a minimum, defensible space zones, identification of vegetation types, replacement of non-native flammable vegetation with approved fire resistive vegetation, and a maintenance program for all vegetation. The property owner shall record a covenant, in a form satisfactory to County Counsel, which ensures that the approved plan will be implemented and maintained. When required by the code official, the property owner shall record a covenant, in a form satisfactory to County Counsel, which ensures that the approved plan will be implemented and maintained.

4903.2 Content. The fire protection plan shall be based upon a site-specific wildfire risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management.

4903.3 Cost. The cost of fire protection plan preparation and review shall be the responsibility of the applicant.

4903.4 Plan retention. A copy of the fire protection plan shall be retained by the property owner.

(101) Section 5905.4 is added to read:

4905.4 Setbacks for structure defensible space. Except where more restrictive requirements apply, construction, projections, openings and penetrations of exterior walls of buildings constructed on parcels within State Responsibility Areas (SRA) shall have setbacks to the property line and/or exterior wall protection according to table 4905.4 (a) or table 4905.4 (b). This is to meet the intent of California SRA Fire Safe Regulations Sec. 1276.01.

(102) Chapter 49, Table 4905.4(a) and Table 4905.4(b) is added to read:

Table 4905.4 (a)
**Exterior Walls, within State Responsibility Area,
 without Automatic Fire Sprinkler Protection**

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure <i>from</i> both sides	< 10 feet
	(Not fire-resistance rated)	Comply with CRC Sec <i>R327.7</i> or <i>CBC Sec 707A</i>	≥ 10 feet
Projections	(Fire-resistance rated)	1 hour on the underside	< 10 feet
	(Not fire-resistance rated)	Comply with CRC Section <i>R327.7</i> or <i>CBC Section 707A</i> Comply with Section <i>CRC Sec R327.9</i> or <i>CBC Sec.709A</i>	10 feet
Openings in walls	Not allowed	N/A	< 10 feet
	25% maximum of wall area	Comply with Section <i>R327.8</i> or <i>CBC Sec 708A</i>	>10 feet
	Unlimited	Comply with Section <i>R327.8</i> or <i>CBC Sec 708A</i>	20 feet
Penetrations	All	Comply with Section <i>R302.4</i> or <i>CBC 714.3</i>	< 10 feet
		Comply with Section <i>R327.6</i> or <i>CBC 706A</i>	10 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

Table 4905.4 (B)
**Exterior Walls, within State Responsibility Area,
 with Automatic Residential Fire Sprinkler Protection**

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure from both sides	< 10 feet
	(Not fire-resistance rated)	Comply with Section <i>R327.7</i> or <i>CBC Sec 707A</i>	10 feet
Projections	(Fire-resistance rated)	1 hour on the underside	< 10 feet

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
	(Not fire-resistance rated)	Comply with Section R327.9 or CBC Sec.709A	10 feet
Openings in walls	Not allowed	N/A	< 10 feet
	Unlimited	Comply with Section R327.8 or CBC Sec 708A	10 feet
Penetrations	All	Comply with Section R302.4 or CBC 714.3	< 10 feet
		Comply with Section R327.6 or CBC 706A	10 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

(103) Chapter 50, 5001.5.3 is added to read:

5001.5.3 Required submittal of HMMP and HMIS plans. HMMP and HMIS plans, when required by the fire code official, shall be submitted no later than 30 days from time of notification.

(104) Chapter 50, Section 5004.1.1 is added to read:

5004.1.1 Tank storage prohibited. No new aboveground tanks for the storage of Class I and Class II liquids (except LPG-Propane) outside of buildings shall be permitted on mercantile, residential, and other congested parcels. Existing tanks on such parcels shall be removed within one (1) year after written notice from the fire code official.

(105) Chapter 50, Section 5004.1.2 is added to read:

5004.1.2 Tank storage – other locations. New aboveground tanks for storage of Class I and II liquids on parcels not covered under Section 3404.1.2 shall be enclosed in a flammable liquid storage vault constructed in accordance with the standards of the fire department. Existing tanks on such parcels shall conform to this section within one (1) year after written notice from the fire department.

(106) Chapter 50, Section 5004.1.3 is added to read:

5004.1.3 Existing tank storage. Existing tank storage shall meet the requirements of new tank installations within one year of notice from the fire code official.

(107) Chapter 50, Section 5004.1.4 is added to read:

5004.1.4 Permits. In addition to any permits otherwise required by this Code, all existing and new aboveground tanks for storage of Class I and II liquids shall comply with the permit requirements of any federal, state, or local agency regulating the storage of such liquids in the jurisdiction.

(108) Chapter 61, Section 6103.3.1 is added to read:

6103.3.1 Seismic anchoring. An approved seismic anchoring system shall be installed on all permanently installed, propane/LPG gas containers.

(109) Appendix B, Section B101.1 is amended to read:

B101.1 Scope. The procedure for determining fire-flow requirements for buildings or portions of buildings hereafter constructed shall be in accordance with this Appendix. This Appendix does not apply to structures other than buildings. This section applies to residential and commercial developments. One- and two-family residential dwellings in unincorporated areas shall comply with Sonoma County Fire Safe Standards. Design and construction shall be in accordance with the following sections unless otherwise authorized by the fire code official in accordance with Chapter 1, Division II, Section 104.9 Alternative Materials and Methods.

(110) Appendix B, Section B102.1 is amended to read:

B102.1 Fire-flow. The flow rate of a water supply, measured at 20 pounds per square inch (psi) residual pressure, measured in the water main in the vicinity of the flowing hydrant, that is available for fire fighting.

(111) Appendix B, Section B103.3 is amended to read:

B103.3 Areas without water supply systems. For information regarding water supplies for firefighting purposes in rural and suburban areas in which adequate water supply systems do not exist, the fire code official is authorized to utilize the 2007 Edition

of NFPA 1142, the International Wildland-Urban Interface Code or the Sonoma County Fire Safe Standards.

(112) Appendix B, Section B105.1 is amended to read:

B105.1 One- and two-family dwellings. The minimum fire-flow requirements for one- and two-family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet shall be 1,500 gallons per minute. Fire-flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 square feet shall not be less than that specified in table B105.1.

Exceptions:

1. A reduction in required fire-flow of 50 percent, as approved, is allowed when the building is provided with an approved fire sprinkler system.
2. County unincorporated areas not served by a municipal water system.

(113) Appendix B, Section B105.2 is amended to read:

B105.2 Buildings other than one- and two-family dwellings. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in table B105.1.

Exceptions:

1. A reduction in required fire-flow of up to 50 percent (50%), as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute for the prescribed duration as specified in table B105.1.
2. Group B, S-2 and U occupancies having a floor area not exceeding 1,000 square feet, primarily constructed of noncombustible exterior walls with wood or steel roof framing, having a Class A roof assembly, with uses limited to the following or similar uses:
 - 2.1. California State Parks Buildings of an accessory nature (restrooms).
 - 2.2. Safety roadside rest areas (SRRA), public restrooms.
 - 2.3. Truck inspection facilities (TIF), CHP office space and vehicle inspection bays.
 - 2.4. Sand/salt storage buildings, storage of sand and salt.
 - 2.5. Volunteer fire facilities, including office space and vehicle storage bays.

(114) Appendix C, Section C101.1 is amended to read:

C101.1 Scope. Fire hydrants shall be provided in accordance with this Appendix for the protection of buildings, or portions of buildings, hereafter constructed. This section applies to residential and commercial developments. One- and two-family residential dwellings and buildings accessory to one- and two-family residential dwellings in rural areas may comply with the Sonoma County Fire Safe Standards. Design and construction shall be in accordance with the following sections unless otherwise authorized by the fire code official in accordance with Chapter 1, Division II, Section 104.9 Alternative Materials and Methods.

Exception: Group B, S-2 and U occupancies having a floor area not exceeding 1,000 square feet, primarily constructed of noncombustible exterior walls with wood or steel roof framing, having a Class A roof assembly, with uses limited to the following or similar uses:

1. California State Parks buildings of an accessory nature (restrooms).
2. Safety roadside rest areas (SRRA), public restrooms.
3. Truck inspection facilities (TIF), CHP office space, and vehicle inspection bays.
4. Sand/salt storage buildings, storage of sand and salt.
5. Volunteer fire facilities, including office space and vehicle storage bays.

(115) Appendix C, Section C102.1 is amended to read:

C102.1 Fire hydrant locations. Where fire hydrants are required, they shall be provided along required fire apparatus access roads and adjacent public streets. A fire hydrant shall be located within 50 feet of any fire department connection, or as approved by the fire code official.

(116) Appendix C, Section C105.1 is amended to read:

C105.1 Hydrant spacing. The average spacing between fire hydrants shall not exceed that listed in table C105.1.

Exceptions:

1. The fire chief is authorized to accept a deficiency of up to 10 percent (10%) where existing fire hydrants provide all or a portion of the required fire hydrant service.
2. One- and two-family residential dwellings and buildings accessory to one- and two-family residential dwellings in rural areas may comply with the Sonoma County Fire Safe Standards. Regardless of the average spacing, fire hydrants shall be located such that all points on streets and access roads adjacent to a building are within the distance listed in table C105.1.

(117) Appendix C, Table C105.1 footnote f and g is added to read:

f. For commercial, industrial and multi-family residential, average spacing shall be no greater than 300 feet.

g. A fire hydrant shall be located within 50 feet of the Fire Department Connection (FDC), and standpipe systems installed in accordance with Section 905 or as approved by the fire code official

(118) Appendix C, Section C105.2 and table C105.2 is added to read:

C105.2. When public or private water mains are not available to supply fire-flow not within 1,000 feet of the proposed building, table C105.2 may be used for isolated one- and two-family buildings, and accessory buildings thereto less than 3,000 square feet in area, in rural areas or small communities where the development of full fire-flow requirements is impractical.

Table C105.2		
Exception to Hydrant Distance		
<i>Distance is measured from driveway entrance to the hydrant</i>		
Road Distance	Flow Rate	Minimum Residual Pressure
800 feet	500 gpm	20 psi
1,800 feet	1,000 gpm	20 psi
2,800 feet	1,500 gpm	20 psi
3,800 feet	2,000 gpm	20 psi
4,800 feet	2,500 gpm	20 psi

(119) Appendix D, Section D101.1 is amended to read:

D101.1 Scope. Fire apparatus access roads shall be in accordance with this Appendix as amended and all other applicable requirements of the California Fire Code. This section applies to residential and commercial developments. Design and construction shall be in accordance with the following sections unless otherwise authorized by the fire code official in accordance with 104.9 Alternative Materials and Methods.

Exception: One- and two-family residential dwellings; detached U occupancy buildings less than 1,000 square feet in area accessory to a one- or two-family dwelling; and agricultural exempt buildings less than 8,000 square feet in

area may comply with the fire apparatus access road requirements of the Sonoma County Fire Safe Standards.

(120) Appendix D, Section D102.1 is amended to read:

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds or as approved by the fire code official.

Exception: One and two-family residential dwellings; detached U occupancy buildings less than 3000 square feet in area accessory to a one or two-family dwelling; and agricultural exempt buildings less than 8,000 square feet in area may comply with the fire apparatus access road requirements of the Sonoma County Fire Safe Standards.

(121) Appendix D, Section D103.2 is amended to read:

D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent (10%) in grade.

Exception: Grades steeper than 10 percent (10%) and up to 20 percent (20%) as approved by the fire code official.

(122) Appendix D, Section D103.3 is amended to read:

D103.3 Turning radius. The minimum turning radius shall be determined by the fire code official or as approved by local standards.

(123) Appendix D, Section D103.4 is amended to read:

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with the local agency requirements for public streets or as approved by local standards.

(124) Appendix D, Table D103.4 is deleted.

(125) Appendix D, Section D103.6 is amended to read:

D103.6 Signs. Where required by the fire code official, fire apparatus access roads shall be marked with permanent “No Parking-Fire Lane” signs complying with the California Vehicle Code.

(126) Appendix D, Section D104.2 is amended to delete Exception and read:

D104.2 Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet shall be provided with two separate and approved fire apparatus access roads.

(127) Appendix D, Section D106.1 is amended to delete Exception and read as follows:

D106.1 Projects having more than 50 dwelling units. Multiple family residential projects having more than 50 dwelling units shall be provided with two separate and approved fire apparatus access roads.

(128) Appendix D, Section D106.2 is deleted.

(129) Appendix D, Section D107.1 is amended to delete Exceptions and read:

D107.1 One-or two-family dwelling residential developments. Developments of one- and two-family dwellings where the number of dwelling units exceeds 50 shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of section D104.3.

Exception:

The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

(130) Article V. Chapter 13 of the Sonoma County Code is amended to read:

Article V. Fire Safe Standards

Division A. In General.

Sec. 13-21. Findings.

The Board of Supervisors makes the following findings pertaining to the conditions and requirements contained in this article:

(a) The conditions and requirements contained in this article are consistent with and in furtherance of the goals, objectives and policies of the public safety element of the general plan.

(b) The conditions and requirements contained in this article are necessary because the failure to adopt them would place residents and property within the unincorporated area of the county in a condition perilous to health or safety, or both.

(c) The conditions and requirements contained in this article are necessary to comply with the requirements of Public Resources Code section 4290.

(d) The conditions and requirements contained in this article are necessary because growth and development within the unincorporated area of the county has increased the potential for significant losses from wildland and structure fires and adversely impacted rural and wildland fire fighting resources.

(e) The conditions and requirements contained in this article are necessary because wildland fires are becoming an increasing threat to structures and loss of life, where in the past the only threat was to wildland resources.

(f) The conditions and requirements contained in this article are necessary because structure fires are escaping to the surrounding wildlands and destroying other structures as well as wildland resources.

(g) The conditions and requirements contained in this article are necessary because there are not enough fire fighting resources available, even with mutual aid, to protect both wildland resources and the structures intermingled amongst such resources and it is financially infeasible to increase firefighting resources to the level necessary to provide such protection.

(h) The conditions and requirements contained in this article are necessary because they represent a cost effective alternative to increasing firefighting resources.

(i) The conditions and requirements contained in this article will ensure that all new development within the unincorporated area of the county will provide a basic level of fire protection around itself making it easier and safer for firefighters to fight wildland and structure fires.

(j) The conditions and requirements contained in this article will not totally prevent losses from wildland and structure fires, but will reduce the severity of the losses that do occur through built-in fire protection and better fire response infrastructure.

(k) The conditions and requirements contained in this article will create an opportunity for firefighters to defend a structure from a threatening wildland fire and protect the wildlands from an escaping structure fire.

(l) The conditions and requirements contained in this article will increase the safety of firefighters protecting lives, structures and wildland resources.

Sec. 13-22. Citation – Purpose.

This article shall be known and may be cited as the “Sonoma County Fire Safe Standards” or the “Fire Safe Standards.” This article is adopted for the purpose of establishing minimum fire safe standards for development within the unincorporated area of the county. Where a development subject to the provisions of this article cannot meet a specified standard, an exception to the standard may be applied for pursuant to Section 13-23. This article is not intended to restrict or otherwise limit the authority or discretion of the County to impose additional requirements when reviewing applications for development. Nothing in this article is intended to supersede more restrictive provisions of this Code and where another provision of this Code establishes a more stringent requirement, that requirement shall control.

Sec. 13-23. Compliance with standards required ~~–~~ exceptions to standards.

(a) All development subject to the provisions of this article shall be constructed and maintained in compliance with the standards specified in this article. Approvals and permits for any development may be withheld or refused until adequate provision has been made to ensure such compliance.

(b) Exceptions to the standards specified in this article and mitigated practices may be allowed where the exception or mitigated practice provides the same overall practical effect as the specified standards.

(c) Application for an exception or mitigated practice shall be made in writing by an applicant for development or the applicant's authorized representative. The application shall state the specific section or sections of this article for which an

exception or mitigated practice is proposed, material facts supporting the contention of the applicant, the details of the exception or mitigated practice proposed, and a map showing the proposed location and setting of the exception or mitigated practice. The burden of proving that a proposed exception or mitigated practice is warranted shall be on the applicant.

(d) The County fire chief shall determine whether to grant, deny, or modify any application for an exception or mitigated practice filed in connection with the issuance of any building permit. The planning commission, board of zoning adjustments, project review and advisory committee, or design review committee shall determine whether to grant, deny, or modify any application for an exception or mitigated practice filed in connection with any development approval under their respective jurisdictions. Modification of an application for an exception or mitigated practice by the County fire chief, planning commission, board of zoning adjustments, project review and advisory committee, or design review committee shall be limited to the alternate fire protection measures specified in Section 13-62.

(e) Where an application for an exception or mitigated practice is denied or modified, the applicant may appeal such denial or modification. Appeal from a denial or modification by the County fire chief shall be made pursuant to Article III of this chapter. Appeal from a denial or modification by the planning commission, board of zoning adjustments, project review and advisory committee, or design review committee shall be made pursuant to Chapter 25 or Chapter 26 of this Code, as appropriate. In order to grant an appeal, the body hearing the appeal must find that the exception or mitigated practice proposed meets the intent of this article.

(f) A written copy of any decision granting an appeal within a State Responsibility Area shall be provided to the director of Forestry and Fire Protection within ten (10) days after the decision is final.

Sec. 13-24. Scope of coverage.

(a) Except as otherwise provided in Section 13-25, the provisions of this article shall apply to all development on all lands within the unincorporated area of the county.

(b) Except as otherwise provided in this article, all applications for development approvals shall be accompanied by plans, engineering calculations, and other data necessary to determine compliance with the provisions of this article.

(c) Except as otherwise provided in this article, compliance with the provisions of this article shall occur prior to the commencement of construction of any structure unless otherwise authorized by the County fire chief.

Sec. 13-25. Exemptions.

The provisions of this article shall not apply to any of the following, except to the extent provided for herein:

(a) Any building granted an agricultural exemption pursuant to Chapter 7 of this Code, provided that the building does not exceed 8,000 square feet in size and is not located in a State Responsibility Area.

(b) Any road or bridge used exclusively for access to an agricultural operation; or an agricultural exempt structure; or a Group U occupancy accessory to a one- or two-family residential dwelling, as defined in the County Building Code, that is under less than 1,000 square feet in area.

(c) Any road or bridge used exclusively for the management and harvesting of wood products.

(d) Any new building having a floor area of less than six hundred forty (640) square feet and containing an occupancy other than a detached Group U occupancy as defined in the County Building Code, except that the provisions of Divisions C and E of this article shall apply to all such buildings.

(e) Any new building accessory to a one- or two-family residential dwelling with a floor area of less than one thousand (1,000) square feet and containing a detached Group U occupancy as defined in the County Building Code, except that the provisions of Divisions C and E of this article shall apply to all such buildings.

(f) Any existing road that provides year-round unobstructed access to conventional drive vehicles, including sedans and fire engines, which was constructed and serving a legal parcel prior to January 1, 1992, except that (1) the provisions of Division C of this article shall apply to all such roads, and (2) all of the other provisions of this article shall apply to any such road if it is extended, reconstructed or improved pursuant to a development approval, but only to the portion of the road that is extended, reconstructed or improved.

(g) Any road required as a condition of any development approval granted prior to January 1, 1992, except that (1) the provisions of Division C of this article shall apply to all such roads, and (2) all of the other provisions of this article shall apply to any such road if it is extended, reconstructed or improved pursuant to a new development approval, but only to the portion of the road that is extended, reconstructed or improved.

(h) Any driveway serving a legally constructed residential building prior to January 1, 1992, except that (1) the provisions of Division C of this article shall apply to all such roads, and (2) all of the other provisions of this article shall apply to any such

driveway if it is extended, reconstructed or improved pursuant to a new development approval, but only to the portion of the driveway that is extended, reconstructed or improved.

(i) Any legal or legal non-conforming building constructed prior to January 1, 1992, or any building for which a building permit was issued or an application for a building permit was accepted as complete for filing prior to January 1, 1992; except that the provisions of this article shall apply to any such building if the occupancy is changed, altered, or otherwise converted to any Group R, Division 3 occupancy as defined in the County Building Code.

(j) Any addition to an existing building adding a floor area less than six hundred forty (640) square feet including a detached Group U occupancy as defined in the County Building Code, except that the provisions of Divisions C and E of this article shall apply to all such buildings.

Sec. 13-26. Administration and enforcement – inspections.

(a) The administration and enforcement of the provisions of this article shall be the shared responsibility of the County fire chief and the director of Permit and Resource Management.

(b) Inspections to determine compliance with the provisions of this article shall be the responsibility of the County fire chief or the director of Permit and Resource Management, as appropriate. The County fire chief or the director of Permit and Resource Management may authorize a local fire chief to conduct inspections within a local fire protection district under the direction of the County fire chief or the director of Permit and Resource Management. In such cases, inspection results shall be provided to the County fire chief or the director of Permit and Resource Management promptly after completion of the inspection.

Sec. 13-27. Distance measurements.

All distances specified or referenced in this article shall be measured horizontally unless otherwise stated.

Division B. Emergency Access.

Sec. 13-28. Intent.

This division establishes minimum emergency access requirements to provide safe access for emergency fire equipment and civilian evacuation concurrently, and to allow unobstructed traffic circulation during a wildfire emergency.

Sec. 13-29. Availability of emergency access.

All buildings shall be accessible to emergency fire equipment by a road or driveway constructed to within one hundred fifty (150) feet of any portion of an exterior wall of the first story of the building or such closer distance as the director of Permit and Resource Management deems necessary to provide adequate access for emergency fire equipment. All buildings located on slopes of greater than five percent (5%) shall also include such additional fire protection measures under Section 13-63, as the County fire chief deems necessary to mitigate access constraints.

Sec. 13-30. Road and driveway surfaces.

All roads and driveways shall have all-weather driving surfaces. All structural sections shall be constructed so as to meet or exceed the following standards:

- (a) On level areas and grades of less than five percent (5%), roads and driveways shall have a gravel surface. The structural section of the road or driveway shall be at least one foot (1') of compacted Class 2 Aggregate Base.
- (b) On grades of between five percent (5%) and ten percent (10%), roads and driveways shall have a double seal coat surface. The structural section of the road or driveway shall have an armor coat surface, constructed according to CalTrans Standard Specifications Section 37, Bituminous Seal Double Application, and the base portion of the road or driveway shall be at least one foot (1') of compacted Class 2 Aggregate Base.
- (c) On grades of greater than ten percent (10%), roads and driveways shall have an asphalt concrete surface. The structural section of the road or driveway shall be asphalt concrete of at least two tenths of a foot (0.2') thick. The base portion of the structural section shall be at least five tenths of a foot (0.5') of compacted Class 2 Aggregate Base.
- (d) In lieu of the prescriptive structural sections required by subsections (a), (b) and (c), a design of the section may be prepared by a licensed civil engineer using a soils investigation that provides soil R-value and expansion index. Alternatively, the engineer may use an R-value of 5 and waive the soil report unless a soil engineering report is required because of specific site conditions. The traffic index to be used for the design

shall be not less than 3.5.

Sec. 13-31. Road and driveway grades.

(a) No road or driveway shall have a maximum grade in excess of fifteen percent (15%), without the approval of the County fire chief. In granting such approval, the County fire chief may require such additional fire protection measures under Section 13-63 as he or she deems necessary to mitigate access constraints. A road or driveway may include grades up to twenty percent (20%) for distances not exceeding three hundred feet (300') within any one thousand feet (1,000') of road or driveway.

(b) A vertical curve shall be required for any road or driveway when the algebraic difference in grade exceeds three percent (3%) for driveways, and two percent (2%) for private roads. The length of any vertical curve shall not be less than fifty feet (50').

(c) The maximum surface cross slope shall be five percent (5%) for all surface types unless a greater cross slope is required to meet super elevation requirements. The minimum surface cross slope for all surface types shall be two percent (2%).

(d) Turnarounds shall have a maximum longitudinal slope of eight percent (8%). The longitudinal slope is defined as the slope corresponding to the long axis of a vehicle as it travels into, out of, and through a turnaround. This slope shall be maintained beginning and ending at the point of tangency of the edge of pavement curves for the turnaround. The cross slope perpendicular to the longitudinal slope shall not exceed five percent (5%).

Sec. 13-32. Road and driveway horizontal curves and intersections.

(a) No road or driveway shall have a horizontal inside radius of curvature of less than fifty feet (50'). If the roadway or driveway width is less than twenty-four feet (24'), then additional roadway or driveway widths shall be required as follows:

(1) Four feet (4') of additional width for curves with a horizontal inside radius of fifty feet (50') to one hundred feet (100') and a central angle greater than forty-five (45°) degrees; and

(2) Two feet (2') of additional width for curves with a horizontal inside radius of one hundred feet (100') to two hundred feet (200') and a central angle greater than forty-five (45°) degrees.

The road shall have the full width widening beginning at the point of tangency of the curve requiring the widening to the end point of tangency of that curve or subsequent curves requiring widening (if reverse curves are used). A five-to-one (5:1) taper shall be

used to transition from the base width into and out of the widened width.

(b) Unless otherwise approved by the County fire chief, where a private road, with a throat width equal to or greater than eighteen feet (18') as measured thirty feet (30') from the edge of pavement, intersects a public road, the edge of pavement radius shall begin with a line a minimum of twelve feet (12') from and parallel to the physical centerline of the public road and a minimum radius of twenty-five feet (25') shall be provided from this point to the point of tangency with the edge of pavement of the private road. A taper of not less than ten-to-one (10:1) shall be provided along the public road when the public road is less than twenty-four feet (24') wide.

(c) Where a private road, with a throat width measuring equal to or greater than twelve feet (12') and less than eighteen feet (18') or a driveway with a throat width equal to or greater than ten feet (10') as measured thirty feet (30') from the edge of pavement, intersects a public or private road, the edge of pavement radius shall begin with a line a minimum of twelve feet (12') from and parallel to the physical centerline of the public or private road and a minimum radius of twenty-five feet (25') shall be provided from this point to the point of tangency with the edge of pavement of the private road or driveway. A taper of not less than ten-to-one (10:1) shall be provided along the public or private road when the public or private road is less than twenty-four feet (24') wide. In lieu of a ten-to-one (10:1) taper connecting private road or driveway to private road only, a radius of forty feet (40') may be used.

(d) Where a driveway, with a throat width measuring equal to or greater than ten feet (10') and less than eighteen feet (18') as measured thirty feet (30') from the edge of pavement, intersects a private road, the edge of pavement shall be a minimum radius of forty feet (40'). Any driveway with a throat width greater than eighteen feet (18'), as measured thirty feet (30') from the edge of the pavement, that intersects a private road, shall comply with the private road/public road requirements set forth in subsection (b) of this section.

(e) Road and driveway horizontal curves and intersections may be reduced when proven by scientific method of a recognized vehicle modeling program. The method shall be performed based on the length, width, wheel base and turning radius of a standard Type 1 Fire Apparatus.

Sec. 13-33. Roadway and driveway structures (bridges).

(a) All roadway and driveway structures shall be designed, constructed, and maintained in accordance with applicable sections of the County Building Code, the Standard Specifications for Highway Bridges, and any administrative regulations adopted pursuant to Section 13-2, and shall have a minimum designed live-load capacity of HS-20. All roadway and driveway structures shall be constructed pursuant to a valid building permit. All roadway and driveway structures shall be inspected according to the

administrative and inspection provisions of the County Building Code.

(b) All roadway and driveway structures shall have appropriate signing identifying structure capability, including weight and vertical clearance limits, and any one-way road or single traffic lane conditions.

(c) All roadway bridges having only one traffic lane shall be constructed to provide a minimum unobstructed width of twelve feet (12') shall provide for unobstructed visibility from one end to the other and shall have turnouts at both ends.

(d) All driveway structures shall be constructed to provide a minimum of one (1) twelve foot (12') traffic lane and an unobstructed vertical clearance of fifteen feet (15') along the entire length of the driveway structure. Any driveway structure with a minimum unobstructed width of twelve feet (12') shall not exceed sixty-five feet (65') in length.

(e) Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum turning radius of forty feet (40'), bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

(f) Any road or driveway structure required to have a turnout, shall have a turnout that is a minimum of twenty feet (20') wide, including the roadway and the turnout, and thirty feet (30') long with a minimum taper of twenty-five feet (25') on each end. The length of the turnout shall be measured along the roadway or driveway centerline.

Sec. 13-34. Two-way roads.

(a) In addition to meeting the applicable standards in the preceding sections, all two-way roads shall have a right-of-way of not less than twenty-five (25') and shall be constructed to provide a roadway with a minimum of two (2) nine foot (9') traffic lanes providing two-way traffic flow. When permitted in a subdivision's conditions of approval and approved by the appropriate county departments, as identified in the subdivision's conditions of approval, the subdivision may have a two-way road of not less than twelve feet (12') with turnouts and turnarounds. Spacing of the turnarounds shall be as set forth in the subdivision's conditions of approval. If the subdivision's conditions of approval do not set forth spacing requirements, then turnarounds shall be at a minimum interval of one thousand three hundred and twenty feet (1,320').

(b) Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum turning radius of forty feet (40') bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

(c) Any road or driveway structure required to have a turnout shall have a turnout that is a minimum of twenty feet (20') wide, including the roadway and the turnout and thirty feet (30') long with a minimum taper of twenty-five feet (25') on each end. The length of the turnout shall be measured along the roadway or driveway centerline.

Sec. 13-35. One-way roads.

In addition to meeting the applicable standards in the preceding sections, all one-way roads shall comply with the following requirements:

(a) All one-way roads shall have a right-of-way of not less than twenty feet (20') and shall be constructed to provide a roadway with a minimum of one (1) twelve foot (12') traffic lane providing one-way traffic flow.

(b) All one-way roads shall connect to a two-way road at both ends, and shall provide access to an area zoned for no more than ten (10) dwelling units.

(c) All one-way roads exceeding five hundred feet (500') in length shall have a turnout constructed at approximately the midpoint of the road. Any one-way road exceeding one thousand feet (1,000') in length shall also have turnouts constructed approximately every five hundred feet (500') along the entire length of the road.

(d) No one-way road shall exceed two thousand six hundred forty feet (2,640') in length.

(e) Any road or driveway structure required to have a turnout, shall have a turnout that is a minimum of twenty feet (20') wide, including the roadway and the turnout and thirty feet (30') long with a minimum taper of twenty-five feet (25') on each end. The length of the turnout shall be measured along the roadway or driveway centerline.

Sec. 13-36. Dead-end roads.

In addition to meeting the applicable standards in the preceding sections, all dead-end roads shall comply with the following requirements:

(a) All dead-end roads shall have a maximum length, including any dead-end roads accessed from the original dead-end road, not exceeding the following cumulative lengths regardless of the number of parcels served:

- (1) Parcels zoned for less than one (1) acre - eight hundred feet (800');
- (2) Parcels zoned for 1 acre to 4.99 acres - one thousand three hundred twenty feet (1,320');
- (3) Parcels zoned for 5 acres to 19.99 acres - two thousand six hundred forty feet (2,640'); and
- (4) Parcels zoned for 20 acres or larger - five thousand two hundred eighty feet (5,280').

All lengths shall be measured from the edge of the roadway at the intersection that begins the dead-end road to the farthest point on the dead-end road. Where a dead-end road crosses areas of differently zoned parcels, requiring different length limits, the average size of the parcels served shall determine the maximum allowable length of the road.

(b) All dead-end roads serving parcels five (5) acres or larger shall have turnarounds constructed approximately every one thousand three hundred twenty feet (1,320') along the entire length of the road.

(c) All dead-end roads shall have a turnaround constructed at the terminus of the road. Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum turning radius of forty feet (bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top-of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

Sec. 13-37. Driveways.

In addition to meeting the applicable standards in the preceding sections, all driveways shall comply with the following requirements:

(a) All driveways shall be constructed to provide a minimum of one (1) twelve foot (12') traffic lane and an unobstructed vertical clearance of fifteen feet (15') along the entire length of the driveway.

(b) All driveways exceeding one hundred fifty feet (150') in length shall have a turnout constructed at approximately the midpoint of the driveway. Any driveway exceeding eight hundred feet (800') in length shall have turnouts constructed approximately every four hundred feet (400') along the entire length of the driveway.

(c) All driveways exceeding one hundred fifty feet (150') in length shall have a turnaround constructed at each residential building served by the driveway.

(d) Any road or driveway structure required to have a turnaround may have either a hammerhead/T, a stub out, or terminus bulb. All turnarounds shall have a minimum turning radius of forty feet (bulbs shall be forty feet (40') from the center point of the bulb, hammerhead/T and stub out shall have entry and exit curves of no less than a forty foot (40') radius. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty feet (60') in length. If a stub is used, then the length of the turnaround shall be forty feet (40'), as measured from the roadway or driveway edge. The minimum width of either a hammerhead/T or a stub out shall be equivalent to the roadway or driveway entering the turnaround.

Sec. 13-38. Gate entrances.

(a) All gate entrances and similar structures shall be at least two feet (2') wider than the width of the traffic lane(s) serving the gate or structure.

(b) All gates providing access from a public road to a private road or private driveway shall be located at least thirty feet (30') from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the roadway.

(c) Where a gated entrance is locked, a lock box or other emergency release device approved by the County fire chief shall be provided for emergency access.

Division C. Signing and Building Numbering.

Sec. 13-39. Intent.

This division establishes minimum signing and building numbering requirements to facilitate locating a fire and to avoid delays in response.

Sec. 13-40. Names of roads.

(a) All roads serving more than two (2) parcels shall be identified by a road name.

(b) All public roads requiring a road name shall be named by the Board of Supervisors pursuant to procedures established by resolution or ordinance of the Board of Supervisors. Any public road having a road name may be renamed using the procedures for naming a public road.

(c) All private roads requiring a road name shall be named by the director of Permit and Resource Management pursuant to procedures established by resolution or ordinance of the Board of Supervisors. Any private road having a road name may be renamed using the procedures for naming a private road.

(d) When naming or renaming any road, the Board of Supervisors or the director of Permit and Resource Management, as the case may be, shall use the following standards:

(1) Road names shall not be greater than eighteen (18) characters in length, exclusive of road digits and suffixes.

(2) Road names shall have simple spelling and easy pronunciation.

(3) Road names shall be compatible with road and street names in cities and other counties where appropriate.

(4) Road names shall not duplicate or cause confusion with existing road names. Road names shall be deemed to be duplicates if they have different suffixes, but are otherwise the same.

(5) Road names that are numbers or letters shall be avoided.

(6) Road names that are geographically misleading shall be avoided.

(7) Road names that are inappropriate or offensive shall be prohibited.

(8) A road having a continuous alignment shall bear the same name.

(9) Road extensions shall bear the same name as the existing road.

(10) Roads or portions of roads to be connected in the future into a continuous alignment shall bear the same name.

(11) Roads intersecting one another, or forming a deflection angle of greater than ninety (90) degrees shall generally have different names.

(12) A cul-de-sac road may bear the same name as the road it intersects, provided that the suffix is court or place.

(13) No road shall be named such that it will intersect itself or create an intersection with a road having a duplicate name.

(14) Any other standards established by resolution or ordinance of the Board of Supervisors.

Sec. 13-41. Size of letters, numbers and symbols for road signs.

All letters, numbers and symbols designating names on road signs shall be according to county road standards.

Sec. 13-42. Visibility and legibility of road signs.

All road signs shall be visible and legible from both directions of vehicle travel for a distance of at least one hundred feet (100'). All road signs shall indicate the road name and whether the road is public or private in each direction of vehicle travel in conformance with county road standards.

Sec. 13-43. Orientation and height of road signs.

All road signs shall have an orientation and height in conformance with county road standards.

Sec. 13-44. Placement of road signs identifying intersecting roads.

All road signs identifying intersecting roads shall be placed at the intersection of such roads.

Sec. 13-45. Signs identifying traffic access limitations.

All road signs identifying traffic access or flow limitations, including but not limited to, weight or vertical clearance limits, dead-end roads, one-way roads or single traffic lane conditions, shall be placed as follows:

- (a) At the intersection preceding the traffic access limitation; and
- (b) No more than one hundred feet (100') before such traffic access limitation.

Sec. 13-46. Addresses for buildings.

All buildings shall be identified by an address issued by the director of Permit and Resource Management. When issuing addresses, the director of Permit and Resource Management shall use the following standards:

- (a) Addresses shall be compatible with addresses in cities and other counties where appropriate.
- (b) Addresses shall be assigned to reflect the road from which the primary driveway originates.
- (c) Addresses shall be issued in sequential order and have even numbers on one side of the road and odd on the other. In general, the even numbers shall be on the north and east sides of roads and/or on the right when facing in the direction of increasing magnitude. Existing addresses for roads requiring a road name change that do not conform to the provisions of this subsection may be accepted if the sequence is in logical order and the addresses are approved by the director of Permit and Resource Management and the County fire chief.
- (d) All buildings other than accessory buildings shall be assigned separate addresses. Individual units within residential and commercial buildings may be assigned subsidiary numbers or letters (e.g., apartment 10; suite A). Where possible individual units in multiple story buildings shall be assigned numbering sequences that identify the floor by the leading digit(s).
- (e) Any other standards adopted by resolution or ordinance of the Board of Supervisors or by administrative regulation of the director of Permit and Resource Management.

Sec. 13-47. Size of letters, numbers and symbols for addresses.

- (a) **Numbers for one- and two- family dwellings.** Numbers for one- and two-family dwellings shall be a minimum of four inches (4") high with a minimum stroke

width of 0.5 inches (0.5"). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure.

(b) **Numbers for other than one- and two- family dwellings.** Numbers for other than one- and two- family dwellings shall be a minimum of 12 inches (12") high with a minimum stroke width of one inch (1"). Suite numbers for other than one- and two-family dwellings shall be a minimum of six inches (6") high and 0.5 inches (0.5") stroke.

Exceptions:

1. These requirements may be modified with the approval of the fire code official.
2. Illuminated address numbers are not required for existing buildings where approved; reflective numbers are to be installed.

Sec. 13-48. Installation, location and visibility of addresses.

(a) All buildings shall have a permanently posted address, which shall be placed on building and shall be plainly visible and legible from the road on which the address is located or the primary driveway. The numbers shall contrast with their background.

(b) All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and shall be visible and legible from both directions of travel along the road on which the address is located.

Exception: An approved internally lighted building address device may be used when such building address device is located on the building and the building is located within thirty feet (30' of the edge of the road on which the address is located.

(c) All address signs along one-way roads shall be visible from both the intended direction of travel and the opposite direction.

(d) Where multiple addresses are required at a single driveway, such addresses shall be mounted on a single approved post.

(e) Where a road provides access solely to a commercial building, the address sign shall be placed at the nearest road intersection providing access to the site.

Division D. Emergency Water Supply.

Sec. 13-50. Intent.

This division establishes minimum emergency water supply requirements to ensure a supply of water to attack a fire or defend property from a fire.

Sec. 13-51. Emergency water supply.

(a) All buildings shall have a permanent emergency water supply approved by the County fire chief, which shall be installed, maintained and available for use as follows:

(1) Except as otherwise provided in subsection (a)(3), where water is provided by a public water system, the permanent emergency water supply shall be installed and available for use prior to the completion of road construction;

(2) Except as otherwise provided in subsection (a)(3), where water is provided by a water system other than a public water system, the permanent emergency water supply shall be installed and available for use prior to the commencement of construction of any permanent structure;

(3) When authorized by the County fire chief, an interim emergency water supply acceptable to the County fire chief may be substituted for the permanent emergency water supply provided the permanent emergency water supply is installed and available for use prior to issuance of an occupancy permit or final inspection;

(4) When authorized by the County fire chief and local fire chief, the emergency water supply requirements may be waived when sufficient evidence is proven the intent to Title 14 of the Natural Resources Code, Division 1.5, Article 4 - Emergency Water Standards have been met.

(b) If the water supply to the parcel is provided by a public or community water system (urban parcel - see Definitions) the emergency water supply for residential buildings shall consist of a permanent hydrant located on the road within two hundred fifty feet (250') of the driveway measured from where the driveway intersects with the public or private road. Distance measurements shall be determined by hose lay along the road, not horizontal distance.

(c) If the water supply to the parcel is provided by a private water well (non-urban parcel - see Definitions) an emergency water storage of not less than two thousand five hundred (2,500) gallon capacity shall be provided. A single two-thousand five-hundred (2,500) gallon tank may serve more than one building on the same parcel, provided all hydrants are located in accordance with Section 13-52. When multiple tanks

are utilized to achieve the required volume of water, the connection between the tanks shall be an approved minimum four inch (4") diameter water line.

(d) Water tanks for emergency water supply placed inside the minimum setback requirement of Section 13-55 shall be constructed of non-combustible material. A flammable vegetation clearance of not less than twenty feet (20') shall be maintained around all poly-plastic or similar water tanks.

(e) All permanent emergency water supplies for commercial buildings shall meet the requirements of the California Fire Code if the building is served by a public water system or NFPA 1142, "Standard on Water Supplies for Suburban and Rural Fire Fighting" if the building is served by a water system other than a public water system.

Sec. 13-52. Hydrants.

(a) All buildings shall be protected by hydrants. The location, number, and type of hydrants for any building shall be as required and approved by the County fire chief or the director of Permit and Resource Management.

(b) All hydrants for residential and commercial buildings that are part of a public water system on urban parcels shall have a fire flow which is the greater of either five hundred (500) gallons per minute with a residual pressure of twenty (20) pounds per square inch or the minimums specified in Public Utilities Commission of California revised General Order No. 103, adopted June 12, 1956 (corrected September 7, 1983, Decision 83-09-001), Section VIII Fire Protection Standards and other applicable sections relating to fire protection water delivery systems or the minimums for static water systems equaling or exceeding the National Fire Protection Association Standard 1142, "Standard on Water Supplies for Suburban and Rural Fire Fighting."

(c) All hydrants for non-urban parcels shall comply with the following requirements:

(1) Hydrant outlets shall be a minimum of eighteen inches (18") and a maximum of twenty-four inches (24") above grade, eight feet (8') from flammable vegetation, no closer than six feet (6') nor farther than twelve feet (12') from the edge of the road or driveway, and in a location where emergency fire equipment using it will not block the roadway. The hydrant serving any residential building shall be located at a turnout or turnaround, along the driveway to the building, or along the road that intersects with the driveway. The hydrant serving any residential building shall be connected to the emergency water supply by an approved minimum four inch (4") diameter water line.

(2) All hydrants shall be located between sixty feet (60') and one hundred fifty feet (150') from the residential building. The fire hydrant shall be installed so that a fire engine utilizing the hydrant may maintain a minimum distance of sixty feet

(60') from the residential building. Distance measurements shall be determined by hose lay along a road or driveway, not horizontal distance.

Exceptions:

1. The distance to the hydrant, on a non-urban parcel with exclusively residential buildings on it, may exceed one hundred fifty feet (150') by one hundred fifty feet (150') for each additional five hundred (500) gallons of water storage capacity up to a maximum of two thousand five hundred and fifty feet (2,550') from the residential building as allowed by Table 13-52a.

2. A public fire hydrant can be used for the emergency water supply as allowed by Table 13-52b, for non-urban parcels with exclusively residential buildings on them.

a. All hydrants shall have at least one (1) two and one-half inch (2½") outlet with male National Hose Threads and a cap. On water systems of greater than ten thousand five hundred (10,500) gallons, there shall also be at least one (1) four and one-half inch (4½") outlet with male National Hose Threads and a four and one half inch (4½") by two and one half inch (2½") reducer with a cap.

b. All hydrants shall be a wet barrel hydrant or a draft hydrant as required by the delivery system and shall have suitable crash protection. The maximum height differential between the water source and the draft hydrant outlet shall be 10 feet (10'). Draft hydrants shall be supplied by six inch (6") minimum pipe size, and be equipped with a four and one-half inch (4½") National Hose male thread fitting with a cap.

c. Crash protection shall be per California Fire Code, Chapter Three, Section 312.

Table 13-52a¹

Distance to hydrants based on volume of storage

Distance is from structure to hydrant

Gallons of Storage/Distance to Hydrant

2,500/150'	7,000/1,500'
3,000/300'	7,500/1,650'
3,500/450'	8,000/1,800'
4,000/600'	8,500/1,950'
4,500/750'	9,000/2,100'
5,000/900'	9,500/2,250'
5,500/1,050'	10,000/2,400'
6,000/1,200'	10,500/2,550'
6,500/1,350'	

Note:

¹This table applies only to parcels that have exclusively residential buildings on them.

Table 13-52b¹
Exception to hydrant distance²

Distance is measured from driveway entrance to the hydrant

Road Distance	Flow Rate	Minimum Residual Pressure
800 feet	500 GPM	20 PSI
1,800 feet	1,000 GPM	20 PSI
2,800 feet	1,500 GPM	20 PSI
3,800 feet	2,000 GPM	20 PSI
4,800 feet	2,500 GPM	20 PSI

Notes:

¹This table applies only to parcels that have exclusively residential buildings on them.

²Distances within these ranges can be prorated based on volume of flow available.

Sec. 13-53. Signing of water sources.

Each hydrant or access to water for any residential or commercial building shall be identified as follows:

- (a) If located along a driveway, a reflective blue marker, with a minimum dimension of three inches (3"), shall be located on the driveway address sign and mounted on a fire retardant post; or
- (b) If located along a road either of the following is acceptable:
 - (1) A reflective blue marker, with a minimum dimension of three inches (3"), shall be mounted on a fire retardant post. The sign post shall be within three feet (3') of the hydrant, with the sign no less than three feet (3') nor greater than five feet (5') above ground, aimed toward headlights, in a horizontal position and visible from the driveway, or
 - (2) As specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.

Division E. Fuel Modification.

Sec. 13-54. Intent.

This division establishes minimum fuel modification requirements to reduce the possibility and intensity of a wildfire, to provide increased safety for emergency fire equipment, personnel and evacuating civilians, and to provide a point of attack against or defense from a wildfire.

Sec. 13-55. Setback for building defensible space.

(a) On parcels less than one (1) acre, all buildings shall have a setback from any property line or the centerline of any road of not less than the applicable minimum setbacks specified in Chapter 26 of the County Building Code.

(b) On parcels one (1) acre or larger all buildings and accessory buildings shall have setbacks to the property line and/or exterior wall protection according to Table 13-55(a) and Table 13-55(b).

Table 13-55 (a)
Exterior walls, within State Responsibility Area,
without automatic fire sprinkler protection

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure from both sides	< 10feet
	(Not fire-resistance rated)	Comply with CRC Sec R327.7 or CBC Sec 707A	≥ 10 feet
Projections	(Fire-resistance rated)	1 hour on the underside	< 10 feet
	(Not fire-resistance rated)	Comply with CRC Section R327.7 or CBC Section 707A Comply with Section CRC Sec R327.9 or CBC Sec.709A	10 feet
Openings in walls	Not allowed	N/A	< 10 feet
	25% maximum of wall area	Comply with Section R327.8 or CBC Sec 708A	>10 feet
	Unlimited	Comply with Section R327.8 or CBC Sec 708A	20 feet
Penetrations	All	Comply with Section R302.4 or CBC 714.3	< 10 feet
		Comply with Section R327.6 or CBC 706A	10 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

Table 4905.4 (B)
Exterior Walls, Within State Responsibility Area,
With Automatic Fire Sprinkler Protection

Exterior Wall Element		Minimum Fire-Resistance Rating	Minimum Fire Separation Distance
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure from both sides	< 10 feet
	(Not fire-resistance rated)	Comply with Section R327.7 or CBC Sec 707A	10 feet
Projections	(Fire-resistance rated)	1 hour on the underside	< 10 feet
	(Not fire-resistance rated)	Comply with Section R327.9 or CBC Sec.709A	10 feet
Openings in walls	Not allowed	N/A	< 10 feet
	Unlimited	Comply with Section R327.8 or CBC Sec 708A	10 feet
Penetrations	All	Comply with Section R302.4 or CBC 714.3	< 10 feet
		Comply with Section R327.6 or CBC 706A	10 feet

For SI: 1 foot = 304.8 mm.

N/A = Not Applicable.

Sec. 13-56. Flammable vegetation clearance areas for roads and driveways.

All roads and driveways shall have a flammable vegetation clearance area on each side of the road or driveway of not less than ten feet (10') unless otherwise authorized by the director of Permit and Resource Management.

Sec. 13-57. Setbacks for planted vegetation from electric power lines – installation of new power lines.

All electric utility companies shall make every reasonable effort to select routes and types of conductors that minimize the risk of fire when installing new overhead electric utilities.

Sec. 13-58. Disposal of flammable vegetation and fuels.

All disposal, including chipping, burying, burning or removal to a landfill site, of flammable vegetation and fuels caused by site development and construction, road and

driveway construction, or fuel modification shall be completed prior to completion of road or driveway construction, or foundation inspection for a building permit, whichever occurs first.

Sec. 13-59. Greenbelts.

Any development which designates a facility or land use as a greenbelt shall locate the greenbelt strategically, as a separation between wildland fuels and buildings. The director of Permit and Resource Management shall approve the location of any greenbelt.

Sec. 13-59.5. Defensible Space.

(a) A Fire Protection Plan shall be required for any new residential or commercial building within a State Responsibility Area (SRA) located in a Very High Severity Zone. The plan shall be prepared by a qualified professional and shall be approved by the County fire chief. The plan shall include, at a minimum, defensible space zones, identification of vegetation types, replacement of non-native flammable vegetation with approved fire-resistive vegetation, and a maintenance program for all vegetation. When required by the Code official, the property owner shall record a covenant, in a form satisfactory to County Counsel, which ensures that the approved plan will be implemented and maintained.

(b) The fire protection plan shall be based upon a site-specific wildfire risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management.

(c) A copy of the fire protection plan shall be retained by the property owner.

(d) The cost of fire protection plan preparation and review shall be the responsibility of the applicant. All existing buildings shall meet the requirements of Public Resources Code (PRC 4291) for defensible space.

(e) All existing buildings shall meet the requirements of the California Fire Code, Chapter 49, Section 4906 and 4907.

Sec. 13-60. Roofing.

All structures regulated by the County Building Code shall have roof coverings that comply with the requirements of Chapter 7 of this Code.

Division F. Other Fire Protection Measures.

Sec. 13-61. Intent.

This division establishes alternate fire protection measures for use in place of standards specified in this article which cannot be met and additional fire protection measures to mitigate parcel specific fire protection problems.

Sec. 13-62. Alternate fire protection measures.

When authorized, pursuant to Section 13-23, any of the following alternate fire protection measures may be used as exceptions to the standards specified in this article or as mitigated practices:

- a) Increased emergency water supply requirements;
- b) Installation of a sprinkler system that meets the requirements of the National Fire Protection Association and includes protection of eaves where not required by code;
- c) Increased flammable vegetation clearance areas for buildings;
- d) Increased flammable vegetation clearance areas for roads and driveways;
- e) Use of fire-resistive vegetation;
- f) Installation of fire-resistive exterior siding;
- g) Use of fire-resistive deck and eave construction;
- h) Construction of additional turnouts and turnarounds;
- i) Creation of areas of safe refuge;
- j) Installation of a centrally monitored fire alarm system;
- k) Provision of a secondary means of ingress and egress to the parcel.
- l) Increased width and surface for emergency vehicle access.

Sec. 13-63. Additional fire protection measures.

When the County fire chief determines that access constraints, hazard severity or topography and terrain adversely affect the ability of emergency fire equipment and personnel to respond to an emergency on a parcel, the County fire chief may require additional fire protection measures as follows:

- (a) Where conditions delay, limit or prohibit access by emergency fire equipment and personnel to a parcel, the County fire chief may require any of the following fire protection measures in addition to the other standards specified in this

article:

- (1) Increased emergency water supply;
- (2) Installation of an automatic sprinkler system that meets the requirements of the National Fire Codes and local regulations where not required by code;
- (3) Increased flammable vegetation clearance areas for buildings;
- (4) Use of fire-resistive vegetation;
- (5) Use of fire-resistive deck and eave construction;
- (6) Installation of fire-resistive exterior siding;
- (7) Installation of a centrally monitored fire alarm system;
- (8) Creation of areas of safe refuge;
- (9) Vegetation management plan.

(b) Where a parcel is located within a high or very high fire hazard severity zone as defined by the California Department of Forestry and Fire Protection, the County fire chief may require any of the following fire protection measures in addition to the other standards specified in this article:

- (1) Any of the fire protection measures specified in subsection (a);
- (2) Construction of additional turnouts and turnarounds;
- (3) Provision of a secondary means of ingress and egress to the parcel;
- (4) Vegetation management plan.

(c) Where features of topography or terrain create conditions on a parcel which the County fire chief determines warrant additional fire protection measures, the County fire chief may consider the parcel to be an area of high or very high fire hazard severity and require any of the fire protection measures specified in subsection (b) in addition to the other standards specified in this article.

Article VI. Fireworks.

Sec. 13-66. Sale, use or discharge of fireworks prohibited--Exception.

(a) Except for public displays of fireworks authorized pursuant to this section, it is unlawful for any person to possess, store, offer or expose for sale, sell at retail, give away or in any manner dispose of any fireworks, or to use, explode, or otherwise discharge any fireworks within the unincorporated area of the county.

(b) Any person or group desiring to perform a public display of fireworks within the unincorporated area of the county shall first make written application for a permit to the local fire chief, if the display is to be held within a local fire protection district, or the County fire chief, if the display is to be held within a portion of the unincorporated area of the county not in a local fire protection district. Application for a permit shall be made in writing at least twenty (20) days prior to the proposed display. The application shall be considered and acted upon by the local fire chief or County fire chief, as appropriate, pursuant to Title 19 of the California Code of Regulations. Any permit for a public display of fireworks may be suspended or revoked at any time by the local fire chief or the County fire chief, as appropriate. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Article VII. Open Burning.

Sec. 13-71. Burning permits required.

It is unlawful for any person to undertake or authorize the undertaking of any open burning within the unincorporated area of the county at any time between May 1st and the date the director of Forestry and Fire Protection declares, by proclamation, that the hazardous fire conditions have abated for that year or at any other time when the director of Forestry and Fire Protection has declared, by proclamation, that unusual fire hazard conditions exist within the region wherein the County is located without first obtaining a written burning permit as follows:

(a) Within those portions of the unincorporated area of the county in a fire protection district, burning permits shall be obtained from the fire protection district.

(b) Within those portions of the unincorporated area of the county in a State Responsibility Area, burning permits shall be obtained from the California Department of Forestry and Fire Protection or, if the location of the open burning is also in a fire protection district and the district is authorized by the California Department of Forestry and Fire Protection to issue such permits, from the fire protection district.

(c) Within those portions of the unincorporated area of the county not in a fire protection district or State Responsibility Area, burning permits shall be obtained from

Sonoma County's Bay Area Management District.

(d) If the County fire chief determines that conditions of high fire hazard exist within any or all of the unincorporated area of the county, the County fire chief may suspend the issuance of any burning permit authorized by this section or stay the effect of any such permit already issued or both for such period as the County fire chief deems necessary, not to exceed one hundred fifty (150) days. The County fire chief shall notify the Board of Supervisors of any such suspension or stay by memorandum within twenty-four (24) hours following its commencement. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-72. Hours and days for burning.

All burning permits issued pursuant to this article shall restrict open burning to the hours and days specified by the air pollution control district having jurisdiction. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-73. Burning of land of another.

No burning permit shall be issued pursuant to this article for open burning by the applicant upon land owned by another person unless the applicant has the written consent of the owner, lessee or other person in charge or control of the land on which the open burning is to be done. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-74. Effect of article on fire protection districts and state responsibilities.

Nothing in this article shall be construed as preventing any fire protection district within the county from adopting an ordinance or ordinances regulating burning containing more restrictive regulations, nor shall anything herein be construed as limiting or releasing the state or the California Department of Forestry and Fire Protection of any responsibility for fire prevention and suppression under the laws of this state. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-75. Effect of issuance of permit.

The issuance of any burning permit pursuant to this article shall not be deemed to be a waiver of noncompliance within or authorize violation of any zoning or other law whatsoever or constitute a sanction of or permit for any public or private nuisance. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-76. Burning to be under supervision of responsible person.

All burning for which a permit is required pursuant to this article shall be done under the direction and constant surveillance of a responsible person. (Ord. No. 5373 § 2,

2002: Ord. No. 4905 § 1, 1995.)

Article VIII. Fees and Charges.

Sec. 13-81. Schedule of fees and charges.

(a) The Board of Supervisors may from time to time establish a schedule of fees and charges following the procedure set forth in California law (currently Government Code Section 66016 et seq.) to recover the reasonable cost of providing services, issuing permits and enforcing regulations pursuant to this chapter.

(b) The Board of Directors of any fire protection district may from time to time establish a schedule of fees and charges following the procedure set forth in California Law to recover the reasonable cost of providing services, issuing permits and enforcing regulations pursuant to this Chapter. Pursuant to Health and Safety Code Section 13916, no such fee or charge on new construction or development shall be for construction of public improvements or facilities or the acquisition of equipment. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Article IX. Enforcement.

Sec. 13-86. Responsibility for enforcement.

Except as otherwise provided herein, the County fire chief shall be responsible for enforcing the provisions of this chapter. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Sec. 13-87. Issuance of citations.

The County fire chief, director of Permit and Resource Management, and local fire chiefs may, pursuant to Section 836.5 of the California Penal Code, arrest a person without a warrant whenever they have reasonable cause to believe that the person to be arrested has committed a misdemeanor in their presence which is a violation of this chapter or any other ordinance or statute which they have a duty to enforce, and to issue a written notice to appear and to release such person on his or her written promise to appear in court, as prescribed by Chapter 5C (commencing with section 853.6) of the California Penal Code. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

Article X. Chapter 13 of the Sonoma County Code is amended to read:

Article X. Violations.

Sec. 13-91. Violation--Penalty.

Any person who violates or fails to comply with any provision of the California Fire Code, the California Fire Code Standards, or the National Fire Codes, as adopted, or this chapter, or who violates or fails to comply with any order or regulation made thereunder, or who acts in violation of any detailed statement of specifications or plans submitted and approved thereunder, or who violates any provisions of a certificate or permit issued thereunder, is guilty of a misdemeanor, punishable as provided by law. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified in any citation or notice of violation, each day or portion thereof that prohibited conditions are maintained shall constitute a separate offense. The application of the provisions of this section shall not be held to prevent the enforced removal of prohibited conditions. (Ord. No. 5373 § 2, 2002; Ord. No. 4905 § 1, 1995.)

SECTION II. Pursuant to Health and Safety Code, Section 13143.5 and 17958.7, the Board of Supervisors expressly finds that this ordinance and the changes or modifications made herein to the 2013 California Fire Code, including the adoption of fire protection sprinkler and fire alarm standards, are reasonably necessary because of local climatic, geological, and topographical conditions. The Board of Supervisors further finds in connection therewith as follows:

1. Sonoma County has climatic conditions which are unique in character. The county is subject to year-round coastal winds. Average yearly rainfall for the county is approximately 30 inches. This rainfall generally occurs from October to April. During the summer months (July, August, September), the prevalent Pacific High Cell creates early morning fog, which assists the natural vegetation in growth. During the summer months, dry winds and vegetation mix to create a hazardous fuel condition. This condition causes grassland and brushland fires each year. While normal temperatures do not exceed 85-90 degrees Fahrenheit (85-90° F) during the summer months, temperatures can climb to higher than 110 degrees Fahrenheit (110° F) in parts of the county. Afternoon winds can move a fire quickly in any part of the county, particularly during times of high temperatures and low humidity.

Drought conditions occur periodically in the County and when they occur they often last for several years. When drought conditions occur, they result in reduced available water. Groundwater as well as surface supplies are affected. When drought conditions occur, they create a situation where lowered water tables, water contamination, and increased demand on water systems due to population growth all

negatively impact water availability for fire protection. These impacts degrade the quality of fixed fire protection as well as fire suppression activities.

2. Sonoma County has geological and geographic characteristics which have scenic appeal for residents and visitors alike. The County is situated in a primarily rural setting with rugged coastline forming its western boundary, rugged mountainous areas forming its northern and eastern boundaries, and forested areas and grasslands making up much of the county. These features establish the roadways and building sites in the county as well as create barriers to accessibility for emergency fire equipment and personnel.

The forested areas in the County create windbreaks from oncoming winds, but also produce fuel through the annual fall needles and leaves which drop to the ground along with decayed trees and branches which contribute to the fuel load. The dry vegetation and low water availability create a terrain which causes access problems and other problems for emergency fire equipment and personnel.

The grassland areas in the County have easily ignitable fuels which are subject to high winds. A southern exposure and unbroken fuel create a potential for major conflagrations.

The County has potentially active seismic hazards within its boundaries (the San Andreas Fault and several other fault traces have been identified within the county). Large portions of the county are within the Alquist-Priolo Special Studies Zones. While systems have been developed to study and monitor the activity of earthquakes, science has not yet been able to predict (with reliability) the potential for activity on active faults. Seismic activity within the county occurs yearly with little or no damage although the very real potential for damage exists with the active faults within the county. While new construction may be limited by their respective distances to faults, existing structures and replacement of these structures present a serious problem.

The mixture of developed and undeveloped areas within the county creates hazardous conditions when a storm of gale force winds causes trees to fall onto roadways used for access by emergency fire equipment and personnel. In addition, flooding occurs in certain areas of the county during heavy winter storms limiting or eliminating access for emergency fire equipment and personnel.

Landslides have been experienced in various areas of the county. While stabilization can sometimes be provided, heavy winter storms cause failures. These failures have closed roadways within the county making access for emergency fire equipment and personnel impossible until properly cleared.

3. Sonoma County has topographical conditions which are closely associated with the geological and geographic characteristics noted above. The

topographical conditions are the result of the design and construction of development within the county based on elevation changes in the county as well as the hills, canyons, lakes and streams which exist in the county.

The sources of water within the County are directly affected by its topographical layout. The water sources consist of on-site water storage tanks, lakes, pools, wells, mutual water systems, and the Sonoma County Water Agency distribution network. Water supplies within the county vary from less than ten (10) gallons per minute to flows in excess of four thousand (4,000) gallons per minute. This wide variation causes major problems to development as well as fire suppression forces.

The roadway system through most of the county is designed around the topographical lay of the land and consists in many cases of narrow, winding roads, steep grades, and overhanging tree branches. The grades on roadway surfaces sometimes exceed 25% and widths of less than twelve feet (12') are not uncommon.

The topographical conditions also make construction more restricted to the level and semi-level portions of the county, with high concentrations of building within these areas. The exposure created by these structures poses a significant problem. For practical and cost reasons, these structures are built of wood (Type V) construction. The potential of conflagration exists with the high buildout of certain areas in the county. The concentrated commercial, industrial, and residential occupancies in these areas cause concern when considering the "exposure" of building-to-building and building-to-grassland areas of the county.

The topographical nature of the county also lends itself to power failures caused when fallen trees and limbs tear out sections of electrical transmission lines which run throughout the County. These power failures cause electrical pumps to become inactive and, thus, water supplies are interrupted. Vehicular accidents also have been known to interrupt this pumping operation. Due to the narrow roads which are congested with residents and visitors alike, this situation occurs more than could be normally expected.

4. The preceding findings identify the local climatic, geological, and topographical conditions which the Board has considered in adopting this ordinance. The Board finds that these conditions make the modifications or changes to the requirements published in the California Building Standards Code contained herein reasonably necessary. This Board further finds that it has amended the 2013 California Fire Code to assist in mitigating such conditions.

SECTION III. Except as added, revised, amended or deleted herein, the remaining provisions of Chapter 13 as previously adopted shall remain in full force and effect.

SECTION IV. The County fire chief is directed to file a copy of this Ordinance with the

State Fire Marshal and California Building Standards Commission of the State of California.

SECTION V. The provisions of this Code shall not be construed as imposing upon the County of Sonoma any liability or responsibility for damages to persons or property resulting from defective work, nor shall the County of Sonoma, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this Code of any permits or certifications issued under this Code.

SECTION VI. The Board of Supervisors finds and determines that this ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of the State CEQA Guidelines as it can be seen with certainty that there is no possibility that this ordinance may have a significant effect on the environment. This finding and determination is based on the environmental determination of the Permit and Resource Management Department for this ordinance. The director of Permit and Resource Management Department is directed to file a notice of exemption in accordance with CEQA and the State CEQA Guidelines.

SECTION VII. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION VIII. This ordinance shall be and the same is hereby declared to be in full force and effect on January 1, 2014. The ordinance shall be published once before the expiration of fifteen (15) days after its passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation published and circulated in the County of Sonoma.

SECTION VIII. This ordinance shall be and the same is hereby declared to be in full force and effect on January 1, 2014. The ordinance shall be published once before the expiration of fifteen (15) days after its passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation published and circulated in the County of Sonoma.

In regular session of the Board of Supervisors of the County of Sonoma introduced on the 22nd day of October, 2013, and finally passed and adopted this 5th day of November, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

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

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Veronica Ferguson, County Clerk and
Clerk of the Board of Supervisors

IT IS SO ORDERED



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: Board of Supervisors

Board Agenda Date: October 22, 2013

Vote Requirement: Majority

Department or Agency Name(s): Fire and Emergency Services

Staff Name and Phone Number:

Andrew Parsons, 565-1174

Supervisorial District(s):

All

Title: Ordinance amending Chapter 29 of the Sonoma County Code, including 2013 California Code, with local amendments.

Recommended Actions:

(1) Adopt a resolution introducing, reading the title of, and waiving further reading of; and (2) direct the Clerk of the Board to set a public hearing for November 5, 2013 at 10:00 a.m. to consider adoption of an ordinance amending Chapter 29 of the Sonoma County Code, relating to the California Fire Code, 2013 edition and making technical and administrative revisions.

Executive Summary:

Chemicals are widely used in commerce and by individuals in our society and properly controlled and utilized chemicals can be beneficial to our overall well being. However, unknown quantities and qualities of chemicals exist which may be toxic, corrosive, irritating, sensitizing, or flammable and which may cause serious illness or harm to humans, animals, and the environment. The public has a right to expect regulation of these materials.

Public protection from hazardous materials release or threatened release to the environment is essential. This requires proper planning on the part of the community as well as those responsible for hazardous materials. Substantial public and private cooperation and education is essential for the appropriate understanding and control of chemicals.

The ability to respond to hazardous materials emergencies is essential to the protection of the public health and welfare and the environment from risks of harm by unplanned, threatened or actual releases of hazardous materials. Financial responsibility for emergency response must be assumed by responsible persons in order to preserve the Certified Unified Program Agency's (CUPA's) ability to respond to hazardous materials emergencies.

Sonoma County Code Chapter 29, the Sonoma County "Hazardous Materials Management Ordinance", has been adopted by the county to manage hazardous materials within the unincorporated county and

provide a high level of safety to our citizens; however this ordinance requires certain technical and administrative changes to bring it up to date with current codes and regulations.

ANALYSIS OF REVISIONS

The revisions are minor and needed to make correctly reference current applicable codes and nationally recognized standards.

The sections have been updated to reflect deleted and inaccurate references including exemptions no longer allowed under current regulations. The only significant proposed change to Chapter 29 of the Sonoma County Code is to delete the original language found in Section 29-8, which listed the exceptions to consolidated permits. The CUPA does not have the authority to grant exemptions from permitting and inspections to hazardous waste generators, regardless of the quantity of hazardous waste they generate (29-8(a)). Also, in 2004, State auditors recommended that the CUPA discontinue its self-audit program for hazardous waste generators because the CUPA was required to continue to perform physical inspections of these facilities (29-8(b)). As a final note, the CUPA is 100% fee-funded; any costs it incurs, including those related to inspections, must be recovered through fees in order to provide an equitable distribution of its costs to the regulated community. There will be no change to the CUPA fees as the current fee structure already recoups the costs incurred.

The item before you is requesting the Board of Supervisors to adopt a Resolution introducing an ordinance amending Chapter 29 of the Sonoma County Code making technical and administrative revisions; waving further readings and setting November 5, 2013 as the date and time for a public hearing adopting the ordinance.

Prior Board Actions:

Chapter 29 of the Sonoma County Code was amended during the triennial adoption cycle of the California Code in November 1997.

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

The standards set in this ordinance will enhance public health and safety.

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 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):

No staffing impacts.

Attachments:

Resolution for public hearing
Draft Chapter 29 ordinance with revisions identified
Chapter 29 ordinance with revisions accepted

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

Chapter 29 Ordinance – copy for public reference



County of Sonoma
State of California

Date: October 22, 2013

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 Entitled “An Ordinance of the Board of Supervisors of the County of Sonoma, State of California, Amending Chapter 29, ‘Hazardous Materials Management Ordinance’ of the Sonoma County Code, and to Make Technical and Administrative Revisions to Chapter 29.”

Whereas, an ordinance entitled “An Ordinance of the Board of Supervisors of the County of Sonoma, State of California, Amending Chapter 29, ‘Hazardous Materials Management Ordinance’ of the Sonoma County Code, and to Make Technical and Administrative Revisions to Chapter 29” has been introduced and read;

Now, Therefore, Be It Resolved, that further reading of the proposed ordinance is waived.

Be It Further Resolved, that a public hearing shall be held at November 5, 2013, in the Board of Supervisors Chambers, 575 Administration Drive, Room 102A, Santa Rosa, California, to consider the proposed ordinance.

Be It Further Resolved, that the Clerk of the Board shall cause notice of the hearing to be published once a week for two successive weeks in a newspaper of general circulation, published in the County of Sonoma, State of California.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING CHAPTER 29, "HAZARDOUS MATERIALS MANAGEMENT ORDINANCE" OF THE SONOMA COUNTY CODE AND TO MAKE TECHNICAL AND ADMINISTRATIVE REVISIONS TO CHAPTER 29.

SECTION I. Chapter 29 of the Sonoma County Code is amended to read:

**CHAPTER 29
HAZARDOUS MATERIALS MANAGEMENT ORDINANCE**

~~Article I. Administrative.~~

Article I is amended to read:

Article I. Administrative.

Sec. 29-1. Title.

This chapter shall be known as the "Hazardous Materials Management Ordinance" (HMMO) of Sonoma County.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-2. Findings and purpose.

- (a) The ~~B~~board of ~~s~~Supervisors, ~~e~~County of Sonoma, ~~s~~State of California, finds and declares that chemicals are widely used in commerce and by individuals in our society and that properly controlled and utilized chemicals can be beneficial to our overall well being. However, the ~~b~~Board further finds that unknown quantities and qualities of chemicals exist which may be toxic, corrosive, irritating, sensitizing, or flammable and which may cause serious illness or harm to humans, animals, and the environment. The public has a right to expect regulation of these materials.
- (b) The ~~board of supervisors~~Board of Supervisors further finds and declares that public protection from hazardous materials release or threatened release to the environment is essential. This requires proper planning on the part of the community as well as those responsible for hazardous materials.
- (c) The ~~board of supervisors~~Board of Supervisors finds and declares that substantial public and private cooperation and education is essential for the appropriate understanding and control of chemicals.

- (d) The ~~board of supervisors~~Board of Supervisors further finds and declares that the ability to respond to hazardous materials emergencies is essential to the protection of the public health and welfare and the environment from risks of harm by unplanned, threatened or actual releases of hazardous materials. Financial responsibility for emergency response must be assumed by responsible persons in order to preserve the Certified Unified Program Agency's (CUPA's) ability to respond to hazardous materials emergencies.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-3. Scope.

- (a) It is the intent of this chapter to regulate the storage, handling, and management of hazardous materials, whether in waste or non-waste form, unless specifically preempted by state or federal law.
- (b) This chapter provides for the inventory and control of hazardous materials which are stored above ground and underground in both the incorporated and unincorporated areas of Sonoma County to the extent permitted by law except in those incorporated cities which are ~~certified unified program agen~~Certified Unified Program Agencies (CUPAs). The applicable statutes and regulations include the following:
- (1) Hazardous Materials Business Plans. This program includes chemical and hazardous waste inventories and emergency response plans. California Health and Safety Code, Division 20, Chapter 6.9, ~~Article 1~~ and Title 19 of the California Code of Regulations.
 - (2) Risk Management and Prevention Planning. This program includes facilities which handle, use, or store acutely hazardous materials. California Health and Safety Code, Division 20, Chapter 6.95, ~~Article 2~~ and Title 19 of the California Code of Regulations.
 - (3) Underground Storage Tank (UST) Program. This program includes all underground storage tanks except those exempted under federal and state law. California Health and Safety Code, Division 20, Chapter 6.7 and Chapter 6.75, and Title 23, Division 3, Chapter 16 and 18 of the California Code of Regulations.
 - (4) Hazardous Waste Generator Program/Tiered Permitting Hazardous Waste On-Site Treatment. This program includes facilities which generate any quantity of hazardous waste. California Health and Safety Code, Division 20, Chapter 6.5 ; ~~Articles 1 — 13~~ and Title 22, Division 4.5, Chapters 10, 11, 12, ~~16, 20, 23, 29, and 31, 32, and 45~~ of the California Code of Regulations.
 - (5) Aboveground Petroleum Storage Act Spill Prevention, Control and Countermeasure (SPCC) Plans. This program includes facilities which have aboveground storage of petroleum products ~~in excess of six hundred sixty (660)~~

~~gallons per tank or~~ in excess of one thousand three hundred twenty (1,320) total gallons. California Health and Safety Code, Division 20, Chapter 6.67.

- (6) California Fire Code, California Health and Safety Code, Division 13, Chapter 4, Part 2.5 commencing with Section 18935, Part 9 and Title 24, California Code of Regulations. This section of the Fire Code includes requirements for the hazardous materials business plan.
- (c) This chapter provides for regulatory action by the ~~e~~County to remedy or prevent an imminent risk of harm to the public health, domestic livestock, wildlife, or the environment arising out of any actual or threatened disposal or release of a material; authorizes the ~~county~~County to remedy any actual or threatened release not corrected by the responsible person, designates the persons responsible for the cost of such actions by the ~~e~~County; and provides for criminal and civil penalties to be assessed for violations of this chapter.
- (d) All definitions of terms stated herein are found in state and federal regulations and statutes except those noted in [Section 29-4](#), Definitions.
- (e) The CUPA shall enforce standards found in the currently adopted ~~Uniform Fire Code~~California Fire Code as they relate to hazardous materials business plans.
- (Ord. No. 5015 § 1, 1997.)

Sec. 29-4. Definitions.

Unless the context indicates otherwise, the following definitions govern the construction of this chapter.

"Abandonment" means removing a hazardous material storage facility from service without compliance with this chapter.

"Board of ~~s~~Supervisors" or "~~B~~board" means the ~~board of supervisors~~Board of Supervisors of Sonoma County.

"Business" means an employer, self-employed individual, trust, firm, joint stock company, corporation, partnership, or association. For purposes of this chapter, "business" includes a business organized for profit and nonprofit business. "Business" also includes any city, county, district, the state, any department or agency thereof, or the United States.

"Business advisory group" means the CUPA advisory group comprised of a minimum of three (3) representatives from the local trade associations.

"Certified ~~U~~nified ~~P~~rogram ~~A~~gency (CUPA)" means ~~the Sonoma County agencies that have been certified by the Secretary of Cal-EPA to implement the unified program pursuant to Health and Safety Code Chapter 6.11 and California Code of Regulations Title 27, Division 1. Other~~ ~~e~~County boards, departments and agencies may be designated by the ~~board of supervisors~~Board of Supervisors to assist a unified program

in the gathering of information, execution of investigations, enforcement, or other duties. ~~the Sonoma County department of health services or the Sonoma County department of emergency services or the agricultural commissioner or such other agencies as may be designated by the board of supervisors. Designees may be other county departments or agencies and such agencies or entities approved by the board of supervisors. All designees shall be responsible to the director of the department of emergency services.~~

"Environment" means navigable waters, waters of zones contiguous to any navigable waters, oceans, seas, streams, creeks, rivers, ponds, pools, lakes, surface waters, groundwaters, drinking water supplies, land surface or subsurface strata, and ambient air.

"Facility" means:

- (1) Any one or, combination of, underground tanks used by a single business entity at a single location or site.
- (2) Contiguous land or structures, or other appurtenances, or improvements on land used for the above ground storage of hazardous materials.
- (3) Any combination of subsections (1) and (2).

"Health officer" means the Sonoma County public health officer or designee.

"Hearing officer" shall be a member of the California Bar admitted to practice no less than five (5) years as is required ~~and shall have those powers set forth by in~~ Government Code ~~Section 27724. Hearing officers shall have those powers set forth in Sections 27721 and 27722 of the Government Code~~ Title 3, Division 2, Part 3, Chapter 14 including the power to conduct the hearing, the power to decide a matter upon which a hearing has been held, the power to make findings of fact and conclusions of law required for the decision, the power to issue subpoenas at the request of a party in interest, the power to receive evidence, the power to administer oaths, the power to rule on questions of law and the admissibility of evidence, the power to continue the hearing from time to time, and the power to prepare a record of the proceedings.

"Highly toxic material" means material ~~which produces a lethal dose or lethal concentration in accordance with the with a health hazard rating of 3 or 4 when rated in accordance with Uniform Fire Code~~ California Fire Code Standard No. 79-3.

"Imminent risk of harm" means a reasonable likelihood that public health, welfare, domestic livestock, wildlife, or the environment may be placed at risk in the near future. This term shall be construed consistent with CERCLA (42 USC Section 9601, et seq., as amended) and RCRA (42 USC Section 6901 et seq., as amended.)

"Lead agency" for hazardous materials management means the Sonoma County ~~department of emergency services~~ Fire and Emergency Services Department.

"Operator" means those persons described as "operators" by the Comprehensive Environmental Response Compensation and Liability Act of 1980, as amended (42 USC

Section 9601 et seq.) and by the Resource Conservation and Recovery Act, Subtitle I, as amended (42 USC Section 6991(2)(B)(4)).

"Owner" means those persons described as "owners" by the Comprehensive Environmental Response and Liability Act, as amended (42 USC Section 9601 et seq.) and by the Resource Conservation and Recovery Act, Subtitle I, as amended (42 USC Section 6991(2)(B)(3)).

"Person" means an individual, business, trust, firm, joint stock company, corporation, including a government corporation, partnership, and association. "Person" also includes any city, county, district, the state, any department or agency thereof, or the United States, to the extent authorized by federal laws.

"Public agency" means any city, county, district, the state, any department or agency thereof, or the United States to the extent authorized by federal law.

"Recovery action" means those actions taken in connection with monitoring, assessing or evaluating a release or threatened release of a hazardous material or ~~are~~ taken in connection with attempting an amelioration or permanent removal of a release or threatened release of a hazardous material, or any action taken by any governmental agency to compel the lawful disposal of hazardous materials, the remediation of a contaminated site, the removal of a threatened release, or to recover costs of disposal or remediation where a governmental agency has arranged for or accomplished the remediation of a threatened or actual release.

"Regulatory action" means any action taken by any governmental agency to enforce laws or regulations or this chapter relating to the storage, handling, or management, of hazardous materials.

"Substantial repair or modification" means any repair or modification that occurs within a six (6) month period that is equal to or greater than twenty percent (20%) of the replacement cost or results in deviation from approved plans and specifications unless otherwise provided by law.

"Threatened release" means a condition creating an unreasonable risk of release.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-5. Certified ~~u~~Unified ~~p~~Program ~~a~~Agency (CUPA).

This chapter shall be administered by the CUPA in cooperation with other agencies enforcing hazardous materials regulations and statutes. Regulatory duplication shall be avoided where adequate control of hazardous materials exists.

(Ord. No. 5015 § 1, 1997.)

Article II. General Applicability.

Sec. 29-6. Applicability.

- (a) No person shall cause, suffer, or permit the storage of hazardous materials:
 - (1) In a manner which violates a provision of this chapter or any other local, federal, or state statute, code, rule, or regulation relating to hazardous materials; or
 - (2) In a manner which causes any actual or threatened disposal or release of hazardous materials into the environment or poses a significant risk of such actual or threatened disposal or release.
- (b) Violations of this chapter shall be deemed to be a public or private nuisance and may be remedied through abatement proceedings or other regulatory action in accordance with the provisions of this chapter, or state or federal law, if applicable.

(Ord. No. 5015 § 1, 1997.)

DRAFT

Article III is amended to read:

Article III. Permits.

Sec. 29-7. Consolidated permit application.

- (a) A consolidated permit shall be required to store or handle hazardous materials for those programs as defined in [Title 27](#), Division 1, Subdivision 4, Chapter 1 of the California Code of Regulations. This article does not apply to private households storing or handling reasonable household quantities of hazardous materials in consumer-sized containers for domestic use. ~~A consolidated permit shall be required to store any quantity of a carcinogen, used for business purposes.~~
- (b) Application for consolidated permits required by this chapter shall be made by the owner, operator, or handler on a standardized form provided by the CUPA and shall be accompanied by the appropriate fee.
- (c) Consolidated permits issued pursuant to this chapter shall be valid for three (3) years. Facilities must submit updated information and fees annually to the CUPA. The CUPA may not issue or renew a consolidated permit unless the premises are inspected in accordance with Section 29-134 and determined to comply with this chapter.
- (d) Additional information may be required by the CUPA for processing a consolidated permit application.
- (e) Every consolidated permit application shall contain a signed statement, and date of signature, under penalty of perjury, by the applicant that the information contained therein is true and correct. If any permit is issued upon the basis of an application which contains false information, the permit shall be void and of no effect, regardless of whether the falsification is willful or negligent.

(Ord. No. 5015 § 1, 1997.)

~~Sec. 29-8. Consolidated permits—Exceptions.~~

- ~~(a) A CUPA may grant an exemption from permitting and inspection requirements of the hazardous waste generator program for those facilities which generate less than five (5) gallons each of a recyclable hazardous waste per month and which recycle such waste. Facilities granted an exemption are responsible for adherence to all local, state and federal hazardous waste regulations. The CUPA has the right, at any time, to inspect facilities to insure compliance with these regulations. This exemption will be removed, if upon inspection, the CUPA determines that the facility is not in compliance with the regulations. All fees will be due at that time.~~

~~(b) Persons who accumulate less than fifty five (55) gallons of hazardous waste at any one time, up to a maximum of three hundred twenty five (325) gallons per year, may participate in the self-audit program. The self-audit program includes yearly submittal of self-audit checklist and reduced fees in the following years after issuance and compliance with the initial consolidated permit to the owner/operator. If such a person is found to be out of compliance due to Class I or repeated Class II violations as discovered through the audit inspection process, they will lose their eligibility for fee reductions, and their fees will convert back to the full small quantity generator permit fee.~~

(Ord. No. 5015 § 1, 1997.)

Sec. 29-89. Permit fees.

- (a) An application fee shall be paid to the CUPA by each person who submits an application for any permit required by this chapter and for the renewal or amendment of any such permit. An annual fee shall be paid to the CUPA by each person issued a permit pursuant to this chapter during the term of such permit. The ~~board of supervisors~~Board of Supervisors shall establish the amounts at a level sufficient to pay the necessary and reasonable costs of services incurred in administering this chapter including, but not limited to, permitting and inspection responsibilities. The ~~b~~Board may provide for the waiver of fees when a public agency applies for a permit or for a renewal of a permit to operate.
- (b) The application and annual fee shall include a state surcharge as determined by the legislature to cover the costs of state agencies.
- (c) There shall be added to and collected with any permit fee a penalty equal to ten percent (10%) of the local fee for all fees that are delinquent for thirty (30) days. For each additional month or fraction thereof in which the delinquency continues, an additional ten percent (10%) penalty shall be collected. In no event shall the total penalty exceed one hundred percent (100%) of the permit fee. This penalty may be assessed in addition to any violation re-inspection fee.
- (d) No refund or rebate of any permit fee or other fee required by this chapter shall be allowed by reason of the fact that the permit is denied or the permittee discontinues the activity or use of a facility prior to the expiration of the term of that permit or that the permit is suspended or revoked prior to the expiration of the term.
- (e) Any person who shall commence any work for which a permit is required by this chapter without first having obtained a permit ~~therefor~~, or has failed to apply for an operating permit or failed to register their underground storage tank(s) with the lead agency prior to March 1, 1986, shall, if subsequently permitted to obtain a permit, pay double the permit fee for such work, provided, however, that this provision shall not apply to emergency work in accordance with Section 29-112 when it shall be

proved to the satisfaction of the lead agency that such work was urgently necessary and that it was not practical to obtain a permit before commencement of the work.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-910. Permit transfer.

- (a) Except as provided in subsection (b) of this section, no person shall own or operate a hazardous materials storage facility unless a permit application for its operation has been submitted to the CUPA. Any person who is to assume the ownership of a hazardous materials storage facility from the previous owner shall complete an approved form accepting the obligations of the permit and submit the completed form to the CUPA within thirty (30) days after the ownership is transferred. The CUPA may review and modify or terminate the transfer of the permit to operate the premises, pursuant to the criteria specified in this chapter.
- (b) Any person assuming ownership of hazardous materials storage facility for which a valid operating permit has been issued shall have thirty (30) days after the date of assumption of ownership to apply for an operating permit pursuant to this chapter or, if accepting a transferred permit, shall submit to the CUPA the completed form accepting the obligations of the transferred permit as specified in subsection (a) of this section. During the period from the date of application until the permit is issued or refused, the person shall not be held in violation of this section.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-101. Underground storage tank permits.

- (a) A permit must be obtained from the CUPA for installation, modification, repair or closure of an underground storage tank in accordance with state law and regulations. The permit application must be submitted along with two (2) sets of plan drawings, specifications, and the appropriate plan check fee. Upon approval of plans and specifications, the CUPA shall issue a permit to install, construct, modify, or close a tank. The permit shall be valid for up to one (1) calendar year from date of issue. A permit shall not be renewed or reissued for more than one (1) year. Application for extension of a permit shall be made at least thirty (30) days prior to expiration of such a permit.
- (b) The testing of underground storage tanks shall require a precision testing permit. The application shall be made on forms provided by the CUPA.
- (c) The CUPA may perform such inspections which are necessary at the discretion of the CUPA, to ensure compliance with this chapter or other applicable laws and regulations or to protect the public health or safety or the environment.

- (d) Any permit issued for activities relating to underground storage tanks must include evidence of worker's compensation insurance or other compliance with Section 3800 of the California Labor Code.
- (e) For the purposes of this section, hazardous materials storage facilities include tanks with capacities of one thousand one hundred (1,100) gallons or less which are located on farms and which store motor vehicle fuel used primarily for agricultural purposes and are not for resale, as well as tanks located on farms or at personal residences which have capacities of one thousand one hundred (1,100) gallons or less, and which store home heating oil for consumptive use on the premises where stored, where a change of use occurs in any of the following: the tanks, the contents of the tanks, or the land.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-112. Emergency repair permit.

The permittee may make emergency repairs to a facility in advance of seeking an additional permit approval whenever an immediate repair is required to prevent or contain any actual or threatened disposal or release or to protect the integrity of the containment. However, within five (5) working days after such emergency repairs have been started, the permittee shall seek approval pursuant to Section 29-104 by submitting drawings or other information adequate to describe the repairs to the CUPA. The repair of items that would normally be considered a part of ongoing maintenance do not need a permit, e.g. replacing a valve, coating a floor, sealing cracks, etc., even if done in response to an emergency situation.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-123. Permit suspension.

Whenever the CUPA finds that the suspension of a permit prior to a hearing for regulatory action is necessary to protect the public health or safety from an immediate threat to public health or safety, the CUPA may immediately suspend any permit. The CUPA shall immediately notify the permittee or designated twenty-four (24) hour contact person of such suspension by any of the following methods: (1) written notice of suspension mail certified, return receipt requested to the owner or operator of the facility and to the persons shown on the latest equalized ~~county~~County tax roll to be the owners of the real property on which the facility is located; (2) personal delivery of written notice of suspension served upon an owner or operator of the facility; (3) posting notice of suspension on the property and thereafter mailing a copy of the notice by first class mail, postage pre-paid to the persons shown on the latest equalized ~~county~~County tax roll to be the owners of the real property. Service in this manner is deemed complete at the time of mailing.

(Ord. No. 5015 § 1, 1997.)

DRAFT

Article IV is amended to read:

Article IV. Inspections and Enforcement.

Sec. 29-134. Inspections.

- (a) The CUPA shall inspect every hazardous materials storage facility every three (3) years unless covered by ~~Section 29-8~~ Section 29-8(b). After an inspection, the CUPA shall prepare a compliance report detailing the inspection and shall send a copy of the report to the permit holder.
- (b) Any facility using hazardous materials only for heating or cooking purposes shall be inspected once upon inclusion in the program and, thereafter, must submit an annual self-inspection form supplied by the CUPA.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-145. Dispute resolution.

Mediation of disputes or peer review may be held pursuant to procedures adopted by the CUPA in concert with the business advisory group. The mediation process is available only for Class I hazardous waste violations. The peer review process is available for any CUPA violation except for Class I hazardous waste violations.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-156. Notice to comply.

Unless the CUPA finds that a summary permit suspension is necessary to protect the public health or safety from immediate threat, the CUPA shall issue a notice to comply for failure to comply with provisions of this chapter or any conditions of the permit including payment of any fee required by this chapter or state law, or before instituting regulatory action pursuant to this chapter.

- (a) The contents of the notice to comply shall:
 - (1) Identify the property on which the condition exists;
 - (2) Describe the condition to be remedied;
 - (3) State the legal basis for issuance of the notice; and
 - (4) State the time within which the condition shall be remedied.
- (b) The notice shall also inform the recipient that failure to remedy the condition as directed may result in the ~~county~~County taking further regulatory action or recovery action. Such regulatory action may include, but is not limited to:

suspension, modification, or revocation of a permit, or institution of abatement or other proceedings by the ~~county~~County to correct the condition.

- (c) The notice shall contain the definition of "responsible party" and "costs" set out in Section 29-256 of the chapter and shall inform the recipient that the ~~county~~County may recover the cost of any recovery action through a lien on the property.
- (d) The notice shall inform the person to whom it is directed that he or she may have a right to a hearing before a hearing officer regarding the issuance, denial or modification of a permit and shall inform the recipient how to file an appeal as set out in Section 29-204
- (e) Notice shall be sent by first-class mail or hand delivered to the permittee or violator.

(Ord. No. 5015 § 1, 1997.)

DRAFT

Article V is amended to read:

Article V. Recovery Action or Regulatory Action.

Sec. 29-167. Reporting releases or threatened releases.

- (a) The operator, owner, or handler shall institute and complete all actions necessary to remedy the effects of an actual or threatened release. The operator, owner, or handler shall reimburse the ~~county~~County or city all costs incurred by the ~~county~~County or city in responding to such an actual or threatened release within thirty (30) days of submission of an invoice. This responsibility is not conditioned upon evidence of willfulness or negligence of the operator, owner, or handler in causing or allowing such release.
- (b) The reporting requirements of this section shall be in accordance with applicable state laws and regulations.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-178. Emergency response.

- (a) An emergency is a condition creating a reasonable cause for concern that someone or something may be exposed to a risk of harm by a release or a threatened release of a hazardous material if prompt recovery action is not taken.
- (b) In the event of an emergency, the CUPA may take any investigative, regulatory action or recovery action necessary to identify, remedy, or prevent an imminent risk of harm. The responsible person ~~or persons(s)~~ shall be jointly and severally liable to the ~~county~~County for all costs incurred by it in taking any investigative, regulatory action or recovery action except as expressly provided in this chapter.
- (c) Where the CUPA has taken investigative, regulatory action or recovery action to identify, remedy, or prevent an imminent risk of harm to the public health, safety or welfare, domestic livestock, wildlife, or the environment, arising out of any actual or threatened release of any hazardous material of any amount or concentration, a presumption shall arise that an actual or threatened release occurred and that the regulatory action or recovery action was reasonably necessary to prevent an actual or threatened release.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-189. Administrative review.

The CUPA shall review the permit whenever there has been an actual or threatened release or when it is determined that any underground storage tank is unsafe. In determining whether to modify or terminate the permit, the CUPA shall consider the age

of the storage system, the methods of containment, the methods of monitoring, the feasibility of any required repairs, the concentration of the hazardous materials stored, the severity of potential unauthorized releases, and the suitability of any other long-term preventative measures which would meet the requirements of this chapter.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-1920. Regulatory action.

- (a) Regulatory action includes, but is not limited to, suspension or revocation of a permit, an order to cease noncompliance with the terms or conditions of a permit, an order to correct a condition, or cease a practice, or modify a business plan.
- (b) A permit may be subjected to regulatory action for any of the following causes, arising from acts or omissions of the permittee, either before or after a permit is issued:
 - (1) Fraud, ~~wilful~~willful misrepresentation, or any ~~wilful~~willful, inaccurate, or false statement in applying for a new or renewed permit;
 - (2) Fraud, ~~wilful~~willful misrepresentation, or ~~wilful~~willful, inaccurate or false statement in any report required by this chapter;
 - (3) Failure to abate, correct or rectify any noncompliance within the time specified in the notice of compliance;
 - (4) Failure to correct conditions constituting an unreasonable risk of any actual or threatened disposal or release of hazardous materials within a reasonable time after notice from any governmental entity;
 - (5) Failure to abide by the regulatory action imposed by the CUPA;
 - (6) Failure to pay fees established by this chapter.

(Ord. No. 5015 § 1, 1997.)

Article VI. Appeals.

Sec. 29-201. Filing an appeal.

An appeal shall be filed in writing with the CUPA within thirty (30) days of receipt of the notice to comply. The appeal must be filed with the CUPA. Such appeals shall indicate the name and address of the person or entity filing the appeal and the name and address of the facility involved, if applicable. The appeal shall also contain, setting forth with particularity the ground or grounds for the appeal, the person's contentions on appeal and a legal basis for the person's contentions. The appellant shall assert any claim for trade secrets to be raised at the hearing, together with a legal justification for the claim. Failure to assert such a claim in a timely fashion may be deemed by the hearing officer to constitute a waiver of the claim. If the hearing officer determines that a trade secret exists, it may take any step necessary to prevent unnecessary disclosure including excluding the public from that portion of the hearing.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-212. Notice of hearing.

- (a) (1) Subsequent to receipt of an appeal, a notice of hearing shall be served on the appellant by the CUPA, in writing, setting forth the time and place of the hearing, the ground or grounds upon which the recovery action is based, the pertinent code section or sections, and a brief statement of the factual matters in support thereof. The notice shall be given at least ten (10) days prior to the hearing date which shall be not less than thirty (30) nor more than ninety (90) days from the date upon which the request for hearing was filed. The hearing officer may reschedule the hearing for good cause shown by either party.
- (2) A notice of hearing shall also include the names of hearing officers empowered to hear appeals together with the following notice:

"One of the individuals set forth above will be acting in the capacity of a Hearing Officer in connection with the alleged hazardous materials incident for which you have been deemed a responsible party. If you object to having any one of these individuals sit as a Hearing Officer, you must advise the CUPA in writing of your objections, together with specific reasons why such officer could not impartially conduct the administrative abatement hearing, no later than ten (10) days from the date of this letter. Failure to file a timely objection with the CUPA or failure to set forth good cause as to why any such individual should not serve as a Hearing Officer in connection with your property shall be deemed a waiver of any rights to object to or recuse such Hearing Officer at the time of the hazardous materials liability appeal hearing.

- (b) Hearings shall be conducted informally according to rules or procedures established by the hearing officer.
 - (c) Proceedings before the hearing officer shall be electronically recorded. Either party may request that the proceedings also be recorded by a court stenographer, at the cost of the requesting party. Transcriptions shall be at the cost of the requesting party.
 - (d) A hearing officer will conduct the hearing and prepare findings.
 - (e) If no action is taken by the hearing officer within thirty (30) days of the hearing on the appeal, the appeal shall be deemed denied.
 - (f) Costs associated with the hearing officer will be reimbursed by the party deemed responsible in the findings of the appeal, if any.
- (Ord. No. 5015 § 1, 1997.)

Sec. 29-223. Hearing procedures.

- (a) The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be considered if it is the sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objections in civil actions before a court of competent jurisdiction. Unduly repetitious or irrelevant evidence shall be excluded at the discretion of the hearing officer.
- (b) The ~~county~~County and its officials shall have the burden of producing evidence supporting the liability of the party seeking to be excused from hazardous materials clean up costs. Upon such a showing, the appellant will have the burden of producing evidence in support of his/her theory that he/she does not bear liability for hazardous materials cleanup costs.
- (c) Findings shall be made upon a preponderance of the evidence in the administrative record.
- (d) After all of the testimony is taken, the hearing officer shall close the public hearing unless he or she deems it necessary to continue the hearing for the receipt of additional evidence or an ordinance interpretation from the ~~board of supervisors~~Board of Supervisors. During the course of the hearing, the hearing officer may question any witness and may, at the request of a party in interest, allow cross examination if he or she deems it in the interests of justice to do so.
- (e) Whenever the hearing officer deems it necessary to take a field trip to view the site in question, public notice of the time and location shall be given. Unless the site visit is tape recorded, the hearing officer shall not talk to any members of the public during the conduct of such site visit. In the event of a site visit, the hearing officer shall continue the hearing to a time certain on a date after that upon which the site visit

will occur. At the time of the continued hearing, the hearing officer shall place into the record his or her visual observations made and the conclusions drawn as a result of such visit.

- (f) Hearing officers may, upon good cause shown, issue subpoenas. If a party in interest requests the issuance of a subpoena for the attendance of a witness or the production of documents, such party shall bear the responsibility and cost of serving such subpoenas together with the reasons for requesting same shall be sent to the CUPA which will, in turn, forward them to the hearing officer.
- (g) Hearings shall be conducted in a manner suitable to ensure fundamental fairness to all parties concerned, limited by the need to secure relevant information necessary to render a decision without unnecessary delay. Appeals from the hazardous materials hearing officer's decision shall be processed as provided in this chapter under Section 29-245

(Ord. No. 5015 § 1, 1997.)

Sec. 29-234. Disposition of appeal.

- (a) After hearing the appeal, the hearing officer may: (1) refer the matter back to the CUPA for a new investigation and decision; (2) may affirm or modify the decision of the CUPA; or (3) may direct the CUPA to issue a permit which may or may not contain conditions which must be met in order to obtain or maintain the permit. If the matter is referred back to the CUPA, the CUPA must respond within the time specified by the hearing officer in its referral.
- (b) If the hearing officer, after the hearing, finds that cause exists for regulatory action, the hearing officer may impose one (1) or more of the following:
 - (1) A warning;
 - (2) An order to correct the particular noncompliance specified in the notice issued pursuant to Section 29-156
 - (3) A revocation of the permit for the facility;
 - (4) Suspension of the permit for the facility for a specified period not to exceed six (6) months;
 - (5) Modification or addition of conditions to the permit;
 - (6) Revocation of the permit with no reapplication permitted for a specified period not to exceed three (3) years. If the grounds for regulatory action are based on Section 29-1920(b)(3), (4), or (5), and if such grounds are limited to one (1) portion of the storage facility, the regulatory action shall be limited to that portion.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-245. Decision of hearing officer.

- (a) The hearing officer shall render a written decision stating the findings upon which the decision is based and the action taken, if any. The decision of the hearing officer is final.
- (b) Judicial review of the decision of the hearing officer shall be according to the provisions of Code of Civil Procedure Section 1094.6. The decision of the hearing officer shall contain a statement notifying the permittee that any petition for review must be filed within the time specified in that section.

(Ord. No. 5015 § 1, 1997.)

DRAFT

Article VII is amended to read:**Article VII. Legal.****Sec. 29-256. Liabilities and defenses.**

- (a) This section shall be construed consistent with CERCLA, ~~42~~ 42 USC Section 9601, et seq., as amended and California Health and Safety Code, Division 20, Chapter 6.7 and Chapter 6.75 as amended.
- (b) The following described persons are considered "responsible persons" for the purposes of this chapter and shall be jointly and severally liable to the ~~county~~ County for all costs incurred by it in taking any investigative, recovery or regulatory action or emergency response or action, in connection with an actual or threatened release of any hazardous material:
- (1) Any person whose negligent or ~~wilful~~ willful act or omission proximately caused any actual or threatened disposal or release of a hazardous material;
 - (2) Any person who owned or had dominion or control of any hazardous material at the time of such actual or threatened disposal or release without regard to fault or proximate cause;
 - (3) Any person who owned or had dominion or control of any container which held any hazardous material at the time of, or immediately prior to any actual or threatened disposal or release without regard to fault or proximate cause;
 - (4) Any "owner" as defined by this chapter, including, but not limited to, any owner of land on which a release of hazardous materials actually occurs or threatens to occur, any owner of a facility at which an actual or threatened release occurs, any owner of hazardous materials which are involved in an actual or threatened release;
 - (5) Any "operator" as defined by this chapter, including, but not limited to, any person who operates a hazardous materials facility involved in an actual or threatened release of hazardous material, or any person with control over the operation or management of a hazardous materials facility involved in an actual or threatened release;
 - (6) Any person who by contract arranged for the disposal of hazardous material at a site involved in an actual or threatened release of a hazardous material which was the subject of the contract;
 - (7) Any person who accepts or accepted any hazardous material for transport to a disposal or treatment site selected by that person;
 - (8) Any hazardous waste generator;

- (9) Any person who is a tenant, lessee, or sublessee of land on which an actual or threatened release of hazardous materials occurs where the person possesses dominion or control over the land.
- (c) Responsibility is strict and is not conditioned upon evidence of ~~wilful~~willfulness, negligence, fault, or proximate cause in causing or allowing such actual or threatened release of hazardous substances except as expressly provided in this chapter.
- (d) "Costs" under this article include, but are not limited to, the reasonable costs of equipment, personnel, laboratory fees, administrative costs, court costs, witness fees, and attorneys' fees.
- (e) The following constitute defenses to liability based on this section:
- (1) Defenses available to a "responsible party" pursuant to CERCLA, [42](#) USC Section 9601, et seq., as amended;
 - (2) Defendant proves, by a preponderance of the evidence, the actual or threatened release was proximately caused by an act of God as defined under state or federal laws or regulations and that the defendant took reasonable precautions to avoid an actual or threatened release;
 - (3) Defendant proves, by a preponderance of the evidence, the actual or threatened release was exclusively caused by an act of war;
 - (4) Defendant is named as a responsible party solely by virtue of his or her ownership of land where an actual or threatened release occurred and defendant proves all of the following, by a preponderance of the evidence:
 - (i) Defendant had no reason to know or suspect that an actual or threatened release of hazardous materials occurred or was reasonably likely to occur on the land,
 - (ii) If the actual or threatened release occurred prior to defendant's purchase, defendant must prove, by a preponderance of the evidence, that defendant undertook adequate inquiry into the uses of the land consistent with good commercial practice, good customary practice, and which was reasonable under the circumstances, in order to ascertain whether or not hazardous materials were present on the land. In determining whether or not defendant undertook adequate inquiry, the following shall be taken into account:
 - (A) The special knowledge or experience of defendant,
 - (B) The relationship of any purchase price to the value of comparable uncontaminated real estate,
 - (C) Commonly known or reasonable ascertainable information about the land,
 - (D) Obviousness of presence or likely presence of hazardous materials,

- (E) Defendant's ability to detect the presence or likely presence of hazardous material by reasonable inquiry or inspection;
- (5) Where the hazardous material was placed on defendant's land subsequent to defendant's purchase of the land, and the defendant proves the following:
- (i) Neither the landowner nor the lessees of the landowner had knowledge of the placement, ~~nor~~ neither did the landowner nor the lessee of the landowner consent to the placement,
 - (ii) The landowner did not acquiesce ~~in~~ to the presence of hazardous materials on the land subsequent to placement. In determining whether or not defendant acquiesced ~~to~~ the presence of a hazardous material, the following shall be taken into account:
 - (A) The landowner made reasonable inspections of the land,
 - (B) The landowner had no reason to suspect a hazardous material was present,
 - (C) The landowner did not know nor have reason to know a hazardous material was present,
 - (D) The landowner took reasonable steps to cause the removal of the hazardous materials upon discovery.
- (f) If one (1) or more responsible persons asserts that responsibility for an actual or threatened release is capable of apportionment among them, the burden of proof as to the apportionment is upon each such responsible person. In order to show responsibility for an actual or threatened release is capable of apportionment, a responsible person must show that each responsible person to a divisible harm and that it is reasonable, under the circumstances, to apportion responsibility. Nothing in this section shall affect the imposition of joint and several liability.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-267. Penalties.

Except where the act constituting a violation of this chapter constitutes a violation of any state or federal law which is designed to achieve the same purposes as this chapter, or where a penalty under this chapter is otherwise prohibited by law, violations of this chapter shall be punishable as follows:

- (a) Any owner, operator or handler or handler of a hazardous materials facility subject to this chapter shall be liable for a civil penalty of not less than five hundred dollars (\$500.00) or more than five thousand dollars (\$5,000.00) per day for any of the following:
 - (1) Operation without an appropriate permit.

- (2) Failure to monitor the hazardous materials facility as required by the permit.
 - (3) Failure to report an actual or threatened release as required by Section 29-167
 - (4) Failure to properly close an underground storage tank as required by Section 29-104
- (b) Any owner of a hazardous materials facility shall be liable for a civil penalty of not less than five hundred dollars (\$500.00) or more than five thousand dollars (\$5,000.00) per day for any of the following:
- (1) Failure to obtain a permit as specified by this chapter.
 - (2) Failure to repair a hazardous materials facility in accordance with the provisions of this chapter.
 - (3) Abandonment or improper closure of any hazardous materials facility subject to the provisions of this chapter.
 - (4) Knowing failure to take reasonable and necessary steps to assure compliance with this chapter by the owner, operator or handler or handler of a hazardous materials facility.
- (c) Any person who falsifies any monitoring records required by this chapter, or knowingly fails to report an actual or threatened release shall, upon conviction, be punished by a fine of not less than five thousand dollars (\$5,000.00) or more than ten thousand dollars (\$10,000.00) or by imprisonment in the ~~county~~County jail for a period not to exceed one (1) year or by both that fine and imprisonment.
- (d) Any person or business who violates Section 29-167 of this chapter or Section 25507 of the Health and Safety Code shall, upon conviction, be punished by a fine of not more than twenty-five thousand dollars (\$25,000.00) for each day of violation, or by imprisonment in the ~~county~~County jail for not more than one (1) year or by both the fine and imprisonment. If the conviction is for a violation committed after a first conviction under this section, the person or business shall be punished by a fine of not less than two thousand dollars (\$2,000.00) or more than fifty thousand dollars (\$50,000.00) per day of violation, or by imprisonment in the state prison for sixteen (16), twenty (20), or twenty-four (24) months or in the ~~county~~County jail for not more than one (1) year or by both the fine and imprisonment. Furthermore, if the violation results in, or significantly contributes to an emergency, including a fire to which a public agency is required to respond, the person or business shall also be assessed the full cost of the emergency response as well as the cost of cleaning up and disposing of the hazardous materials and any costs associated with collecting moneys owed under this section.
- (e) In determining both the civil and criminal penalties imposed pursuant to this section, the court shall consider all relevant circumstances including, but not

limited to, the extent of harm or potential harm caused by the violation, the nature of the violation and the period of time over which it occurred, and the frequency of past violations and the regulatory action, if any, taken by the person who holds the permit.

- (f) Except where prohibited by law, penalties under this section are in addition to, and do not supersede or limit, any and all other legal remedies and penalties.
- (g) Persons providing information with respect to certain hazardous material law violations may be eligible for a reward under Sections 25517 of the Health and Safety Code.
- (h) Other penalties or remedies may apply under state law. This article is not intended to be all-encompassing.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-278. Local agency assistance.

The CUPA may request the assistance of other governmental agencies to remedy the effects of, and remove any hazardous material which has been released.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-289. Regulations.

The ~~board of supervisors~~Board of Supervisors may adopt, by resolution, regulations implementing and enforcing this chapter.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-2930. Statutory severability.

If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not ~~effect~~affect the validity of the remaining portions of the chapter.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-301. Interpretation.

It is the intent of this chapter to regulate the storage, handling, use and management of hazardous materials or substances unless specifically preempted by state or federal law. This chapter is not intended, and shall not be construed, to apply to any substance or activity which is preempted by federal or state law or to the extent that such application would unduly interfere with the achievement of federal or state regulatory activities. It is the intention of the ~~board of supervisors~~Board of Supervisors that this chapter shall be

interpreted to be compatible with federal and state enactments and in furtherance of the public purposes which those enactments express.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-312. State-mandated provisions.

Those provisions of this chapter which are mandated by state law may be subject to change without notice or action by the ~~county~~County. This chapter will be periodically updated to reflect such changes.

(Ord. No. 5015 § 1, 1997.)

SECTION II. Except as added, revised, amended or deleted herein, the remaining provisions of Chapter 29 as previously adopted shall remain in full force and effect.

SECTION III. The provisions of this Code shall not be construed as imposing upon the County of Sonoma any liability or responsibility for damages to persons or property resulting from defective work, nor shall the County of Sonoma, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this Code of any permits or certifications issued under this Code.

SECTION IV. The Board of Supervisors finds and determines that this ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of the State CEQA Guidelines as it can be seen with certainty that there is no possibility that this ordinance may have a significant effect on the environment. This finding and determination is based on the environmental determination of the Permit and Resource Management Department for this ordinance. The ~~d~~Director of ~~the~~ Permit and Resource Management Department is directed to file a notice of exemption in accordance with CEQA and the State CEQA Guidelines.

SECTION V. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION VI. This ordinance shall be and the same is hereby declared to be in full force and effect on January 1, 2014. The ordinance shall be published once before the expiration of fifteen (15) days after its passage, with the names of the ~~S~~supervisors voting for or against the same, in a newspaper of general circulation published and circulated in

the County of Sonoma.

SECTION VII. This ordinance shall be and the same is hereby declared to be in full force and effect on January 1, 2014. The ordinance shall be published once before the expiration of fifteen (15) days after its passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation published and circulated in the County of Sonoma.

In regular session of the Board of Supervisors of the County of Sonoma introduced on the ~~XXXXXX~~22nd day of October, 2013, and finally passed and adopted this ~~XXXXXXX~~5th day of November, 2013 , on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

~~McGuire~~ Gorin _____ Zane _____ ~~Rabbitt~~ McGuire _____ Carrillo _____
~~Goren~~ Rabbitt _____

Ayes _____ Noes _____ Absent _____ Abstain _____

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Veronica Ferguson, County Clerk and
Clerk of the Board of Supervisors

IT IS SO ORDERED

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING CHAPTER 29, "HAZARDOUS MATERIALS MANAGEMENT ORDINANCE" OF THE SONOMA COUNTY CODE AND TO MAKE TECHNICAL AND ADMINISTRATIVE REVISIONS TO CHAPTER 29.

SECTION I. Chapter 29 of the Sonoma County Code is amended to read:

**CHAPTER 29
HAZARDOUS MATERIALS MANAGEMENT ORDINANCE**

Article I is amended to read:

Article I. Administrative.

Sec. 29-1. Title.

This chapter shall be known as the "Hazardous Materials Management Ordinance" (HMMO) of Sonoma County.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-2. Findings and purpose.

- (a) The Board of Supervisors, County of Sonoma, State of California, finds and declares that chemicals are widely used in commerce and by individuals in our society and that properly controlled and utilized chemicals can be beneficial to our overall well being. However, the Board further finds that unknown quantities and qualities of chemicals exist which may be toxic, corrosive, irritating, sensitizing, or flammable and which may cause serious illness or harm to humans, animals, and the environment. The public has a right to expect regulation of these materials.
- (b) The Board of Supervisors further finds and declares that public protection from hazardous materials release or threatened release to the environment is essential. This requires proper planning on the part of the community as well as those responsible for hazardous materials.
- (c) The Board of Supervisors finds and declares that substantial public and private cooperation and education is essential for the appropriate understanding and control of chemicals.

- (d) The Board of Supervisors further finds and declares that the ability to respond to hazardous materials emergencies is essential to the protection of the public health and welfare and the environment from risks of harm by unplanned, threatened or actual releases of hazardous materials. Financial responsibility for emergency response must be assumed by responsible persons in order to preserve the Certified Unified Program Agency's (CUPA's) ability to respond to hazardous materials emergencies. (Ord. No. 5015 § 1, 1997.)

Sec. 29-3. Scope.

- (a) It is the intent of this chapter to regulate the storage, handling, and management of hazardous materials, whether in waste or non-waste form, unless specifically preempted by state or federal law.
- (b) This chapter provides for the inventory and control of hazardous materials which are stored above ground and underground in both the incorporated and unincorporated areas of Sonoma County to the extent permitted by law except in those incorporated cities which are Certified Unified Program Agencies (CUPAs). The applicable statutes and regulations include the following:
- (1) Hazardous Materials Business Plans. This program includes chemical and hazardous waste inventories and emergency response plans. California Health and Safety Code, Division 20, Chapter 6.9, and Title 19 of the California Code of Regulations.
 - (2) Risk Management and Prevention Planning. This program includes facilities which handle, use, or store acutely hazardous materials. California Health and Safety Code, Division 20, Chapter 6.95, and Title 19 of the California Code of Regulations.
 - (3) Underground Storage Tank (UST) Program. This program includes all underground storage tanks except those exempted under federal and state law. California Health and Safety Code, Division 20, Chapter 6.7 and Chapter 6.75, and Title 23, Division 3, Chapter 16 and 18 of the California Code of Regulations.
 - (4) Hazardous Waste Generator Program/Tiered Permitting Hazardous Waste On-Site Treatment. This program includes facilities which generate any quantity of hazardous waste. California Health and Safety Code, Division 20, Chapter 6.5 and Title 22, Division 4.5, Chapters 10, 11, 12, 16, 20, 23, 29, 31, 32, and 45 of the California Code of Regulations.
 - (5) Aboveground Petroleum Storage Act Spill Prevention, Control and Countermeasure (SPCC) Plans. This program includes facilities which have aboveground storage of petroleum products in excess of one thousand three

hundred twenty (1,320) total gallons. California Health and Safety Code, Division 20, Chapter 6.67.

- (6) California Fire Code, California Health and Safety Code, Division 13, Chapter 4, Part 2.5 commencing with Section 18935, Part 9 and Title 24, California Code of Regulations. This section of the Fire Code includes requirements for the hazardous materials business plan.
- (c) This chapter provides for regulatory action by the County to remedy or prevent an imminent risk of harm to the public health, domestic livestock, wildlife, or the environment arising out of any actual or threatened disposal or release of a material; authorizes the County to remedy any actual or threatened release not corrected by the responsible person, designates the persons responsible for the cost of such actions by the County; and provides for criminal and civil penalties to be assessed for violations of this chapter.
- (d) All definitions of terms stated herein are found in state and federal regulations and statutes except those noted in [Section 29-4](#), Definitions.
- (e) The CUPA shall enforce standards found in the currently adopted California Fire Code as they relate to hazardous materials business plans.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-4. Definitions.

Unless the context indicates otherwise, the following definitions govern the construction of this chapter.

"Abandonment" means removing a hazardous material storage facility from service without compliance with this chapter.

"Board of Supervisors" or "Board" means the Board of Supervisors of Sonoma County.

"Business" means an employer, self-employed individual, trust, firm, joint stock company, corporation, partnership, or association. For purposes of this chapter, "business" includes a business organized for profit and nonprofit business. "Business" also includes any city, county, district, the state, any department or agency thereof, or the United States.

"Business advisory group" means the CUPA advisory group comprised of a minimum of three (3) representatives from the local trade associations.

"Certified Unified Program Agency (CUPA)" means the Sonoma County agencies that have been certified by the Secretary of Cal-EPA to implement the unified program pursuant to Health and Safety Code Chapter 6.11 and California Code of Regulations Title 27, Division 1. Other County boards, departments and agencies may be designated

by the Board of Supervisors to assist a unified program in the gathering of information, execution of investigations, enforcement, or other duties.

"Environment" means navigable waters, waters of zones contiguous to any navigable waters, oceans, seas, streams, creeks, rivers, ponds, pools, lakes, surface waters, groundwaters, drinking water supplies, land surface or subsurface strata, and ambient air.

"Facility" means:

- (1) Any one or, combination of, underground tanks used by a single business entity at a single location or site.
- (2) Contiguous land or structures, or other appurtenances, or improvements on land used for the above ground storage of hazardous materials.
- (3) Any combination of subsections (1) and (2).

"Health officer" means the Sonoma County public health officer or designee.

"Hearing officer" shall be a member of the California Bar admitted to practice no less than five (5) years as is required and shall have those powers set forth in Government Code Title 3, Division 2, Part 3, Chapter 14 including the power to conduct the hearing, the power to decide a matter upon which a hearing has been held, the power to make findings of fact and conclusions of law required for the decision, the power to issue subpoenas at the request of a party in interest, the power to receive evidence, the power to administer oaths, the power to rule on questions of law and the admissibility of evidence, the power to continue the hearing from time to time, and the power to prepare a record of the proceedings.

"Highly toxic material" means material which produces a lethal dose or lethal concentration in accordance with the California Fire Code.

"Imminent risk of harm" means a reasonable likelihood that public health, welfare, domestic livestock, wildlife, or the environment may be placed at risk in the near future. This term shall be construed consistent with CERCLA (42 USC Section 9601, et seq., as amended) and RCRA (42 USC Section 6901 et seq., as amended.)

"Lead agency" for hazardous materials management means the Sonoma County Fire and Emergency Services Department.

"Operator" means those persons described as "operators" by the Comprehensive Environmental Response Compensation and Liability Act of 1980, as amended (42 USC Section 9601 et seq.) and by the Resource Conservation and Recovery Act, Subtitle I, as amended (42 USC Section 6991(2)(B)(4)).

"Owner" means those persons described as "owners" by the Comprehensive Environmental Response and Liability Act, as amended (42 USC Section 9601 et seq.) and by the Resource Conservation and Recovery Act, Subtitle I, as amended (42 USC Section 6991(2)(B)(3)).

"Person" means an individual, business, trust, firm, joint stock company, corporation, including a government corporation, partnership, and association. "Person" also includes any city, county, district, the state, any department or agency thereof, or the United States, to the extent authorized by federal laws.

"Public agency" means any city, county, district, the state, any department or agency thereof, or the United States to the extent authorized by federal law.

"Recovery action" means those actions taken in connection with monitoring, assessing or evaluating a release or threatened release of a hazardous material or taken in connection with attempting an amelioration or permanent removal of a release or threatened release of a hazardous material, or any action taken by any governmental agency to compel the lawful disposal of hazardous materials, the remediation of a contaminated site, the removal of a threatened release, or to recover costs of disposal or remediation where a governmental agency has arranged for or accomplished the remediation of a threatened or actual release.

"Regulatory action" means any action taken by any governmental agency to enforce laws or regulations or this chapter relating to the storage, handling, or management, of hazardous materials.

"Substantial repair or modification" means any repair or modification that occurs within a six (6) month period that is equal to or greater than twenty percent (20%) of the replacement cost or results in deviation from approved plans and specifications unless otherwise provided by law.

"Threatened release" means a condition creating an unreasonable risk of release.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-5. Certified Unified Program Agency (CUPA).

This chapter shall be administered by the CUPA in cooperation with other agencies enforcing hazardous materials regulations and statutes. Regulatory duplication shall be avoided where adequate control of hazardous materials exists.

(Ord. No. 5015 § 1, 1997.)

Article II. General Applicability.

Sec. 29-6. Applicability.

- (a) No person shall cause, suffer, or permit the storage of hazardous materials:
 - (1) In a manner which violates a provision of this chapter or any other local, federal, or state statute, code, rule, or regulation relating to hazardous materials; or
 - (2) In a manner which causes any actual or threatened disposal or release of hazardous materials into the environment or poses a significant risk of such actual or threatened disposal or release.
- (b) Violations of this chapter shall be deemed to be a public or private nuisance and may be remedied through abatement proceedings or other regulatory action in accordance with the provisions of this chapter, or state or federal law, if applicable.

(Ord. No. 5015 § 1, 1997.)

Article III is amended to read:

Article III. Permits.

Sec. 29-7. Consolidated permit application.

- (a) A consolidated permit shall be required to store or handle hazardous materials for those programs as defined in [Title 27](#), Division 1, Subdivision 4, Chapter 1 of the California Code of Regulations. This article does not apply to private households storing or handling reasonable household quantities of hazardous materials in consumer-sized containers for domestic use.
- (b) Application for consolidated permits required by this chapter shall be made by the owner, operator, or handler on a standardized form provided by the CUPA and shall be accompanied by the appropriate fee.
- (c) Consolidated permits issued pursuant to this chapter shall be valid for three (3) years. Facilities must submit updated information and fees annually to the CUPA. The CUPA may not issue or renew a consolidated permit unless the premises are inspected in accordance with Section 29-13 and determined to comply with this chapter.
- (d) Additional information may be required by the CUPA for processing a consolidated permit application.
- (e) Every consolidated permit application shall contain a signed statement, and date of signature, under penalty of perjury, by the applicant that the information contained therein is true and correct. If any permit is issued upon the basis of an application which contains false information, the permit shall be void and of no effect, regardless of whether the falsification is willful or negligent.

(Ord. No. 5015 § 1, 1997.)

(Ord. No. 5015 § 1, 1997.)

Sec. 29-8. Permit fees.

- (a) An application fee shall be paid to the CUPA by each person who submits an application for any permit required by this chapter and for the renewal or amendment of any such permit. An annual fee shall be paid to the CUPA by each person issued a permit pursuant to this chapter during the term of such permit. The Board of Supervisors shall establish the amounts at a level sufficient to pay the necessary and reasonable costs of services incurred in administering this chapter including, but not limited to, permitting and inspection responsibilities. The Board may provide for the waiver of fees when a public agency applies for a permit or for a renewal of a permit to operate.

- (b) The application and annual fee shall include a state surcharge as determined by the legislature to cover the costs of state agencies.
- (c) There shall be added to and collected with any permit fee a penalty equal to ten percent (10%) of the local fee for all fees that are delinquent for thirty (30) days. For each additional month or fraction thereof in which the delinquency continues, an additional ten percent (10%) penalty shall be collected. In no event shall the total penalty exceed one hundred percent (100%) of the permit fee. This penalty may be assessed in addition to any violation re-inspection fee.
- (d) No refund or rebate of any permit fee or other fee required by this chapter shall be allowed by reason of the fact that the permit is denied or the permittee discontinues the activity or use of a facility prior to the expiration of the term of that permit or that the permit is suspended or revoked prior to the expiration of the term.
- (e) Any person who shall commence any work for which a permit is required by this chapter without first having obtained a permit, or has failed to apply for an operating permit or failed to register their underground storage tank(s) with the lead agency prior to March 1, 1986, shall, if subsequently permitted to obtain a permit, pay double the permit fee for such work, provided, however, that this provision shall not apply to emergency work in accordance with Section 29-11 when it shall be proved to the satisfaction of the lead agency that such work was urgently necessary and that it was not practical to obtain a permit before commencement of the work.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-9. Permit transfer.

- (a) Except as provided in subsection (b) of this section, no person shall own or operate a hazardous materials storage facility unless a permit application for its operation has been submitted to the CUPA. Any person who is to assume the ownership of a hazardous materials storage facility from the previous owner shall complete an approved form accepting the obligations of the permit and submit the completed form to the CUPA within thirty (30) days after the ownership is transferred. The CUPA may review and modify or terminate the transfer of the permit to operate the premises, pursuant to the criteria specified in this chapter.
- (b) Any person assuming ownership of hazardous materials storage facility for which a valid operating permit has been issued shall have thirty (30) days after the date of assumption of ownership to apply for an operating permit pursuant to this chapter or, if accepting a transferred permit, shall submit to the CUPA the completed form accepting the obligations of the transferred permit as specified in subsection (a) of this section. During the period from the date of application until the permit is issued or refused, the person shall not be held in violation of this section.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-10. Underground storage tank permits.

- (a) A permit must be obtained from the CUPA for installation, modification, repair or closure of an underground storage tank in accordance with state law and regulations. The permit application must be submitted along with two (2) sets of plan drawings, specifications, and the appropriate plan check fee. Upon approval of plans and specifications, the CUPA shall issue a permit to install, construct, modify, or close a tank. The permit shall be valid for up to one (1) calendar year from date of issue. A permit shall not be renewed or reissued for more than one (1) year. Application for extension of a permit shall be made at least thirty (30) days prior to expiration of such a permit.
- (b) The testing of underground storage tanks shall require a precision testing permit. The application shall be made on forms provided by the CUPA.
- (c) The CUPA may perform such inspections which are necessary at the discretion of the CUPA, to ensure compliance with this chapter or other applicable laws and regulations or to protect the public health or safety or the environment.
- (d) Any permit issued for activities relating to underground storage tanks must include evidence of worker's compensation insurance or other compliance with Section 3800 of the California Labor Code.
- (e) For the purposes of this section, hazardous materials storage facilities include tanks with capacities of one thousand one hundred (1,100) gallons or less which are located on farms and which store motor vehicle fuel used primarily for agricultural purposes and are not for resale, as well as tanks located on farms or at personal residences which have capacities of one thousand one hundred (1,100) gallons or less, and which store home heating oil for consumptive use on the premises where stored, where a change of use occurs in any of the following: the tanks, the contents of the tanks, or the land.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-11. Emergency repair permit.

The permittee may make emergency repairs to a facility in advance of seeking an additional permit approval whenever an immediate repair is required to prevent or contain any actual or threatened disposal or release or to protect the integrity of the containment. However, within five (5) working days after such emergency repairs have been started, the permittee shall seek approval pursuant to Section 29-10 by submitting drawings or other information adequate to describe the repairs to the CUPA. The repair of items that would normally be considered a part of ongoing maintenance do not need a permit, e.g. replacing a valve, coating a floor, sealing cracks, etc., even if done in response to an emergency situation.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-12. Permit suspension.

Whenever the CUPA finds that the suspension of a permit prior to a hearing for regulatory action is necessary to protect the public health or safety from an immediate threat to public health or safety, the CUPA may immediately suspend any permit. The CUPA shall immediately notify the permittee or designated twenty-four (24) hour contact person of such suspension by any of the following methods: (1) written notice of suspension mail certified, return receipt requested to the owner or operator of the facility and to the persons shown on the latest equalized County tax roll to be the owners of the real property on which the facility is located; (2) personal delivery of written notice of suspension served upon an owner or operator of the facility; (3) posting notice of suspension on the property and thereafter mailing a copy of the notice by first class mail, postage pre-paid to the persons shown on the latest equalized County tax roll to be the owners of the real property. Service in this manner is deemed complete at the time of mailing.

(Ord. No. 5015 § 1, 1997.)

Article IV is amended to read:

Article IV. Inspections and Enforcement.

Sec. 29-13. Inspections.

- (a) The CUPA shall inspect every hazardous materials storage facility every three (3) years unless covered by Section 29-8(b). After an inspection, the CUPA shall prepare a compliance report detailing the inspection and shall send a copy of the report to the permit holder.
- (b) Any facility using hazardous materials only for heating or cooking purposes shall be inspected once upon inclusion in the program and, thereafter, must submit an annual self-inspection form supplied by the CUPA.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-14. Dispute resolution.

Mediation of disputes or peer review may be held pursuant to procedures adopted by the CUPA in concert with the business advisory group. The mediation process is available only for Class I hazardous waste violations. The peer review process is available for any CUPA violation except for Class I hazardous waste violations.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-15. Notice to comply.

Unless the CUPA finds that a summary permit suspension is necessary to protect the public health or safety from immediate threat, the CUPA shall issue a notice to comply for failure to comply with provisions of this chapter or any conditions of the permit including payment of any fee required by this chapter or state law, or before instituting regulatory action pursuant to this chapter.

- (a) The contents of the notice to comply shall:
 - (1) Identify the property on which the condition exists;
 - (2) Describe the condition to be remedied;
 - (3) State the legal basis for issuance of the notice; and
 - (4) State the time within which the condition shall be remedied.
- (b) The notice shall also inform the recipient that failure to remedy the condition as directed may result in the County taking further regulatory action or recovery action. Such regulatory action may include, but is not limited to: suspension,

modification, or revocation of a permit, or institution of abatement or other proceedings by the County to correct the condition.

- (c) The notice shall contain the definition of "responsible party" and "costs" set out in Section 29-25 of the chapter and shall inform the recipient that the County may recover the cost of any recovery action through a lien on the property.
- (d) The notice shall inform the person to whom it is directed that he or she may have a right to a hearing before a hearing officer regarding the issuance, denial or modification of a permit and shall inform the recipient how to file an appeal as set out in Section 29-20
- (e) Notice shall be sent by first-class mail or hand delivered to the permittee or violator.

(Ord. No. 5015 § 1, 1997.)

Article V is amended to read:

Article V. Recovery Action or Regulatory Action.

Sec. 29-16. Reporting releases or threatened releases.

- (a) The operator, owner, or handler shall institute and complete all actions necessary to remedy the effects of an actual or threatened release. The operator, owner, or handler shall reimburse the County or city all costs incurred by the County or city in responding to such an actual or threatened release within thirty (30) days of submission of an invoice. This responsibility is not conditioned upon evidence of willfulness or negligence of the operator, owner, or handler in causing or allowing such release.
- (b) The reporting requirements of this section shall be in accordance with applicable state laws and regulations.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-17. Emergency response.

- (a) An emergency is a condition creating a reasonable cause for concern that someone or something may be exposed to a risk of harm by a release or a threatened release of a hazardous material if prompt recovery action is not taken.
- (b) In the event of an emergency, the CUPA may take any investigative, regulatory action or recovery action necessary to identify, remedy, or prevent an imminent risk of harm. The responsible person(s) shall be jointly and severally liable to the County for all costs incurred by it in taking any investigative, regulatory action or recovery action except as expressly provided in this chapter.
- (c) Where the CUPA has taken investigative, regulatory action or recovery action to identify, remedy, or prevent an imminent risk of harm to the public health, safety or welfare, domestic livestock, wildlife, or the environment, arising out of any actual or threatened release of any hazardous material of any amount or concentration, a presumption shall arise that an actual or threatened release occurred and that the regulatory action or recovery action was reasonably necessary to prevent an actual or threatened release.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-18. Administrative review.

The CUPA shall review the permit whenever there has been an actual or threatened release or when it is determined that any underground storage tank is unsafe. In determining whether to modify or terminate the permit, the CUPA shall consider the age

of the storage system, the methods of containment, the methods of monitoring, the feasibility of any required repairs, the concentration of the hazardous materials stored, the severity of potential unauthorized releases, and the suitability of any other long-term preventative measures which would meet the requirements of this chapter.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-19. Regulatory action.

- (a) Regulatory action includes, but is not limited to, suspension or revocation of a permit, an order to cease noncompliance with the terms or conditions of a permit, an order to correct a condition, or cease a practice, or modify a business plan.
- (b) A permit may be subjected to regulatory action for any of the following causes, arising from acts or omissions of the permittee, either before or after a permit is issued:
 - (1) Fraud, willful misrepresentation, or any willful, inaccurate, or false statement in applying for a new or renewed permit;
 - (2) Fraud, willful misrepresentation, or willful inaccurate or false statement in any report required by this chapter;
 - (3) Failure to abate, correct or rectify any noncompliance within the time specified in the notice of compliance;
 - (4) Failure to correct conditions constituting an unreasonable risk of any actual or threatened disposal or release of hazardous materials within a reasonable time after notice from any governmental entity;
 - (5) Failure to abide by the regulatory action imposed by the CUPA;
 - (6) Failure to pay fees established by this chapter.

(Ord. No. 5015 § 1, 1997.)

Article VI. Appeals.

Sec. 29-20. Filing an appeal.

An appeal shall be filed in writing with the CUPA within thirty (30) days of receipt of the notice to comply. The appeal must be filed with the CUPA. Such appeals shall indicate the name and address of the person or entity filing the appeal and the name and address of the facility involved, if applicable. The appeal shall also contain, setting forth with particularity the ground or grounds for the appeal, the person's contentions on appeal and a legal basis for the person's contentions. The appellant shall assert any claim for trade secrets to be raised at the hearing, together with a legal justification for the claim. Failure to assert such a claim in a timely fashion may be deemed by the hearing officer to constitute a waiver of the claim. If the hearing officer determines that a trade secret exists, it may take any step necessary to prevent unnecessary disclosure including excluding the public from that portion of the hearing.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-21. Notice of hearing.

- (a) (1) Subsequent to receipt of an appeal, a notice of hearing shall be served on the appellant by the CUPA, in writing, setting forth the time and place of the hearing, the ground or grounds upon which the recovery action is based, the pertinent code section or sections, and a brief statement of the factual matters in support thereof. The notice shall be given at least ten (10) days prior to the hearing date which shall be not less than thirty (30) nor more than ninety (90) days from the date upon which the request for hearing was filed. The hearing officer may reschedule the hearing for good cause shown by either party.
- (2) A notice of hearing shall also include the names of hearing officers empowered to hear appeals together with the following notice:

"One of the individuals set forth above will be acting in the capacity of a Hearing Officer in connection with the alleged hazardous materials incident for which you have been deemed a responsible party. If you object to having any one of these individuals sit as a Hearing Officer, you must advise the CUPA in writing of your objections, together with specific reasons why such officer could not impartially conduct the administrative abatement hearing, no later than ten (10) days from the date of this letter. Failure to file a timely objection with the CUPA or failure to set forth good cause as to why any such individual should not serve as a Hearing Officer in connection with your property shall be deemed a waiver of any rights to object to or recuse such Hearing Officer at the time of the hazardous materials liability appeal hearing.

- (b) Hearings shall be conducted informally according to rules or procedures established by the hearing officer.
 - (c) Proceedings before the hearing officer shall be electronically recorded. Either party may request that the proceedings also be recorded by a court stenographer, at the cost of the requesting party. Transcriptions shall be at the cost of the requesting party.
 - (d) A hearing officer will conduct the hearing and prepare findings.
 - (e) If no action is taken by the hearing officer within thirty (30) days of the hearing on the appeal, the appeal shall be deemed denied.
 - (f) Costs associated with the hearing officer will be reimbursed by the party deemed responsible in the findings of the appeal, if any.
- (Ord. No. 5015 § 1, 1997.)

Sec. 29-22. Hearing procedures.

- (a) The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be considered if it is the sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objections in civil actions before a court of competent jurisdiction. Unduly repetitious or irrelevant evidence shall be excluded at the discretion of the hearing officer.
- (b) The County and its officials shall have the burden of producing evidence supporting the liability of the party seeking to be excused from hazardous materials clean up costs. Upon such a showing, the appellant will have the burden of producing evidence in support of his/her theory that he/she does not bear liability for hazardous materials cleanup costs.
- (c) Findings shall be made upon a preponderance of the evidence in the administrative record.
- (d) After all of the testimony is taken, the hearing officer shall close the public hearing unless he or she deems it necessary to continue the hearing for the receipt of additional evidence or an ordinance interpretation from the Board of Supervisors. During the course of the hearing, the hearing officer may question any witness and may, at the request of a party in interest, allow cross examination if he or she deems it in the interests of justice to do so.
- (e) Whenever the hearing officer deems it necessary to take a field trip to view the site in question, public notice of the time and location shall be given. Unless the site visit is tape recorded, the hearing officer shall not talk to any members of the public during the conduct of such site visit. In the event of a site visit, the hearing officer shall continue the hearing to a time certain on a date after that upon which the site visit

will occur. At the time of the continued hearing, the hearing officer shall place into the record his or her visual observations made and the conclusions drawn as a result of such visit.

- (f) Hearing officers may, upon good cause shown, issue subpoenas. If a party in interest requests the issuance of a subpoena for the attendance of a witness or the production of documents, such party shall bear the responsibility and cost of serving such subpoenas together with the reasons for requesting same shall be sent to the CUPA which will, in turn, forward them to the hearing officer.
- (g) Hearings shall be conducted in a manner suitable to ensure fundamental fairness to all parties concerned, limited by the need to secure relevant information necessary to render a decision without unnecessary delay. Appeals from the hazardous materials hearing officer's decision shall be processed as provided in this chapter under Section 29-24

(Ord. No. 5015 § 1, 1997.)

Sec. 29-23. Disposition of appeal.

- (a) After hearing the appeal, the hearing officer may: (1) refer the matter back to the CUPA for a new investigation and decision; (2) may affirm or modify the decision of the CUPA; or (3) may direct the CUPA to issue a permit which may or may not contain conditions which must be met in order to obtain or maintain the permit. If the matter is referred back to the CUPA, the CUPA must respond within the time specified by the hearing officer in its referral.
- (b) If the hearing officer, after the hearing, finds that cause exists for regulatory action, the hearing officer may impose one (1) or more of the following:
 - (1) A warning;
 - (2) An order to correct the particular noncompliance specified in the notice issued pursuant to Section 29-15
 - (3) A revocation of the permit for the facility;
 - (4) Suspension of the permit for the facility for a specified period not to exceed six (6) months;
 - (5) Modification or addition of conditions to the permit;
 - (6) Revocation of the permit with no reapplication permitted for a specified period not to exceed three (3) years. If the grounds for regulatory action are based on Section 29-19(b)(3), (4), or (5), and if such grounds are limited to one (1) portion of the storage facility, the regulatory action shall be limited to that portion.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-24. Decision of hearing officer.

- (a) The hearing officer shall render a written decision stating the findings upon which the decision is based and the action taken, if any. The decision of the hearing officer is final.
- (b) Judicial review of the decision of the hearing officer shall be according to the provisions of Code of Civil Procedure Section 1094.6. The decision of the hearing officer shall contain a statement notifying the permittee that any petition for review must be filed within the time specified in that section.

(Ord. No. 5015 § 1, 1997.)

Article VII is amended to read:

Article VII. Legal.

Sec. 29-25. Liabilities and defenses.

- (a) This section shall be construed consistent with CERCLA, 42 USC Section 9601, et seq., as amended and California Health and Safety Code, Division 20, Chapter 6.7 and Chapter 6.75 as amended.
- (b) The following described persons are considered "responsible persons" for the purposes of this chapter and shall be jointly and severally liable to the County for all costs incurred by it in taking any investigative, recovery or regulatory action or emergency response or action, in connection with an actual or threatened release of any hazardous material:
 - (1) Any person whose negligent or willful act or omission proximately caused any actual or threatened disposal or release of a hazardous material;
 - (2) Any person who owned or had dominion or control of any hazardous material at the time of such actual or threatened disposal or release without regard to fault or proximate cause;
 - (3) Any person who owned or had dominion or control of any container which held any hazardous material at the time of, or immediately prior to any actual or threatened disposal or release without regard to fault or proximate cause;
 - (4) Any "owner" as defined by this chapter, including, but not limited to, any owner of land on which a release of hazardous materials actually occurs or threatens to occur, any owner of a facility at which an actual or threatened release occurs, any owner of hazardous materials which are involved in an actual or threatened release;
 - (5) Any "operator" as defined by this chapter, including, but not limited to, any person who operates a hazardous materials facility involved in an actual or threatened release of hazardous material, or any person with control over the operation or management of a hazardous materials facility involved in an actual or threatened release;
 - (6) Any person who by contract arranged for the disposal of hazardous material at a site involved in an actual or threatened release of a hazardous material which was the subject of the contract;
 - (7) Any person who accepts or accepted any hazardous material for transport to a disposal or treatment site selected by that person;
 - (8) Any hazardous waste generator;

- (9) Any person who is a tenant, lessee, or sublessee of land on which an actual or threatened release of hazardous materials occurs where the person possesses dominion or control over the land.
- (c) Responsibility is strict and is not conditioned upon evidence of willfulness, negligence, fault, or proximate cause in causing or allowing such actual or threatened release of hazardous substances except as expressly provided in this chapter.
- (d) "Costs" under this article include, but are not limited to, the reasonable costs of equipment, personnel, laboratory fees, administrative costs, court costs, witness fees, and attorneys' fees.
- (e) The following constitute defenses to liability based on this section:
- (1) Defenses available to a "responsible party" pursuant to CERCLA, [42](#) USC Section 9601, et seq., as amended;
 - (2) Defendant proves, by a preponderance of the evidence, the actual or threatened release was proximately caused by an act of God as defined under state or federal laws or regulations and that the defendant took reasonable precautions to avoid an actual or threatened release;
 - (3) Defendant proves, by a preponderance of the evidence, the actual or threatened release was exclusively caused by an act of war;
 - (4) Defendant is named as a responsible party solely by virtue of his or her ownership of land where an actual or threatened release occurred and defendant proves all of the following, by a preponderance of the evidence:
 - (i) Defendant had no reason to know or suspect that an actual or threatened release of hazardous materials occurred or was reasonably likely to occur on the land,
 - (ii) If the actual or threatened release occurred prior to defendant's purchase, defendant must prove, by a preponderance of the evidence, that defendant undertook adequate inquiry into the uses of the land consistent with good commercial practice, good customary practice, and which was reasonable under the circumstances, in order to ascertain whether or not hazardous materials were present on the land. In determining whether or not defendant undertook adequate inquiry, the following shall be taken into account:
 - (A) The special knowledge or experience of defendant,
 - (B) The relationship of any purchase price to the value of comparable uncontaminated real estate,
 - (C) Commonly known or reasonable ascertainable information about the land,
 - (D) Obviousness of presence or likely presence of hazardous materials,

- (E) Defendant's ability to detect the presence or likely presence of hazardous material by reasonable inquiry or inspection;
- (5) Where the hazardous material was placed on defendant's land subsequent to defendant's purchase of the land, and the defendant proves the following:
 - (i) Neither the landowner nor the lessees of the landowner had knowledge of the placement, neither did the landowner nor the lessee of the landowner consent to the placement,
 - (ii) The landowner did not acquiesce to the presence of hazardous materials on the land subsequent to placement. In determining whether or not defendant acquiesced to the presence of a hazardous material, the following shall be taken into account:
 - (A) The landowner made reasonable inspections of the land,
 - (B) The landowner had no reason to suspect a hazardous material was present,
 - (C) The landowner did not know nor have reason to know a hazardous material was present,
 - (D) The landowner took reasonable steps to cause the removal of the hazardous materials upon discovery.
- (f) If one (1) or more responsible persons assert that responsibility for an actual or threatened release is capable of apportionment among them, the burden of proof as to the apportionment is upon each such responsible person. In order to show responsibility for an actual or threatened release is capable of apportionment, a responsible person must show that each responsible person to a divisible harm and that it is reasonable, under the circumstances, to apportion responsibility. Nothing in this section shall affect the imposition of joint and several liability.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-26. Penalties.

Except where the act constituting a violation of this chapter constitutes a violation of any state or federal law which is designed to achieve the same purposes as this chapter, or where a penalty under this chapter is otherwise prohibited by law, violations of this chapter shall be punishable as follows:

- (a) Any owner, operator or handler or handler of a hazardous materials facility subject to this chapter shall be liable for a civil penalty of not less than five hundred dollars (\$500.00) or more than five thousand dollars (\$5,000.00) per day for any of the following:
 - (1) Operation without an appropriate permit.

- (2) Failure to monitor the hazardous materials facility as required by the permit.
 - (3) Failure to report an actual or threatened release as required by Section 29-16
 - (4) Failure to properly close an underground storage tank as required by Section 29-10
- (b) Any owner of a hazardous materials facility shall be liable for a civil penalty of not less than five hundred dollars (\$500.00) or more than five thousand dollars (\$5,000.00) per day for any of the following:
- (1) Failure to obtain a permit as specified by this chapter.
 - (2) Failure to repair a hazardous materials facility in accordance with the provisions of this chapter.
 - (3) Abandonment or improper closure of any hazardous materials facility subject to the provisions of this chapter.
 - (4) Knowing failure to take reasonable and necessary steps to assure compliance with this chapter by the owner, operator or handler or handler of a hazardous materials facility.
- (c) Any person who falsifies any monitoring records required by this chapter, or knowingly fails to report an actual or threatened release shall, upon conviction, be punished by a fine of not less than five thousand dollars (\$5,000.00) or more than ten thousand dollars (\$10,000.00) or by imprisonment in the County jail for a period not to exceed one (1) year or by both that fine and imprisonment.
- (d) Any person or business who violates Section 29-16 of this chapter or Section 25507 of the Health and Safety Code shall, upon conviction, be punished by a fine of not more than twenty-five thousand dollars (\$25,000.00) for each day of violation, or by imprisonment in the County jail for not more than one (1) year or by both the fine and imprisonment. If the conviction is for a violation committed after a first conviction under this section, the person or business shall be punished by a fine of not less than two thousand dollars (\$2,000.00) or more than fifty thousand dollars (\$50,000.00) per day of violation, or by imprisonment in the state prison for sixteen (16), twenty (20), or twenty-four (24) months or in the County jail for not more than one (1) year or by both the fine and imprisonment. Furthermore, if the violation results in, or significantly contributes to an emergency, including a fire to which a public agency is required to respond, the person or business shall also be assessed the full cost of the emergency response as well as the cost of cleaning up and disposing of the hazardous materials and any costs associated with collecting moneys owed under this section.
- (e) In determining both the civil and criminal penalties imposed pursuant to this section, the court shall consider all relevant circumstances including, but not limited to, the extent of harm or potential harm caused by the violation, the nature of the violation and the period of time over which it occurred, and the

frequency of past violations and the regulatory action, if any, taken by the person who holds the permit.

- (f) Except where prohibited by law, penalties under this section are in addition to, and do not supersede or limit, any and all other legal remedies and penalties.
- (g) Persons providing information with respect to certain hazardous material law violations may be eligible for a reward under Sections 25517 of the Health and Safety Code.
- (h) Other penalties or remedies may apply under state law. This article is not intended to be all-encompassing.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-27. Local agency assistance.

The CUPA may request the assistance of other governmental agencies to remedy the effects of, and remove any hazardous material which has been released.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-28. Regulations.

The Board of Supervisors may adopt, by resolution, regulations implementing and enforcing this chapter.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-29. Statutory severability.

If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the chapter.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-30. Interpretation.

It is the intent of this chapter to regulate the storage, handling, use and management of hazardous materials or substances unless specifically preempted by state or federal law. This chapter is not intended, and shall not be construed, to apply to any substance or activity which is preempted by federal or state law or to the extent that such application would unduly interfere with the achievement of federal or state regulatory activities. It is the intention of the Board of Supervisors that this chapter shall be interpreted to be compatible with federal and state enactments and in furtherance of the public purposes which those enactments express.

(Ord. No. 5015 § 1, 1997.)

Sec. 29-31. State-mandated provisions.

Those provisions of this chapter which are mandated by state law may be subject to change without notice or action by the County. This chapter will be periodically updated to reflect such changes.

(Ord. No. 5015 § 1, 1997.)

SECTION II. Except as added, revised, amended or deleted herein, the remaining provisions of Chapter 29 as previously adopted shall remain in full force and effect.

SECTION III. The provisions of this Code shall not be construed as imposing upon the County of Sonoma any liability or responsibility for damages to persons or property resulting from defective work, nor shall the County of Sonoma, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this Code of any permits or certifications issued under this Code.

SECTION IV. The Board of Supervisors finds and determines that this ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of the State CEQA Guidelines as it can be seen with certainty that there is no possibility that this ordinance may have a significant effect on the environment. This finding and determination is based on the environmental determination of the Permit and Resource Management Department for this ordinance. The director of the Permit and Resource Management Department is directed to file a notice of exemption in accordance with CEQA and the State CEQA Guidelines.

SECTION V. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION VI. This ordinance shall be and the same is hereby declared to be in full force and effect on January 1, 2014. The ordinance shall be published once before the expiration of fifteen (15) days after its passage, with the names of the supervisors voting for or against the same, in a newspaper of general circulation published and circulated in the County of Sonoma.

SECTION VII. This ordinance shall be and the same is hereby declared to be in full

force and effect on January 1, 2014. The ordinance shall be published once before the expiration of fifteen (15) days after its passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation published and circulated in the County of Sonoma.

In regular session of the Board of Supervisors of the County of Sonoma introduced on the 22nd day of October, 2013, and finally passed and adopted this 5th day of November, 2013 , on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin _____ Zane _____ McGuire _____ Carrillo _____ Rabbitt _____

Ayes _____ Noes _____ Absent _____ Abstain _____

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Veronica Ferguson, County Clerk and
Clerk of the Board of Supervisors

IT IS SO ORDERED



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: October 22, 2012

Vote Requirement: Majority

Department or Agency Name(s): General Services' Facilities Development and Management

Staff Name and Phone Number:

Julia Donoho 707-565-1366

Supervisorial District(s):

County-wide

Title: Amendment to G Squared Consulting Contract

Recommended Actions:

Authorize the Chair to Execute Amendment #4 to the Consulting Services Agreement with G Squared Consulting, Inc., for real estate consulting services for communication sites, expanding the scope of services and increasing the contract sum by \$81,450 for a total contract not to exceed \$145,450 and extending the term of the contract through June 30, 2015.

Executive Summary:

Background:

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.

In May and December 2011, the Board authorized participation in the Bay Area Wireless Enhanced Broadband (BayWEB) public safety system project, including entering into a joint powers authority agreement to form the Bay Area Regional Interoperable Communications System (BayRICS). The communication network being developed for BayWEB will initially be built, owned and operated by Motorola Solutions, Inc., through a grant administered by the National Telecommunications and Information Administration (NTIA). The BayWEB authorization included the execution of a Site Access and Use Agreement with Motorola Solutions, Inc., the BayWEB installer, to have access to the County's telecommunications facilities and to assist in completing the installations within the schedule requirements of the federal grant. In August 2012, the BayWEB project was placed on hold while federal agencies resolved various issues not linked to County participation. This delay resulted in the extension of the project for an additional year. The project has been resumed with a renewed urgency for completion.

Work Description:

The scope of actual communication tower and site work to be performed at each site is dependent on the equipment and functions needed at each specific tower site. Thus the work to be performed by the real estate Consultant for each site is dependent on the specific terms and conditions required to effectively govern and manage the work to be performed at each site. Because of the large number of sites and the varying requirements and property ownerships, GSD Real Estate is challenged to deliver all the required revised agreements in the short time frame governing the project. Arriving at the mutually acceptable lease terms requires assimilation and coordination of many elements that must be addressed in the site agreement to include project design, environmental approvals, permitting, and site access. The challenge is exacerbated by the fact that some of these sites are owned by the County, some are leased, some are collocations with other entities, some require separate leases for ground and tower, and some sites require third party agreements.

Current Contract and Amendments

To negotiate new lease agreements for the twenty telecommunications sites required by the BayWEB project and based on the type and level of real estate services deemed to be required at the time, General Services augmented its real estate staff with a consultant in February 2012. The initial contract with G Square Consulting was established in February 2012, as provided by contracting policies for contracts valued at less than \$25,000. At that time the project elements and work scope of the BayWEB project were still evolving but there was recognition that both internal and external real estate resources were required to effectively support the project.

G Squared Consulting was contracted to assist with the negotiations with landowners, tower owners, agencies, and others to negotiate and develop the required new and/or revised agreements. G Squared Consulting is a local entity and was selected based upon their extensive experience in tower development, their overall experience with communications tower design and installation in California, their knowledge of the County's network condition and requirements, and their excellent track record as a consultant to the County on other like projects. Utilizing one real estate service provider to augment internal staff reduced the possibility of miscommunication with the large number of stakeholders, avoided duplication of efforts, facilitated project management and optimized efficiencies. In addition having one dedicated consultant resource allows for a more expedient and consistent process in reviewing, negotiating and approving the multiple but specific site agreements.

Upon further definition of the required work scope and establishment of the project schedule, amendments to the original contract were executed subsequent to requesting and receiving your Board's approval. The amendments increased the scope of services and extended the time for completion of the contract to June 30, 2014. The current proposed amendment is driven by recent refinements, expansion and revisions to the total BayWEB work effort. This project is multijurisdictional and the type and deployment of equipment to ensure maximum functionality has been continually redefined. This in turn has prompted the proposed contract amendment further increasing the scope of services and extending the term of the contract for an additional year in line with the most current project work scope and schedule. Staff does not endorse a piecemeal approach to procuring project support consultant services but recognizes that the complex variables and the differing needs and interests of the entities participating in this project have resulted in such an approach. The proposed amendment will facilitate the completion of the real estate work required to complete the project.

Schedule:

Each of these projects has a deadline for completion of the BayWEB installation by September 2015. In order for Motorola to implement the installation and perform system wide testing, all of the County's capital improvements and supporting site lease agreements must be in place by June 30, 2015.

Results of Non-Approval:

If the contract is not amended, the County will not be able to meet its obligations under the BayRICS JPA and the Site Use and Access Agreement. Subsequently the County's participation in the BayWEB system will be jeopardized.

Prior Board Actions:

5/24/11- Authorized County to join the BayRICS JPA for the purpose of establishing the BayWEB Public Safety and Public Access broadband communications systems;

12/13/11- Approved Site Use and Access Agreement and related actions needed to prepare the County's BayWEB sites for equipment installation.

8/21/12 – Authorize the Chair to Execute Amendment #2 to the Professional Services Agreement with G Squared Consulting, Inc., expanding the scope of services pertaining to the County's radio communications network by \$40,000 for a total agreement cost not to exceed \$64,000 and extending the term of the agreement to June 30, 2013.

*Addendum #1 and #3 were time extensions only.

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

Supports improved public safety radio communication coverage by providing wireless enhanced broadband throughout the County's telecommunication network.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 145,450	County General Fund	\$ 121,450
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 24,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 145,450	Total Sources	\$ 145,450

Narrative Explanation of Fiscal Impacts (If Required):

These projects are funded through the Sheriff's budget and the capital improvement budget for radio towers, depending on the size and amount of work at each site. The budget for these projects is sufficient to fund the consulting contracts and amendments as required and the Sheriff agrees with the proposed amendment request. Consulting services for third party agreements are funded by application fees paid to General Services.

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:			
Signed Contract Amendment #4			



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: October 22, 2013

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: Humboldt County Interim Public Health Laboratory Director Services MOU

Recommended Actions:

Authorize the Director of Health Services to execute a Memorandum of Understanding with Humboldt County wherein Sonoma County agrees to provide interim Public Health Laboratory Director Services to Humboldt County, with a term end date of December 31, 2013.

Executive Summary:

This item requests approval to execute a Memorandum of Understanding with Humboldt County wherein Sonoma County agrees to provide interim Public Health Laboratory Director Services to Humboldt County, with a term end date of December 31, 2013.

Regulations in the Federal Clinical Laboratory Improvement Act of 1988 (CLIA) specify that a public health laboratory is required to have a qualified Public Health Laboratory Director. The qualifications for a Public Health Laboratory Director include board certification under Federal CLIA, a California Public Health Microbiologist Certification, four years of experience working in a public health laboratory, and a doctorate degree which, under some circumstances, may be subject to a grandfather provision.

In July 2013, Humboldt County's Public Health Laboratory Director unexpectedly passed away resulting in the urgent need to develop an arrangement for laboratory director services. Shortly thereafter, Humboldt County contacted the County of Sonoma Department of Health Services regarding an agreement for the provision of temporary part-time laboratory director services while pursuing a more permanent solution. Humboldt County's Public Health Laboratory currently does not have a Laboratory Director.

The Department requests authorization to execute the attached Memorandum of Understanding (MOU) with Humboldt County which will assist Humboldt County in meeting their statutory obligation under CLIA pending the negotiation of a permanent agreement. The MOU will expire December 31, 2013 with the Sonoma County Public Health Laboratory Director services provided at no cost to Humboldt County. Under the MOU, the Sonoma County Public Health Laboratory Director will be responsible for the overall operation and administration of the laboratory to meet minimum standards of CLIA and will be available to provide telephone or electronic consultation as needed and specified in the MOU. The MOU

provides that the Sonoma County Public Health Laboratory Director will devote a maximum of 3 hours per week on average to the completion of his duties for Humboldt County. Humboldt County's current Public Health Laboratory Manager will handle the day-to-day supervision of staff and organization of the laboratory.

The Department will return to your Board at a later date should a permanent Laboratory Director Services agreement with Humboldt County be successfully negotiated.

Prior Board Actions:

None.

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

Coordinating with Humboldt County in the operation of their public health laboratory helps to ensure regional health and safety.

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):

There is no fiscal impact associated with this item.

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:

Memorandum of Understanding with Humboldt County.

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

None

**MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
COUNTY OF SONOMA
AND
COUNTY OF HUMBOLDT**

This Memorandum of Understanding (hereinafter referred to as "Agreement") entered into this _____ day of _____, 2013, by and between the County of Sonoma (hereinafter referred to as "SONOMA") and the County of Humboldt (hereinafter referred to as "HUMBOLDT") is made upon the following considerations:

WHEREAS, HUMBOLDT, through its Department of Health and Human Services – Public Health, desires to retain the services of an interim laboratory director; and

WHEREAS, such work involves the performance of professional, expert, and technical services for a temporary period, and HUMBOLDT has no employees available to perform such services and is unable to hire employees for the performance thereof for the temporary period; and

WHEREAS, SONOMA, by and through its Department of Health Services, has represented that the Sonoma County Laboratory Director (hereinafter referred to as "Laboratory Director") is qualified to perform such services.

NOW THEREFORE BE IT AGREED:

1. SONOMA'S ROLES AND RESPONSIBILITIES

- A. Description of Services. During the term of this Agreement, SONOMA agrees that Laboratory Director will provide any and all services that a State of California licensed and certified laboratory director is required to perform, including, but not limited to:
1. Providing consultations related to the testing of human clinical specimens, including, but not limited to, technical performance, reporting, and other legal requirements (e.g., Title 17). Consultations shall be available via phone (cell or land line), email, or teleconference.
 2. Reviewing and approving laboratory procedure manuals that pertain to human clinical testing.
 3. Ensuring that human clinical testing systems developed and used by laboratory staff provide quality laboratory results.
 4. Overseeing and reviewing quality assurance, quality control, and validation studies of newly employed scientific assays.
 5. Ensuring that all necessary corrective actions are taken and documented whenever significant deviations of laboratory protocols are identified.

6. Ensuring consultation is available to HUMBOLDT's clients, public health staff and administration, Public Health Officer, animal control and environmental health staff.
 7. Reviewing all proficiency testing results.
 8. Recommending procedural changes if needed, and overseeing documentation of corrective actions.
 9. Performing other duties as mandated by State or Federal regulations that pertain to human clinical testing.
- B. Performance Standards. SONOMA agrees that Laboratory Director shall perform the services described herein in a manner consistent with the generally accepted standards for State of California licensed laboratory directors.
- C. Expenditure of Time. SONOMA agrees that Laboratory Director will devote a maximum of 3 hours per week, on average, to the completion of the services described herein.
- D. Interagency Cooperation. The parties agree to cooperate with each other in providing the services described herein.

2. HUMBOLDT'S ROLES AND RESPONSIBILITIES

The day-to-day management of the Humboldt County Public Health Laboratory, including, but not limited to, hiring, personnel performance reviews, disciplinary actions, budgeting, fee changes, and time-off scheduling, will be the sole responsibility of HUMBOLDT's on-site laboratory manager and administrative staff.

3. TERM

The term of this Agreement shall begin **upon execution** by both parties and remain in full force and effect until **December 31, 2013**, unless sooner terminated as provided herein.

4. TERMINATION

- A. Breach of Contract. If, in the opinion of either party, the other party fails to adequately perform the services required under this Agreement, or otherwise fails to comply with the terms of this Agreement, or violates any ordinance, regulation, or other law which applies to its performance herein, the non-breaching party may terminate this Agreement immediately, upon notice.
- B. Without Cause. Either party may terminate this Agreement without cause upon 30 days' advance written notice.

5. COMPENSATION

SONOMA agrees that Laboratory Director will provide the services described herein at no cost to HUMBOLDT.

6. NOTICES

Any and all notices required to be given pursuant to the terms of this Agreement shall be in writing and either served personally or sent by certified mail, return receipt requested, to the respective addresses set forth below. Notice shall be effective upon actual receipt or refusal as shown on the receipt obtained pursuant to the foregoing.

HUMBOLDT: County of Humboldt
DHHS – Public Health
529 I Street
Eureka CA 95501

SONOMA: County of Sonoma
Department of Health Services
3313 Chanate Road
Santa Rosa CA 95404

7. RECORD RETENTION AND INSPECTION

- A. Maintenance and Preservation of Records. SONOMA agrees to timely prepare accurate and complete performance records, and to maintain and preserve said records for at least 5 years from the expiration of this Agreement, except that if any litigation, claim, negotiation, audit or other action is pending, the records shall be retained until completion and resolution of all issues arising therefrom.
- B. Inspection of Records. All records referenced by this section shall be made available during normal business hours to inspection, audit, and reproduction by any duly authorized agents of the State of California or HUMBOLDT. SONOMA agrees to allow interviews of any of its employees who might reasonably have information related to such records.
- C. Provision of Records. HUMBOLDT agrees to provide, as permitted by law, reasonable access to all information that is necessary to the performance of SONOMA's duties under this Agreement.

8. MONITORING

SONOMA agrees that HUMBOLDT has the right to monitor Laboratory Director's activities related to this Agreement, including the right to review and monitor records, programs, or procedures related hereto at any time in order to ensure compliance with the terms and conditions of this Agreement.

9. CONFIDENTIALITY

SONOMA agrees to maintain and protect, and shall require Laboratory Director to maintain and protect, the confidentiality of all personally identifiable information transmitted pursuant to the terms and conditions of this Agreement in accordance with all applicable State and Federal laws and regulations. This Section 9 shall survive termination of this Agreement.

10. NUCLEAR FREE HUMBOLDT COUNTY ORDINANCE COMPLIANCE

SONOMA certifies by its signature below that it is not a Nuclear Weapons Contractor, in that SONOMA is not knowingly or intentionally engaged in the research, development, production, or testing of nuclear warheads, nuclear weapons systems, or nuclear weapons components as defined by the Nuclear Free Humboldt County Ordinance. SONOMA agrees to notify HUMBOLDT immediately if it becomes a Nuclear Weapons Contractor as defined above. HUMBOLDT may immediately terminate this Agreement if it determines that the foregoing certification is false or if SONOMA becomes a Nuclear Weapons Contractor.

11. NON-DISCRIMINATION COMPLIANCE

- A. Professional Services and Employment. In connection with the execution of this Agreement, SONOMA shall not discriminate in the provision of professional services or against any employee or applicant for employment because of race, religion or religious creed, color, age (over 40 years of age), sex (including gender identity and expression, pregnancy, childbirth and related medical conditions), sexual orientation (including heterosexuality, homosexuality, and bisexuality), national origin, ancestry, marital status, medical condition (including cancer and genetic characteristics), mental or physical disability (including HIV status and AIDS), military service, or any other classifications protected by local, State, and/or Federal laws and regulations. Nothing in this provision shall be construed to require employment of unqualified persons.
- B. Compliance with Anti-Discrimination Laws. SONOMA further assures that it will abide by the provisions of Title VI and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, as amended, the Age Discrimination Act of 1975, Welfare and Institutions Code Section 10000, CDSS MPP Division 21, United States Executive Order 11246, as amended, and any other applicable local, State, and/or Federal laws and regulations. Practices in hiring, compensation, benefits, and firing are among the employment practices subject to this requirement.

12. INDEMNIFICATION

HUMBOLDT agrees to accept all responsibility for loss or damage to any person or entity, and to defend, indemnify, hold harmless, and release SONOMA and its supervisors, officers, agents, and employees from and against any and all actions, claims, damages, disabilities, or expenses (including costs and attorney fees) that may be asserted by any person or entity, including Laboratory Director, resulting from Laboratory Director's acts, errors, omissions, and/or willful misconduct arising out of or in connection with the performance of this Agreement. 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 Laboratory Director or its agents under workers' compensation acts, disability benefit acts, or other employee benefit acts. This indemnification provision survives termination of this Agreement with respects to issues arising hereunder.

13. RELATIONSHIP OF PARTIES

It is understood that this is an Agreement by and between two independent contractors and is not intended to, and shall not be construed to, create the relationship of agent, servant, partnership, joint venture, or any other similar association.

14. COMPLIANCE WITH LAWS

SONOMA agrees to comply, and shall require Laboratory Director to comply, with all applicable local, State, and Federal laws and regulations. SONOMA further agrees to comply, and shall require Laboratory Director to comply, with all applicable local, State, and Federal licensure and certification requirements at all times during the term of this Agreement.

15. SEVERABILITY

If any provision of this Agreement, or any portion thereof, is found by any court of competent jurisdiction to be unenforceable or invalid for any reason, such provision shall be severable and shall not in any way impair the enforceability of any other provision of this Agreement.

16. NO WAIVER OF DEFAULT

The waiver by either party of any breach or violation of any requirement of this Agreement shall not be deemed to be a waiver of any such breach in the future, or of the breach of any other requirement of this Agreement.

17. AMENDMENT

No addition to, or alteration of, the terms of this Agreement shall be valid unless made in writing and signed by the parties hereto.

18. TITLE TO INFORMATION AND DOCUMENTS

It is understood that any and all documents, information, and reports concerning the services provided by Laboratory Director prepared by and/or submitted by SONOMA shall become the property of HUMBOLDT. However, SONOMA may retain copies of such information for its records. In the event of termination of this Agreement, for any reason whatsoever, SONOMA shall promptly turn over all information, writings, and documents to HUMBOLDT without exception or reservation.

19. DISPUTE RESOLUTION

If any conflicts or disputes arise between the parties hereto, involved staff shall meet in a timely manner to resolve the conflict or dispute. It is acknowledged by both parties that the purpose of such meeting is to come to a resolution that is in the best interest of both parties and any client or patient involved.

20. JURISDICTION AND VENUE

This Agreement shall be construed in accordance with the laws of the State of California. Any dispute arising hereunder or relating to this Agreement shall be litigated in the State of California, and venue shall lie in the County of Humboldt unless transferred by court order pursuant to Code of Civil Procedure Sections 394 and 395.

21. INTERPRETATION

This Agreement shall be deemed to have been prepared equally by both of the parties hereto, and this Agreement as well as its individual provisions shall not be construed or interpreted more favorably for one party on the basis that the other party prepared it.

22. INDEPENDENT CONSTRUCTION

The titles of the sections, subsections, and paragraphs set forth in this Agreement are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of the provisions of this Agreement.

23. FORCE MAJEURE

Neither SONOMA nor HUMBOLDT shall be liable or responsible for delays or failures in performance resulting from events beyond the reasonable control of such party and without fault or negligence of such party. Such events shall include, but shall not be limited to, acts of God, strikes, lockouts, riots, acts of war, epidemics, acts of government, fire, power failures, nuclear accidents, earthquakes, unusually severe weather, acts of terrorism, or other disasters, whether or not similar to the foregoing.

24. ENTIRE AGREEMENT

This Agreement contains all the terms and conditions agreed upon by the parties hereto and no other Agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind either of the parties hereto. In addition, this Agreement shall supersede in its entirety any and all prior Agreements of the parties.

25. AUTHORITY TO EXECUTE

Each person executing this Agreement represents and warrants that he or she is duly authorized and has legal authority to execute and deliver this Agreement. Each party represents and warrants to the other that the execution and delivery of this Agreement and the performance of such party's obligations hereunder have been duly authorized.

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

IN WITNESS WHEREOF, the parties execute this Agreement as of the above-written date.

COUNTY OF HUMBOLDT:

By: _____
Susan Buckley
Director, Public Health
Date _____

APPROVED AS TO LEGAL FORM:

By: _____
Deputy County Counsel
Date _____

INDEMINITY REQUIREMENTS REVIEWED AND APPROVED:

By: _____
Risk Analyst
Date _____

COUNTY OF SONOMA:

By: _____
Rita Scardaci, MPH
Director, Department of Health Services
Date _____

APPROVED AS TO SUBSTANCE:

By: _____
Division Director or Designee
Date _____

APPROVED AS TO FORM:

By: _____
Deputy County Counsel
Date _____

By: _____
Risk Analyst
Date _____



County of Sonoma Agenda Item Summary Report

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

Agenda Item Number: 19
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors of Sonoma County

Board Agenda Date: October 22, 2013

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: Animal Care and Control Contracts

Recommended Actions:

Authorize the Director of Health Services to execute an agreement with Becky Lunders, dba teamWorks, in an amount not to exceed \$16,000 for the period October 22, 2013 through June 30, 2014 for Animal Services Partnership workgroup facilitation and support services, with the option to extend the term for two additional one-year periods (FY 14-15 and FY 15-16) in an amount not to exceed \$20,000 per year, up to a total contract amount not to exceed \$56,000.

Authorize the Director of Health Services to execute the first amendment to an agreement with Tickler and Thomas, expanding the scope of work to include organization and documentation of Animal Care and Control procedures and Animal Services Partnership leadership group facilitation and support services, increasing the contract by \$20,000, resulting in a new total not to exceed amount of \$44,900, and term through June 30, 2014, with the option to extend the term for two additional one-year periods (FY 14-15 and FY 15-16), for Animal Services Partnership leadership group facilitation, in an amount not to exceed \$6,000 per year, up to a total contract amount not to exceed \$56,900.

Executive Summary:

This item requests approval of an agreement with Becky Lunders, dba teamWorks, in an amount not to exceed \$16,000 for the period October 22, 2013 through June 30, 2014 for Animal Services Partnership workgroup facilitation and support services, with the option to extend the term for two additional one-year periods (FY 14-15 (\$20,000) and FY 15-16 (\$20,000)). In addition, this item requests approval of the first amendment to an agreement with Tickler and Thomas, expanding the scope of work to include organization and documentation of Animal Care and Control procedures and Animal Services Partnership leadership group facilitation and support services, increasing the contract by \$20,000, resulting in a new total not to exceed amount of \$44,900, and term through June 30, 2014, with the option to extend the term for two additional one-year periods (FY 14-15 (\$6,000) and FY 15-16 (\$6,000)), for Animal Services Partnership leadership group facilitation.

History:

As directed by the Board of Supervisors on August 21, 2012, from November 2012 through July 2013 the Department of Health Services (DHS) convened the Animal Services Workgroup with representatives from the County of Sonoma and each of the nine cities in the County to identify goals and objectives for a countywide system of animal services. On August 13, 2013 the Board approved recommendations of the Animal Services Workgroup report titled *Sonoma County Animal Services Action Plan*. Consistent with the recommendation to develop and formalize a countywide animal services committee to support ongoing collaboration and guide implementation of shared services, the Animal Services Workgroup was expanded to include identified key partners. The new collaborative alliance, the Sonoma County Animal Services Partnership, consists of representatives from the County, the cities within Sonoma County, and representatives from key shelter and animal services partners. Recognizing the value of community input, the Animal Services Partnership will establish four workgroups: Communications and Outreach; Low-Cost Spay Neuter; Shared Data Systems; and Animal Ordinance Review consisting of subject matter experts, community members, and system representatives, as needed, to recommend specific actions, initiatives, and programs that improve alignment.

Agreement with Becky Lunders, dba teamWorks

As reported to the Board in August, DHS released a Request for Proposals (RFP) for a consultant to facilitate the Animal Services Partnership. Consistent with the competitive procurement process, an RFP was posted on the County Purchasing and DHS websites. Six proposals were received and evaluated based on criteria including demonstrated ability and experience facilitating and providing key support for a community collaboration of similar scope.

Based on the review of an evaluation team comprised of members of the Animal Services Partnership and Department staff, Becky Lunders, dba teamWorks was determined to be the best qualified to successfully support the ongoing work of the Animal Services Partnership workgroups with respect to communication, community engagement, and ongoing support needed to connect key partners, engage broad community participation, and support the workgroups.

The Department is requesting approval to execute an agreement with Becky Lunders, dba teamWorks to provide Animal Services Partnership Facilitation Services. The initial term of this agreement will be through June 30, 2014 and the initial not-to-exceed amount will be \$16,000. The Department further requests the option to extend the term of the agreement for two additional one-year periods (FY 14-15 (\$20,000) and FY 15-16 (\$20,000)), which if executed will increase the not-to-exceed amount to \$56,000. The decision to extend this agreement will be based on performance of the contractor and need of the Department. The funding source for this agreement is County General Fund.

Agreement with Tickler and Thomas

As part of the RFP process described above, Tickler and Thomas was determined to be the best qualified to successfully support the ongoing work of the Animal Services Partnership leadership group. Tickler and Thomas will support the Animal Services Partnership leadership group during its beginning stages by assisting in developing initial agreements and processes, and providing facilitation of ongoing communication with Animal Services Partnership members and the public.

In addition to the facilitation efforts, the Department would like to utilize the services of Tickler and Thomas in a project involving reviewing and updating all Animal Care and Control policies and procedures in support of operational efficiency, uniformity and transparency. As this work is closely

aligned with the work mentioned below that Tickler and Thomas is currently performing for the Department, a single source justification was submitted and has been approved by the Purchasing Agent.

In August 2013, the Purchasing Agent executed an agreement with Tickler and Thomas in the amount of \$24,900 and a term through June 30, 2014 to provide capacity building support for Animal Care and Control staff. Services in this agreement include leadership team building, field services organizational development, and assistance with animal ordinance review. The Department is requesting approval to execute the first amendment to this agreement, expanding the scope of work to include Animal Care and Control Procedures Organization and Documentation Services and Animal Services Partnership leadership group facilitation services. With this amendment, the not-to-exceed amount of this agreement is initially increased to \$44,900 and the term remains unchanged. The Department further requests the option to extend the term of the agreement for two additional one-year periods (FY 14-15 (\$6,000) and FY 15-16 (\$6,000)), which if executed will increase the not-to-exceed amount to \$56,900. The decision to extend this agreement will be based on performance of the contractor and need of the Department. The source of funding for the Animal Services Partnership facilitation portion of this amendment is County General Fund (\$6,000 per year for each of FY 13-14, FY 14-15, and FY 15-16).

Prior Board Actions:

On August 21, 2012 the Board directed the Department to work with community partners to develop a model for delivery of high-quality, cost-efficient animal care and control services for Sonoma County. On August 13, 2013 the Board accepted a report of the Animal Services Workgroup, including request for increased General Fund support for consultant services to support the Animal Services Partnership.

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

The Department continues to pursue community collaboration and best practices in providing animal care and control services to Sonoma County to ensure the best outcomes for animals and community.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 14,000	County General Fund	\$ 22,000
Add Appropriations Req'd.	\$ 22,000	State/Federal	\$ 14,000
	\$	Fees/Other	\$ 0
	\$	Use of Fund Balance	\$ 0
	\$	Contingencies	\$ 0
	\$		\$
Total Expenditure	\$ 36,000	Total Sources	\$ 36,000

Narrative Explanation of Fiscal Impacts (If Required):

County General Fund - FY 13-14 funding from the General Fund will be requested and appropriated through the second quarter consolidated budget adjustments process. Funding from the General Fund for future years will be requested and appropriated in the appropriate year budgets. The total General Fund contribution requested in support of Animal Services Partnership Facilitation Services through

FY 15-16 is \$74,000. The \$14,000 for the Tickler and Thomas agreement amendment is included in the FY 13-14 budget.

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 Becky Lunders, dba teamWorks and the first amendment to an agreement with Tickler and Thomas.

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

None

COUNTY OF SONOMA
AGREEMENT FOR SERVICES

This agreement ("Agreement"), dated as of _____, 20_____, ("Effective Date") is by and between the County of Sonoma, a political subdivision of the State of California (hereinafter "County"), and Becky Lunders, a sole proprietor, dba teamWorks (hereinafter "Contractor").

RECITALS

WHEREAS, Contractor represents that it is a duly qualified meeting facilitator, experienced in the facilitation of meetings 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 meeting facilitation 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 and Budget," 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.

2. Payment

For all services and incidental costs required hereunder, Contractor shall be paid in accordance with the following terms:

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 A, provided, however, that total payments to Contractor shall not exceed **\$16,000** without the prior written approval of County. The Department of Health Services Director may, at their sole discretion, upon exercising its options to extend the term of this Agreement as set forth in Section 3.2, increase the total payments to Contractor up to a maximum of **\$56,000**. 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

3.1 Term. The term of this Agreement shall be from **October 22, 2013** to **June 30, 2014** unless terminated earlier in accordance with the provisions of Article 4 (Termination) below.

3.2 Options to Extend Term. The Department of Health Services Director may, at their sole discretion, extend the term of this Agreement for up to two (2) additional one year periods through June 30, 2016.

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

TO COUNTY:

Ellen Bauer, Director
Department of Health Services, Public Health Division
County of Sonoma
625 5th Street
Santa Rosa CA 95404
707.565.4401
Ellen.Bauer@sonoma-county.org

TO CONTRACTOR:

Becky Lunders
teamWorks
214 Alma Avenue
Rohnert Park CA 94928
707.793.0933
becky@totalteamworks.com

When a notice, bill, or payment is given by a generally recognized overnight courier service, the notice, bill, or payment shall be deemed received on the next business day. When a copy of a notice, bill, or payment is sent by facsimile or email, the notice, bill, or payment shall be deemed received upon transmission as long as: (1) the original copy of the notice, bill, or payment is promptly deposited in the U.S. mail and postmarked on the date of the facsimile or email (for a payment, on or before the due date); (2) the sender has a written confirmation of the facsimile transmission or email; and (3) the facsimile or email is transmitted before 5 p.m. (recipient's time). In all other instances, notices, bills, and payments shall be effective upon receipt by the recipient. Changes may be made in the names and addresses of the person to whom notices are to be given by giving notice pursuant to this Article 12.

13. Miscellaneous Provisions

13.1. No Waiver of Breach

The waiver by County of any breach of any term or promise contained in this Agreement shall not be deemed to be a waiver of such term or provision or any subsequent breach of the same or any other term or promise contained in this Agreement.

13.2. Construction

To the fullest extent allowed by law, the provisions of this Agreement shall be construed and given effect in a manner that avoids any violation of statute, ordinance, regulation, or law. The parties covenant and agree that in the event that any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions hereof shall remain in full force and effect and shall in no way be affected, impaired, or invalidated thereby. Contractor and County acknowledge that they have each contributed to the making of this Agreement and that, in the event of a dispute over the interpretation of this Agreement, the language of the Agreement will not be construed against one party in favor of the other party. Contractor and County acknowledge that they have each had an adequate opportunity to consult with counsel in the negotiation and preparation of this Agreement.

13.3. Consent

Wherever in this Agreement the consent or approval of one party is required to an act of the other party, such consent or approval shall not be unreasonably withheld or delayed.

13.4. No Third-Party Beneficiaries

Nothing contained in this Agreement shall be construed to create and the parties do not intend to create any rights in third parties.

13.5. Applicable Law and Forum

This Agreement shall be construed and interpreted according to the substantive law of California, regardless of the law of conflicts to the contrary in any jurisdiction. Any action to enforce the terms of this Agreement or for the breach thereof shall be brought and tried in Santa Rosa or the forum nearest to the city of Santa Rosa in the County of Sonoma.

13.6. Captions

The captions in this Agreement are solely for convenience of reference. They are not a part of this Agreement and shall have no effect on its construction or interpretation.

13.7. Merger

This writing is intended both as the final expression of the Agreement between the parties hereto with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement, pursuant to Code of Civil Procedure Section 1856. No modification of this Agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.

13.8. Survival of Terms

All express representations, waivers, indemnifications, and limitations of liability included in this Agreement will survive its completion or termination for any reason.

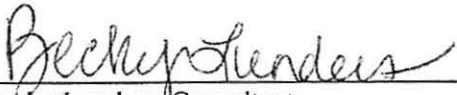
13.9. Time of Essence

Time is and shall be of the essence of this Agreement and every provision hereof.

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

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

CONTRACTOR:



Becky Lunders, Consultant
teamWorks


10/4/13
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

10/4/13
Dated

Exhibit A. Scope of Work and Budget

Sonoma County Animal Services Partnership – Workgroup Facilitator

Project Description. The Sonoma County Animal Services Partnership (hereinafter, "Animal Services Partnership") is a leadership group that supports alignment and collaboration of animal services system partners to achieve the vision and shared goals identified in the *Sonoma County Animal Services Action Plan*. Recognizing that members of the community may be interested and have valuable expertise and insight to contribute, Animal Services Partnership utilizes a sub-committee/work group structure to allow for broad participation by interested community members. Initially, four workgroups (Communications and Outreach, Low-Cost Spay Neuter, Shared Data Systems, and Animal Ordinance Review) will be created with subject matter experts, community members, and system representatives, as needed, to recommend specific actions, initiatives, and programs that improve alignment, collaboration, efficiencies, and system effectiveness in their respective areas. A separate facilitator has been contracted to support facilitation of the Animal Services Partnership leadership group.

Activities. Contractor will conduct the following activities:

1. Facilitate and support Sonoma County Animal Services Partnership workgroups. This will include coordinating with the workgroup chairs and co-chairs, preparing meetings and developing agendas, drafting meeting notes, submitting workgroup content and meeting materials to be posted on the website, and any follow-up that is identified. (~124 hours)
2. Coordinate with DHS staff and the Animal Services Partnership leadership group facilitator to support Animal Services Partnership start-up and develop effective processes to stimulate collaboration and shared services in animal services throughout the County. This will include participating in the bi-monthly meetings of the Animal Services Partnership to help facilitate communication and collaboration among the workgroups and the Animal Services Partnership leadership group. (~16 hours)

Budget

Consultant	140 hours x \$100/hour	\$14,000
Travel	Parking and Mileage (@IRS rate of 55.5 cents/mile)	\$ 1,500
Meeting Supplies		<u>\$ 500</u>
	Total	\$16,000

**Exhibit B. Insurance Requirements
(Template 4)**

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 County 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: \$300,000 combined single limit per accident; or Bodily Injury: \$100,000 per person/\$300,000 per accident and Property Damage: \$50,000 per accident.
 - b. **Required Evidence of Insurance**
 - i. Copy of Auto Policy Declarations Page; or
 - ii. Certificate of Insurance.
4. 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.
5. 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, 2, or 3.
 - 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 Coverage 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.

6. Policy Obligations

Contractor's indemnity and other obligations shall not be limited by the foregoing insurance requirements.

7. 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.

Exhibit C. Waiver of Insurance Requirements



Exhibit C Waiver of Insurance Requirements

This Exhibit modifies the insurance requirements as specified in Exhibit B

Department	<u>Health Services</u>	Department Contact	<u>Rod Stroud</u>	Phone	<u>565.4918</u>
Contractor, Consultant, Vendor, Licensee, Tenant	<u>Becky Lunders dba teamWorks</u>				
Contact Person	<u>John Huth</u>	Phone	<u>565.4741</u>		
Contract Term	<u>2013 Oct 22 - 2014 Jun 30</u>	Contract Cost	<u>16,000</u>	Template #	<u></u>

- ◆ If only Section I waivers are required, submit to your Department Head or designee for signature. Do not submit to Risk.
- ◆ If only Section II waivers, or a combination of Section I and II waivers, are required, **submit to Risk.**

Section I - Department Waivers

Requirement to be Waived and Reason

- Workers Compensation: Waive Subrogation Waiver.
- General Liability: Waive General Aggregate per location or per project; General Aggregate is at least double the Occurrence Limit.
- General Liability: Waive requirement for Subrogation Waiver because insurer will not provide the coverage.
- General Liability (Suppliers of Products): Waive "Additional Insured – Vendors". County does not distribute the product to the public.
- General Liability (Special Events): Waive Products/Completed Operations Coverage. Licensee will not sell or distribute food or other tangible items at the event.
- General Liability (Instructors/Trainers): Waive General Liability. Training is conducted at County/Entity facility and does not involve the use of hazardous equipment or participation in physical activity.
- General Liability (Therapists, Counselors, Social workers and Psychologists): Waive General Liability. All services are provided in the consultant's office or on County premises and acceptable evidence of professional liability insurance has been provided.
- Auto Liability: Waive coverage and/or limits; Consultant or Contractor does no driving on behalf of the County or the driving is limited to attendance at meetings at County/Entity facilities.
- Auto Liability (Suppliers of Products): Waive coverage because vendor's goods are delivered by common carrier or contract carrier.
- Property Insurance (Long Term Tenants): Waive Property Insurance requirement. Tenant has not made improvements to the property or the current construction cost of the improvements is less than \$25,000.
- Mold Liability: Landlord cannot obtain the insurance.

Katie Mackay
Approved by Department Head, Department Designee or Risk Management

10/3/2013
Date

Section II – Risk Management Waivers

Submit to Risk with Scope of Work Exhibit or detailed description of services or event.

General Liability Waivers

- Waive requirement for coverage
Reason: Facilitator – low risk.
- Waive requirement for additional insured endorsement
Reason: _____
- Waive primary & non-contributory language (if evidence is required)
Reason: _____

Auto Liability Waivers

- Accept lower limits
Reason: _____
- Waive hired & non-owned auto liability
Reason: _____

Workers Compensation Waivers

- Waive requirement for subrogation waiver endorsement if required
Reason: _____

Professional Liability Waivers

- Waive requirement for coverage
Reason: _____
- Accept lower limits
Reason: _____

Pollution Liability Waivers

- Waive requirement for coverage
Reason: _____
- Accept lower limits
Reason: _____
- Waive requirement for additional insured endorsement
Reason: _____

Other Waivers

- Describe: _____
Reason: _____

Katie Mackay
Approved by Risk Management

10/3/2013
Date



**MODIFICATION NUMBER ONE OF AGREEMENT FOR SERVICES
BETWEEN COUNTY OF SONOMA AND
TICKLER AND THOMAS**

On August 1, 2013, the County of Sonoma, a political subdivision of the State of California, (hereinafter referred to as "County") and Tickler and Thomas, an independent firm, (hereinafter referred to as "Contractor") entered into a service agreement (Agreement).

Pursuant to Section 13.7 (Merger) of the Agreement, the parties hereby evidence their intent and desire to modify the Agreement as follows:

1. Exhibit A – Scope of Work and Budget replaces Exhibit A – Scope of Work and Budget in its entirety, is attached hereto, and is incorporated herein by this reference (hereinafter "Exhibit A").
2. Article 2 – Payment is hereby revised to read as follows:

2. Payment

For all services and incidental costs required hereunder, Contractor shall be paid in accordance with the following terms:

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 A, provided, however, that total payments to Contractor shall not exceed **\$44,900** without the prior written approval of County. The Department of Health Services Director may, at their sole discretion, upon exercising its options to extend the term of this Agreement as set forth in Section 3.2, increase the total payments to Contractor up to a maximum of \$56,900.

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

Unless otherwise noted in this agreement, payments shall be made within the normal course of County business after presentation of an invoice in a form approved by County for services performed. Payments shall be made only upon the satisfactory completion of the services as determined by County.

Pursuant to California Revenue and Taxation Code (R&TC) Section 18662, County shall withhold seven percent of the income paid to Contractor for services performed within the State of California under this agreement for payment and reporting to the California Franchise Tax Board if Contractor does not qualify as any of the following: (1) a corporation with its principal place of business in California, (2) an LLC or Partnership with a permanent place of business in California, (3) a corporation/LLC or Partnership qualified to do business in California by the Secretary of State, or (4) an individual with a permanent residence in the State of California.

If Contractor does not qualify, County requires that a completed and signed California Form 587 be provided by Contractor in order for payments to be made. If Contractor does qualify, then County requires a completed California Form 590. California Forms 587 and 590

remain valid for the duration of the Agreement provided there is no material change in their facts. By signing either form, Contractor agrees to promptly notify County of any changes in the facts. Forms should be sent to County pursuant to Article 12 (Method and Place of Giving Notice, Submitting Bills, and Making Payments). To reduce the amount withheld, Contractor has the option to provide County with either a full or partial waiver from the State of California.

2.1 Overpayment. If County overpays Contractor for any reason, Contractor agrees to return the amount of such overpayment to County, or at County's option, permit County to offset the amount of such overpayment against future payments owed to Contractor under this Agreement or any other agreement.

2. Article 3 – Term of Agreement is hereby revised to read as follows:

3. Term of Agreement

3.1 Term. The term of this Agreement shall be from July 1, 2013 to June 30, 2014 unless terminated earlier in accordance with the provisions of Article 4 (Termination) below.

3.2 Options to Extend Term. The Department of Health Services Director may, at their sole discretion, extend the term of this Agreement for up to two (2) additional one year periods through June 30, 2016.

Except as expressly amended herein, all terms and conditions of Agreement shall remain in full force and effect.

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

IN WITNESS WHEREOF, the parties have caused this Amendment to be duly executed by their authorized representatives this _____ day of _____, 20_____.

CONTRACTOR:

Steve Thomas, Principal
Tickler and Thomas

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

Exhibit A. Scope of Work and Budget**A. Animal Care and Control Capacity Building****Period of Performance:** July 1, 2013 to June 30, 2014

Project Description. Sonoma County Animal Care and Control seeks consultant support to improve the effectiveness of the ACC Leadership team and evaluate and assess ACC Field Services tasks, duties, and priorities in a quality improvement effort to align with community and animal services system partners' expectations. Contractor will also assist with the review and development of recommended changes to Sonoma County Chapter 5 ordinance and will work with ACC staff to achieve the following:

- Develop clarity and agreement on how ACC leadership team can best guide and direct ACC in meeting its vision and mission.
- Identify behaviors and dynamics that may be getting in the way of leadership team performance.
- Provide tools and training to assist leadership team in mitigating barriers to individual, team, and organizational performance.
- Promote a more collaborative work place environment consistent with organizational values and responsive to organizational and community needs.
- Assess and evaluate current practices in the Field Services Division and make recommendations as appropriate in operational priorities, processes, and tasks to more closely align with community expectations.
- Facilitate process of ordinance review.

Activities. Contractor will conduct the following activities:

1. Leadership Team Building. Engage ACC leadership team members in a problem-solving process focused on clarifying roles responsibilities, accountability, and collaboration within the team and problem resolution for the organization. By building a safe container and promoting authentic communication, Contractor will:
 - a. Facilitate leadership team meetings, engaging the team in building agreements and action plans leading to mitigation of barriers and challenges to becoming a higher functioning work team.
 - b. Present concepts and materials designed to help members understand and correct individual and group behaviors that negatively impact individual, team, and organizational performance.
 - c. Identify, prioritize, and resolve high-impact issues confronting the team and organization overall.
 - d. Build alignment and trust leading to greater collaboration and consistency.

Estimated 50 hours x \$150/hour = \$7,500

2. Field Services Organizational Development

- a. Design processes to engage ACO's staff in identifying and prioritizing systemic issues; build understanding of interdependence and collaborative relationships.
- b. Schedule and facilitate multiple meetings with field services team and other staff of ACC (Shelter, Admin, and Leadership) as appropriate to coordinate organizational development and quality improvement efforts.
- c. Build agreements, prioritize work, establish cross-functional/diagonal work teams, and record work.
- d. Develop recommendations for leadership team review.

Estimated 66 hours x \$150/hour = \$9,900

3. Assist in Process To Develop Proposed Changes to Chapter 5 of the Sonoma County Ordinance

- a. Identify and engage key animal service system partners in developing regulatory language designed to meet public and animal safety concerns.
- b. Assist DHS staff in building draft ordinance language.
- c. Support process to solicit feedback from key partners and community on proposed changes.

Estimated 50 hours x \$150/hour = \$7,500

Total Estimated Costs for Capacity Building: \$24,900

B. Animal Care and Control Procedures Documentation Project

Period of Performance: October 22, 2013 to June 30, 2014

Project Description. This project will create an organized system to document and index all ACC operations procedures and guidelines. This project will also develop an easy-to-understand system to link these operations procedures to other manuals and plans used by ACC, including ACC Work Place Security Plan, Emergency Action Plan, Illness and Injury Prevention Plan, and any procedures recommended in the Security Risk Assessment Security Plan.

Activities. Contractor will conduct the following activities:

1. Work with staff in all areas of ACC operations (field, shelter, administration, and communications) to update procedures to ensure compliance with all local and State laws and, to the extent possible, align with national standards and best practices in the field.
2. Format each procedure to include the following standard information:
 - a. Purpose of the procedure
 - b. Background with references to State law, other national or State standards, or best practices
 - c. Detailed description of each step in the procedure, including work flow diagrams as appropriate

3. Develop an electronic and hardcopy filing and indexing system to number and organize procedures and catalog revisions. Electronic filing system must contain both pdf documents and modifiable (Microsoft Word) documents.
4. Create a hardcopy user-friendly binder system to organize all ACC procedures. This system may include a binder subset system relevant to organizational units (field, shelter, administration, and communications).
5. Develop a plan to control access, authority, and responsibility for updating procedures.
6. Develop and implement staff training on the ACC operations procedures and guidelines for maintaining accuracy and compliance.

Estimated Project Management: 40 hours x \$150/hour = \$6,000

Estimated Administrative Support: 160 hours x \$50/hour = \$8,000

Estimated Cost for Procedures Documentation Project: \$ 14,000

C. Sonoma County Animal Services Partnership – Leadership Group Facilitator

Period of Performance: July 1, 2013 to June 30, 2014

Project Description. The Sonoma County Animal Services Partnership (hereinafter, "Animal Services Partnership") is a leadership group that supports alignment and collaboration of animal services system partners to achieve the vision and shared goals identified in the Sonoma County Animal Services Action Plan. The Animal Services Partnership includes representatives from the public jurisdictions responsible for animal care and control services in Sonoma County and key shelter and animal services partners, who work closely with the jurisdictions to further the vision and shared goals in the Animal Services Action Plan. Animal Services Partnership members will develop agreements and processes needed to be effective in their work. Recognizing that members of the community may be interested and have valuable expertise and insight to contribute, Animal Services Partnership utilizes a sub-committee/work group structure to allow for broad participation by interested community members. Work groups will be created with subject matter experts, community members, and system representatives, as needed, to recommend specific actions, initiatives, and programs that improve alignment, collaboration, efficiencies, and system effectiveness in their respective areas. A separate facilitator has been contracted to support the work of the work groups.

Activities. Contractor will conduct the following activities:

1. Facilitate bi-monthly meetings of the Animal Services Partnership leadership group (5 meetings in FY13-14, 6 meetings per year in future fiscal years). Assist in development of processes and agreements to assist Animal Services Partnership in achieving its goals. This will include meeting preparation and agenda, meeting notes, and any follow-up identified. (~20 hours)
2. Facilitate up to 2 community meetings/workshops, if requested by the Animal Services Partnership. This will include meeting preparation and agenda, meeting notes, and any follow-up identified. (~8 hours)

3. Coordinate with DHS staff and work group facilitator and chairpersons to support Animal Services Partnership start-up and develop effective processes to stimulate collaboration and shared services in animal services throughout the county. (~12 hours)

Estimated 40 hours x \$150/hour = \$6,000

Estimated Cost for Animal Services Partnership Facilitation: \$ 6,000

Total Contract \$44,900

D. Budget Summary

Service Description	Rate	Estimated Hours	Estimated Amount FY 13-14
Animal Care and Control Capacity Building - Leadership Team Building	\$150	50	\$7,500
Animal Care and Control Capacity Building - Field Services Organizational Development	\$150	66	\$9,900
Animal Care and Control Capacity Building - Assist in Process To Develop Proposed Changes to Chapter 5 of the Sonoma County Ordinance	\$150	50	\$7,500
Animal Care and Control Procedures Documentation Project – Project Management	\$150	40	\$6,000
Animal Care and Control Procedures Documentation Project – Administrative Support	\$50	160	\$8,000
Sonoma County Animal Services Partnership – Leadership Group Facilitator	\$150	40	\$6,000
	Estimated Totals	406	\$44,900



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 Directors of the Northern Sonoma County Air Pollution Control District

Board Agenda Date: October 22, 2013

Vote Requirement: Majority

Department or Agency Name(s): Transportation and Public Works - Northern Sonoma County Air Pollution Control District

Staff Name and Phone Number:

Barbara Lee, 707-433-5911

Supervisory District(s):

Northern Sonoma County Air Pollution Control District

Title: Woodstove Change-Out Rebate Incentive Program 2013

Recommended Actions:

1. Approve the Northern Sonoma County Air Pollution Control District's 2013 Woodstove Change-Out Rebate Incentive Program for a maximum of \$44,318 in grant rebates.
2. Authorize Air Pollution Control Officer to adjust timelines as needed to ensure program effectiveness.

Executive Summary:

Staff of the Northern Sonoma County Air Pollution Control District (District) is requesting authorization to implement the 2013 Woodstove Change-Out Rebate Incentive Program, which would provide incentive rebates for woodstove replacement projects for a total program amount not to exceed \$44,318. This item also requests authorization for the Air Pollution Control Officer (APCO) to adjust the program timelines as needed to ensure program effectiveness.

The Board of Directors (Board) of the Northern Sonoma County Air Pollution Control District (District) has historically placed a high priority on reducing emissions of fine particles from residential wood combustion. To this end, and at the direction of the Board, the District was one of the first air agencies in the nation to include fireplaces in its regulations that limit particle emissions from residential wood combustion. Under the Board's direction, the District has developed testing protocols and funded study of particle emissions from fireplaces and woodstoves. The importance of this effort was underscored by health data that show a strong correlation between exposure to fine particles and a wide range of adverse health outcomes.

In 1996, the Board approved the establishment of the District's Community Programs Fund, which derives its funding from penalties assessed against those who have violated the District's air pollution regulations, as well as other grant sources. In the current year budget, the Board appropriated \$25,000

of these funds to be used for grants providing incentives to replace older, uncertified wood combustion units with new, low emitting units. In addition, the District has available \$19,318 in Residual funds from the former Russian River Redevelopment Funds prior to the state’s dissolution of redevelopment agencies in 2012, to use as an additional rebate on top of the standard rebate amounts for properties in the Russian River Redevelopment Area. Woodstove replacement grants will offset the cost of new, certified woodstoves and pellet heaters, as well as the installation of stoves and fireplaces that use natural or propane gas. Rebates will be available in the amounts of \$1,000 for a new EPA Phase II Certified woodstove or fireplace, and \$1,500 for a natural gas or pellet stove or fireplace. The additional rebate available for residents of the Russian River Redevelopment Area is \$500 on top of the standard rebate amount, regardless of whether the new stove is natural gas, pellet, or EPA Phase II Certified wood-burning. After receiving the rebate voucher, the applicant may then purchase their new stove.

The proposed process for the Woodstove Change-Out Rebate Incentive Program is as follows:

1. Immediately: Upon Board approval, commence advertisement to prepare the public for a program beginning in November, 2013. Advertising would include press releases in a local newspaper and informational supplements offered at local businesses. Appropriations for advertising costs are available in the District’s FY 13-14 Operations budget.
2. November, 2013: Make applications available to the public and begin rebate process, which would adhere to the following procedures:
 - a. After receiving a completed application, District staff will verify eligibility of the application and check for available funding; pending funding, the District will issue a Rebate Voucher along with additional forms the applicant will use to document the disposal of the old woodstove. If funding is unavailable, the applicant will be added to a wait list and notified should funding become available.
 - b. After receiving a Rebate Voucher, the applicant will have 60 days to complete and return the documentation in order to receive the monetary rebate from the District. Once the District receives all necessary documentation the District will remit a rebate payment to the applicant. If the applicant fails to return the necessary documentation, their Rebate Voucher will be voided and they will forfeit their participation in the program. Any persons on the wait list will be notified of their change of status and sent a Rebate Voucher.
3. February, 2014: End date after which no further applications will be accepted. The program may be ended earlier if funds are exhausted.

Prior Board Actions:

May 14, 2013: Board adopted policy for use of “Reinvestment and Revitalization” funds. March 15, 2005: Woodstove Change-Out Program Approval

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Reducing particle emissions in the air improves air quality and makes for a better quality of life for residents of the Northern Sonoma County Air Pollution Control District and all Californians.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 44,318		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 19,318
	\$	Use of Fund Balance	\$ 25,000
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 44,318	Total Sources	\$ 44,318

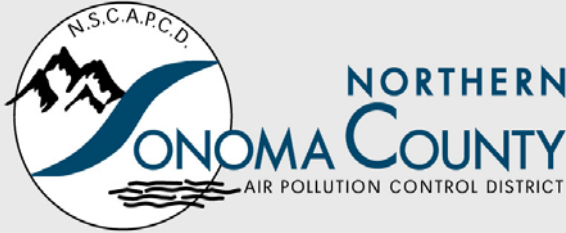
Narrative Explanation of Fiscal Impacts (If Required):
 Project will be funded with \$19,318 of residual Redevelopment Funds and \$25,000 of Community Programs fund balance.

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:
 Rebate Qualification Criteria; Rebate Advertisement; Map of District Boundaries

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



2013 Woodstove Change-Out Rebate Incentive Program REBATE QUALIFICATION CRITERIA AND LIMITATIONS

The Woodstove Change-Out Rebate Incentive Program provides an incentive rebate for changing-out a non-EPA certified woodstove or fireplace for an EPA Phase II Certified woodstove (\$1,000) or a gas or pellet fueled stove or fireplace (\$1,500). An additional rebate (\$500) is available to residents of the Russian River Redevelopment Area.

FOLLOW THESE STEPS TO RECEIVE YOUR REBATE VOUCHER

1. Applicant must be the owner (or his/her authorized agent) of a woodstove used in a full-time residential property in the Northern Sonoma County Air Pollution Control District. Rebate applies only to a woodstove change-out that occurs at an address within the District boundaries (see map at http://www.sonoma-county.org/tpw/divisions/nsc_air_pollution/ or call (707) 433-5911 to verify).
2. The woodstove or fireplace being replaced must be a non-EPA certified woodstove and must be taken out of commission after being removed.
3. Applicant must complete the Woodstove Change-Out Rebate Application Form prior to the purchase of the new heating appliance in order to be eligible for rebate. **Applications must be emailed, mailed, or faxed to the District no later than February 1, 2014.**

WoodStove@sonoma-county.org

150 Matheson Street
Healdsburg, CA 95448

FAX (707) 433-4823

Funding and Expiration Date

Funding is available on a **first come, first served basis**. The program begins **November 1, 2013** and will end on **February 1, 2014**, or before that date upon exhaustion of funds. A wait list will be established if the number of applications exceeds the available funding.

Rebate Vouchers

The District will review applications for rebates to confirm the Applicant meets all eligibility requirements. A Rebate Voucher will be issued to eligible Applicants by mail or email. Rebates will be available in the amounts of \$1,000 for a new EPA Phase II Certified woodstove or fireplace, and \$1,500 for a natural gas or pellet stove or fireplace. The additional rebate increment of \$500 for eligible Applicants in the Russian River Redevelopment Area will be included on the Rebate Voucher if District staff

determines the additional increment applies. Rebates will only be provided in the amount(s) specified on the voucher. After receiving the Rebate Voucher, the Applicant may purchase the replacement stove.

Additional Requirements

In order to receive the rebate payment, Applicants must follow all steps listed above, AND after installing the replacement stove, must provide the following to the District:

1. The certified Rebate Voucher received from the District.
2. Verification of Disposal form which confirms that the old non-EPA Certified woodstove was properly disposed of. A copy of the disposal receipt must be included as evidence.
3. A copy of the sales receipt.
4. ***A copy of the building permit with final inspection signed off by the building inspector.***
5. **All of the above paperwork must be submitted to the District no later than 60 days after receipt of a Rebate Voucher.**

Russian River Redevelopment Area Rebate

There is no additional paperwork required to receive this rebate. To be eligible, Applicants must be residents of the Russian River Redevelopment Area, as determined by District staff. Please call the District office if you have any questions.

Rebate Payment

Checks for the rebate will be issued to Applicant within thirty (30) days of the District's receipt of all required documentation. The District must receive the completed documentation by the expiration date listed on the Rebate Voucher. Rebates will not be provided for any woodstoves purchased or installed before the District has issued a Rebate Voucher for that project. Rebates will also not be provided if any required steps are not taken, including submittal of all required documentation.

Rebate Forfeiture

The Applicant forfeits participation in the Program if the Applicant provides false information or fails to provide the District with the required information prior to the expiration date listed on Rebate Voucher. Applicants on the wait list who do not wish to complete the transaction are encouraged to voluntarily notify the District to change the status of their application.

Wait List

In the event that demand exceeds the available funding, the District will establish a wait list. If funding becomes available due to forfeitures or other reasons, Rebate Vouchers will be issued according to priority on the wait list. The wait list is not funded.

Particulate Matter (smoke)

This Program is offered to reduce health impacts from exposure to wood smoke. Wood smoke contains fine particulates that may become trapped deep in the lungs and harm the body, especially in children, seniors and individuals with asthma or respiratory problems. Exposure to smoke may cause symptoms such as coughing, wheezing, and difficulty breathing. The District encourages people to limit smoke exposure as much as possible, including decisions about home heating and residential wood combustion.

Woodstoves

Non-EPA certified woodstoves produce more smoke than cleaner burning EPA Certified Phase II stoves, given the same fuel and combustion process. A non-EPA certified woodstove is a stove that has not been tested and certified by the EPA as meeting Federal emission ratings. Generally, woodstoves that were manufactured prior to 1992 are not certified by the EPA. Applicants must be able to supply the make and model of the stove they are replacing. Woodstove retailers may verify whether or not the old stove is a non-EPA certified stove.

Natural Gas and Pellet Stoves

Natural gas and pellet stoves emit less particulate matter than their woodstove counterparts, and are therefore less harmful to the environment. A higher rebate is offered for replacing a non-EPA certified woodstove with a natural gas or pellet stove in order to encourage residents to move away from wood burning appliances.

Retailers

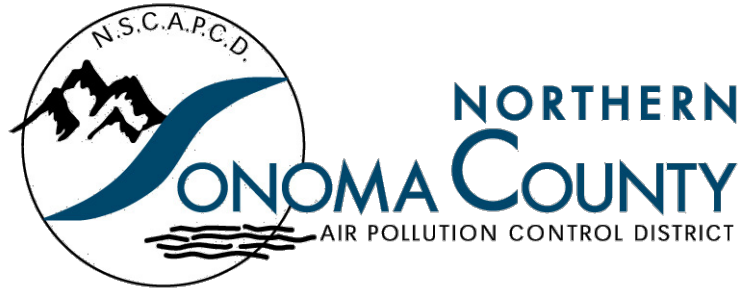
The District does not refer participants to retailers. Retailers are encouraged to work with participants to identify qualifying products. Some retailers may also dispose of the old woodstove. Retailers who dispose of the old stove must sign the Verification of Disposal form.

Voluntary Program Responsibility

Participation in this Program is voluntary and undertaken at the sole discretion of the Applicant. All responsibility for proper installation and operation of a residential woodstove, pellet stove or natural gas appliance purchased under this Program rests with the Applicant. The District is not responsible or liable for any defects in residential heating appliances purchased with Rebate Vouchers issued by the District, or for any improper installation or operation of such appliances, or any damage or injury resulting from their installation or operation.

District Contact Information

Interested residents and retailers may contact the District at (707) 433-5911 or WoodStove@sonoma-county.org for additional information.



Woodstove Change-Out Rebate Incentive Program

\$1,000 & \$1,500 REBATES*
(Additional \$500 may apply for some applicants)**

Applicant must be the owner (or his/her authorized agent) of a woodstove used in a full-time residential property in the Northern Sonoma County Air Pollution Control District.

What: Rebate offered for change-out of a non-EPA certified woodstove or fireplace for an EPA Phase II Certified woodstove, natural gas or pellet fueled stove or fireplace.

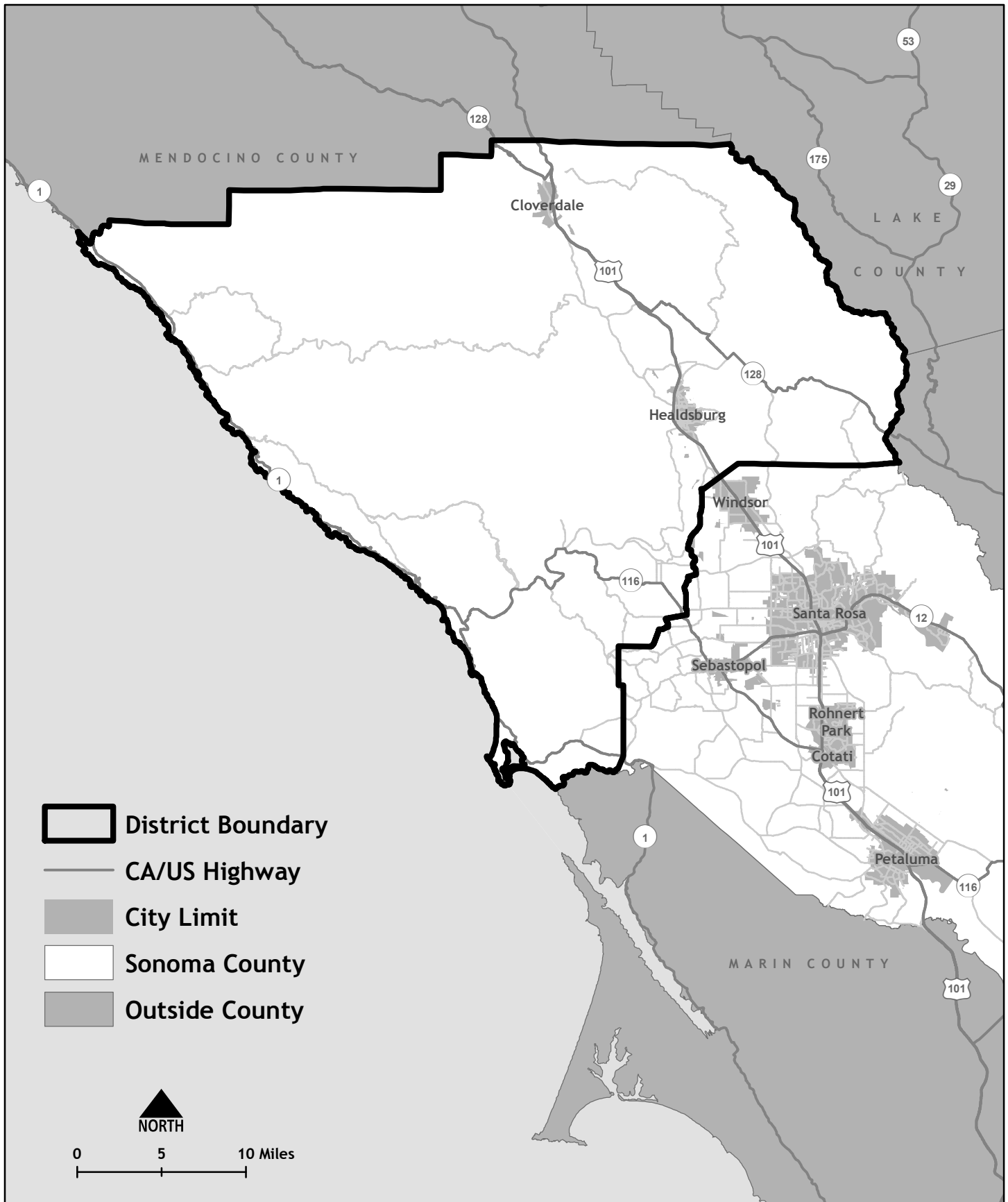
When: November 1, 2013 through February 1, 2014

*Subject to available funding. Priority will be established on a first come, first serve basis. Applications required. Applications are available at local retailers, the District office, online at http://www.sonoma-county.org/tpw/divisions/nsc_air_pollution/, and via email from the District beginning November 1, 2013. To be eligible for rebates, applicants must obtain a building permit and have a building inspection on new installations. Other terms apply.

**An additional \$500 rebate may be available to residents of the Russian River Redevelopment Area.

Contact the District
at (707) 433-5911 or
WoodStove@sonoma-county.org

Northern Sonoma County Air Pollution Control District





County of Sonoma Agenda Item Summary Report

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

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

To: Sonoma County Board of Supervisors

Board Agenda Date: October 22, 2013

Vote Requirement: Majority

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

Staff Name and Phone Number:

Traci Tesconi, 565-1903

Supervisorial District(s):

Fourth

Title: Execution of two Williamson Act Contracts and Land Conservation Plans. PRMD File No. PLP12-0014 (AGP 10-0018 /AGP 12-0005)

Recommended Actions:

Authorize the Chair to execute the two Land Conservation Contracts (Williamson Act Contracts) and attached Land Conservation Plans for Paul J. and Constance E. Mitterbach.

Executive Summary:

Action Requested of the Board of Supervisors: Your Board is requested to execute two new non-prime (Type II) Williamson Act Contracts and two Land Conservation Plans with attachments which rescinds and replaces an existing Williamson Act contract on the two parcels as a condition of a previously approved Lot Line Adjustment (LLA09-0006). Pursuant to state law, all Land Conservation Contracts (Williamson Act Contracts) must be located within an "Agricultural Preserve" (Government Code Section 51230, *et seq*; Sonoma County Uniform Rule 3.0). The two parcels are currently within Agricultural Preserve 2-615 and no modification to the Agricultural Preserve is required.

Location, Zoning and Project Description: The subject parcels are located in Cloverdale at 31603 Pine Mountain Road. The first parcel (AGP10-0018, APN 115-070-020) is 114.18 acres with a single family residence, three barns, a well, and a commercial sheep operation. The second parcel (AGP12-0005, APN 115-080-043) is 40.10 acres, undeveloped with a commercial sheep operation. Both parcels are zoned RRD (Resource and Rural Development) with a 240 acre density.

Background: On May 11, 2010, the Board of Supervisors approved the original Lot Line Adjustment (LLA09-0006) between two parcels of 2.34 acres and 119.68 acres in size for an equal exchange (37,740 square feet), resulting in no net change in acreage for the adjusted parcels, the larger parcel being under an existing Williamson Act contract. The Board approved the original Lot Line Adjustment under Resolution No. 10-0397 and determined it met the findings required under Section 51257 of the

Government Code.

On November 10, 2011, the property owners filed a revision to add another parcel owned by Mitterbach to the previously approved Lot Line Adjustment (LLA09-0006) to now be amongst three parcels 2.34 acres, 119.68 acres, and 34.60 acres in size, resulting in three parcels 2.34 acres, 114.18 acres, and 40.10 acres in size. The revision was filed to increase the 34.60 acre parcel to 40.10 acres to comply with its Williamson Act contract.

On February 28, 2012, the Board of Supervisors approved the revised Lot Line Adjustment (LLA09-0006, Resolution No 12- 0089) and determined it met the findings required under Section 51257 of the Government Code.

In December 2011, the Board adopted the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones ("Uniform Rules") which updated and expanded the existing program and established procedures allowing administrative approval of revised Land Conservation Plans. Land Conservation Plans are attached and incorporated into all new and replacement contracts to show locations of various agricultural, open space, permitted, and compatible land uses on contracted land.

Contract Eligibility Requirements: No application for a new or replacement land conservation contract can be approved by the Board of Supervisors unless all of the following requirements are met:

- a) **Land is within an Agricultural Preserve:** As described above, the two parcels are within existing Agricultural Preserve 2-615.
- b) **Land is devoted to an agricultural use:** Section 4.2.B of the Uniform Rules explains that agricultural or open space land shall be deemed to be devoted to agricultural or open space uses when a minimum of 50 percent of the land is continuously used or maintained for agricultural uses, open space uses, or a combination of agricultural and open space uses, unless other exceptions apply. On both parcels, over 50% of the land is used for grazing of livestock (commercial sheep operation). Both parcels will continue to be large enough to sustain their individual agricultural use (commercial sheep operations).
- c) **Land is a single parcel of record:** It has been determined by PRMD through the approval and recordation of Administrative Certificates of Compliance (PLP11-0027), followed by the approval of the Lot Line Adjustments (LLA09-0006), the two subject parcels are legally separate parcels and will be placed under individual contracts.
- d) **Non-prime farmland:** "Non-prime Agricultural Land" means land in agricultural use that is not prime agricultural land. Non-prime agricultural land includes land used for grazing, hay production, rotational crops such as seasonal or year round row crops, ornamental trees or flowers, and dry farming.
- e) **Minimum Parcel Size:** The land must be at least 40 acres in size for a Non prime Williamson Act contract. Both parcels are over 40 acres.

- f) **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. On both parcels over 50% is used for the grazing and housing of sheep.
- g) **Non-Agricultural Compatible Uses:** The larger parcel contains an existing single family residence where the property owners reside, as well as three barns, water and feed troughs, and a well. The smaller parcel is undeveloped with any structures, but contains water and feed troughs for the sheep operation.
- h) **Minimum Income Requirement:** The minimum income requirement for a Non prime contract is not less than \$2,000 gross total income per farm operation and \$2.50 gross income per acre of production. Both parcels meet the income requirements. The larger parcel (114 .18 acres) has 50 ewes, 3 rams, and 80 offspring on average/year with a gross annual income ranging from \$8,804 to \$6,458 per year; and the smaller parcel (40.10 acres) has 35 ewes, 1 ram, and 40 offspring on average/year with a gross annual income ranging from \$6,000 to \$2,000 per year.

Staff Recommendation: Staff recommends the Board of Supervisors approve the request because all of the state and local requirements to rescind and replace the non-prime contract with two new non-prime contracts have been met.

Prior Board Actions:

On December 13, 2011, the Board approved the *Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones* (Resolution No. 11-0678). On June 12, 2012, the Board directed PRMD to accept applications for new Land Conservation Contracts and to evaluate on-going fiscal impacts with the annual budget (Ordinance No. 12-0001).

On May 11, 2010, the Board of Supervisors approved the original Lot Line Adjustment under Resolution No. 10-0397. On February 28, 2012, the Board approved the revised Lot Line Adjustment under Resolution No. 12-0089. For both Lot Line Adjustment approvals the Board determined it met the findings required under Section 51257 of the Government Code.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Land Conservation 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):			
<p>Approval of a new Williamson Act contracts 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 Williamson 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.</p>			
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 Exhibit A- Location Map Exhibit B - Site Plans Exhibit C- APN Pages Exhibit D- Copy of Land Conservation Contracts Exhibit E- Copy of Land Conservation Plans and Site Plans			
Related Items "On File" with the Clerk of the Board:			
None			



County of Sonoma

State of California

Date: October 22, 2013

Item Number: _____

Resolution Number: _____

PLP12-0014 (AGP10-

File No.: 0018/AGP12-0005)

Traci Tesconi

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Authorizing The Chair of the Board To Execute Two New Non-Prime (Type II) Land Conservation Contracts (aka Williamson Act Contracts), Which Will Rescind And Replace An Existing Type II Land Conservation Contract And Fulfill A Condition Of Approval For A Previously Approved Lot Line Adjustment (LLA09-0006), For Lands Of Paul J. and Constance E. Mitterbach, 31603 Pine Mountain Road, Cloverdale. APN 115-070-020 and APN 115-080-043.

Whereas, a request has been made by property owners Paul J. and Constance E. Mitterbach to rescind and replace an existing Non-Prime (Type II) Land Conservation Contract with two new Non-Prime Land Conservation Contracts and attached Land Conservation Plans, for property located at 31603 Pine Mountain Road, Cloverdale, APN 115-070-020 and APN 115-080-043, Supervisorial District No. 4; 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, on June 12, 2012, the Board of Supervisors authorized the acceptance of applications for new Land Conservation Contracts; and

Whereas, consistent with the *Uniform Rules*, County Counsel has revised the Land Conservation 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, in accordance with the provisions of law, the Board held a public hearing on October 22, 2013, at which time all interested persons were given an opportunity to be heard; and

Whereas, the Board of Supervisors finds that the 114.18 acre parcel (APN 115-070-020) and the 40.10 acres parcel (APN 115-080-043) meet the requirements for two new Non-Prime Land Conservation Contracts.

Now, Therefore, be it Resolved that the Board of Supervisors makes the following specific findings concerning the requirements for the two new Non-Prime Land Conservation Contracts ("Contracts"):

1. As required by *Uniform Rule 4.2*, the land proposed to be restricted by the Contracts are legal separate parcels each having a recorded Administrative Certificate of Compliance (PLP11-0027), presently identified by APN 115-070-020 and 115-080-043; and
2. As required by *Uniform Rule 4.2*, the land proposed to be restricted by the Contracts are within a designated Agricultural Preserve (2-615); and
3. The land proposed to be restricted by the Contracts are 114.18 acres and 40.10 acres in size and exceed the 40 acre minimum parcel size requirement for a Non-Prime Land Conservation Contract under *Uniform Rule 4.2*; and
4. As required by *Uniform Rule 4.2*, the lands proposed to be restricted by the Contracts presently meets the minimum annual commercial agricultural income requirement of \$2,000.00 gross total farm income and \$2.50 per acre gross income requirements for a Non-Prime Land Conservation Contract; and
5. Consistent with *Uniform Rule 4.2*, the land is devoted to an agricultural use because more than 50% of the land on each parcel is used for grazing of livestock (sheep), which is the existing agricultural use; and
6. Non-agricultural uses of the land will be restricted to listed compatible uses pursuant to the Contract, *Uniform Rule 8.0*, and Government Code §51238.1.

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, Class 17 of Title 14 of the California Code of Regulations (CEQA Guidelines), which provides that executing a new Land Conservation Contract is exempt from the California Environmental Quality Act.

Be It Further Resolved that the Board of Supervisors hereby grants the request by Paul J. and Constance E. Mitterbach to rescind and replace an existing Non-Prime (Type II) Land Conservation Contract (aka Williamson Act contract) with two new Non-Prime Land Conservation Contracts and attached Land Conservation Plans, to restrict the 114.18 acre parcel and the 40.10 acre parcel located at 31603 Pine Mountain Road, Cloverdale, APN 115-070-020 and APN 115-080-043, respectively.

Be It Further Resolved that the Board of Supervisors authorizes the Chairman of the Board of Supervisors to execute the two Land Conservation Contracts and attached Land Conservation Plans with attachments.

Resolution #
Date: October 22, 2013
Page 3

Be It Further Resolved that the Clerk of the Board of Supervisors is hereby instructed to record within 20 days (1) this Resolution, and (2) the associated Land Conservation Contracts and attached Land Conservation Plans with the Office of the Sonoma County Recorder; and

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.

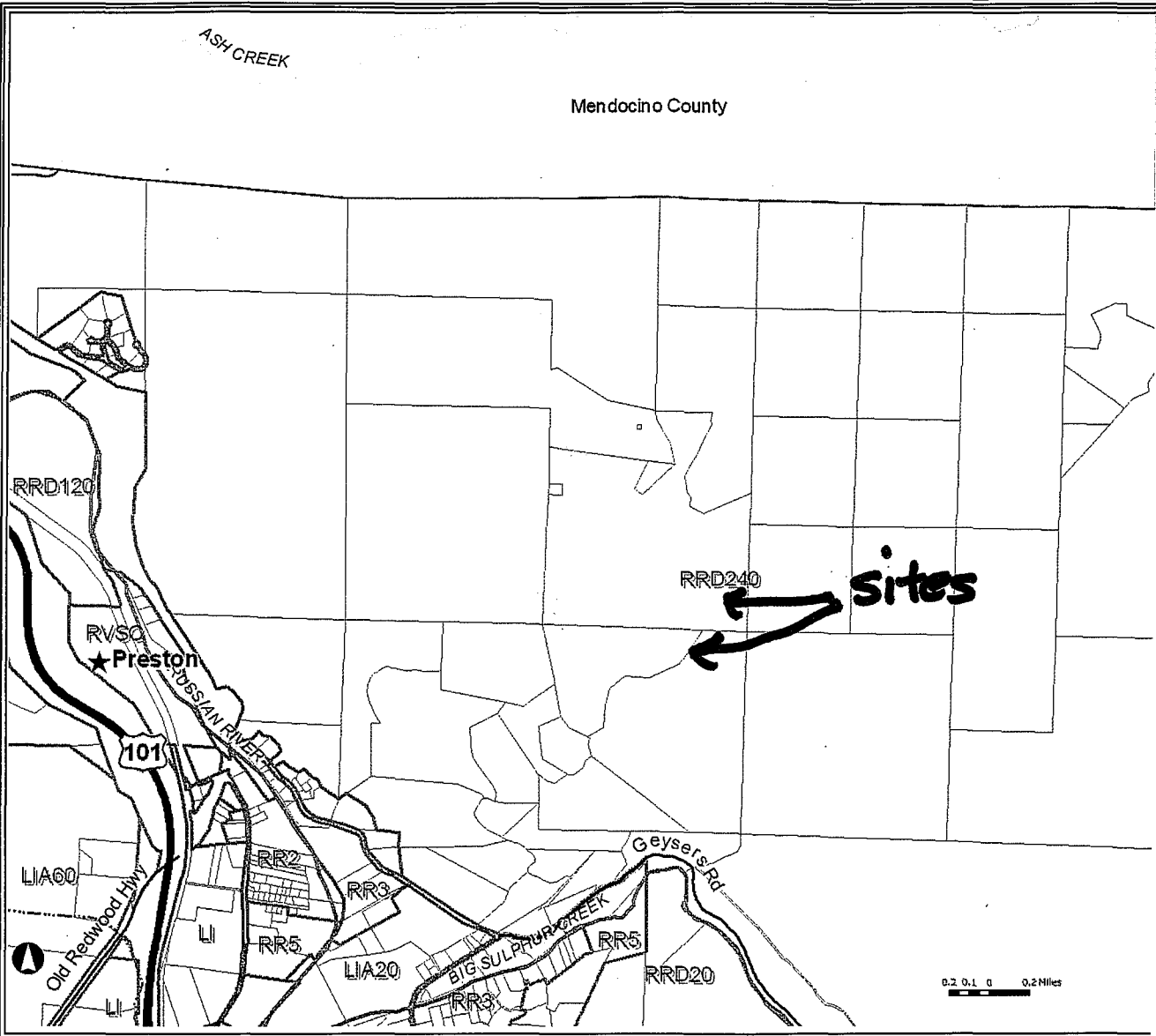
Supervisors:

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

So Ordered.



General Plan Theme



General Plan 2020 Land Use

- ◆ Planning Area Policies
- Land Use by Area

General Plan 2020 Open Space

- ▲ Future Parks
- Scenic Corridors
- ▨ Marshes & Wetlands
- ▨ Community Separators

- ▨ Scenic Landscape Units
- ▨ Habitat Connectivity Corridors
- Existing Parks

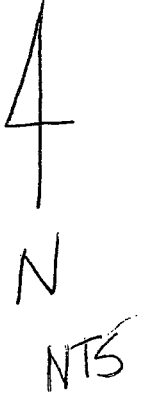
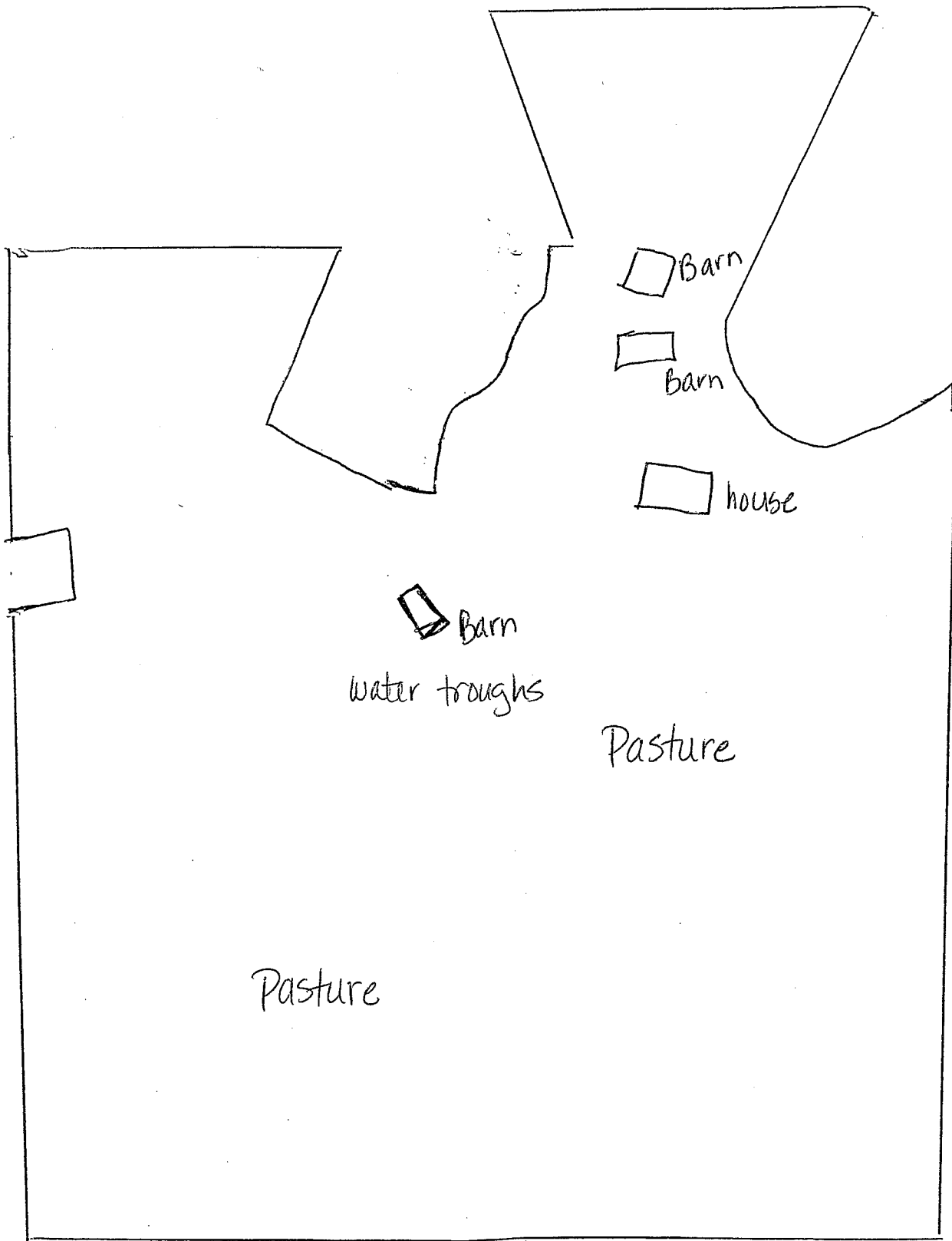
Base Layers

- ★ Geographic Places
- Planning Areas
- Urban Service Areas

- Streets**
- US Federal Highway
 - State Highway
 - Major Road
 - Residential Street

- Parcels
- City Limits
- Lake Sonoma

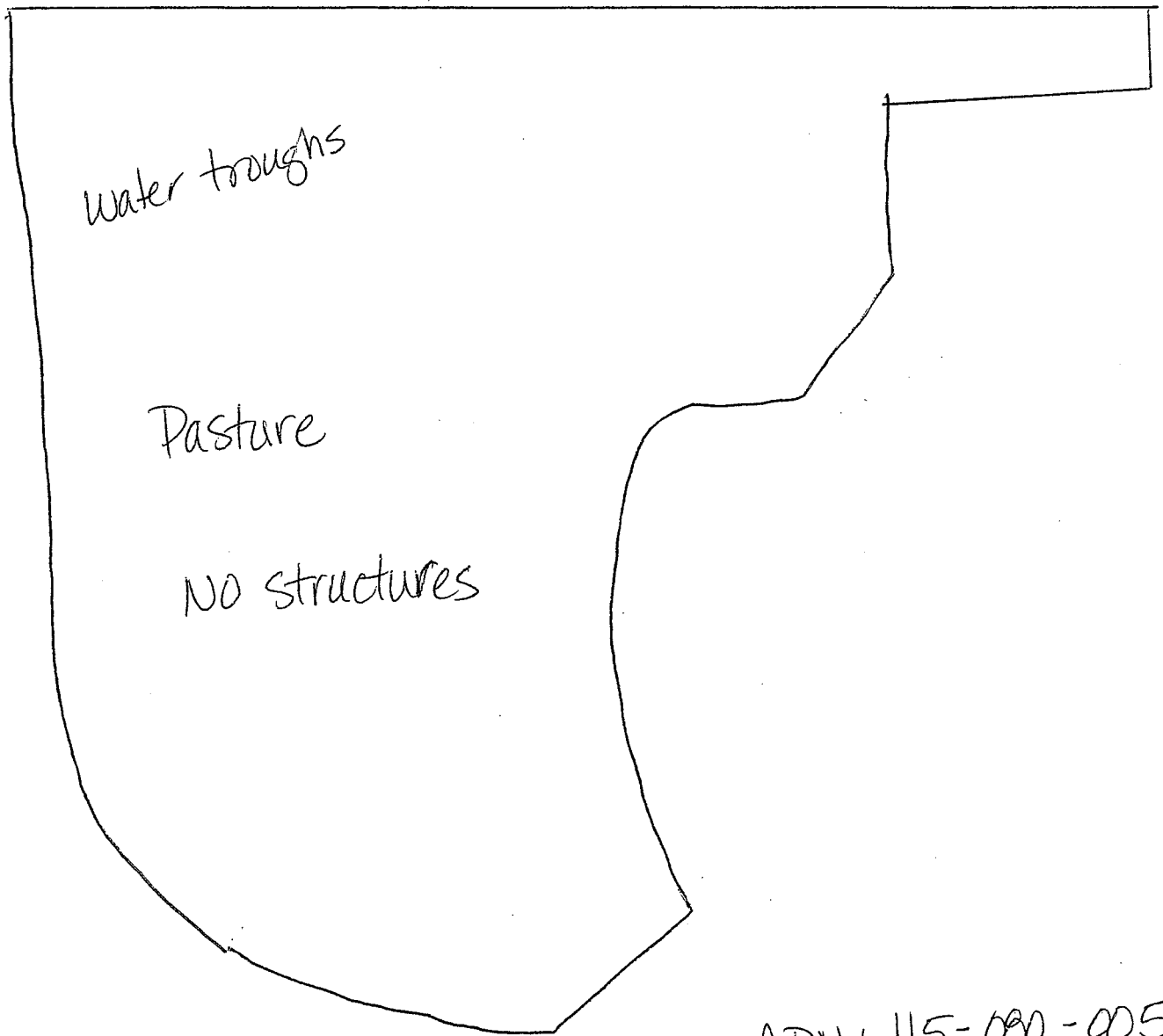
- Riparian Corridors**
- Perennial
 - Intermittent



Site Plan

Lot B of LLA 09-0006
APN: 115-070-014
Mitterbach
114 acres

EXHIBIT B



Site Plan

APN: 115-080-005
Lot C of LLA 09-0006

Mitterbach

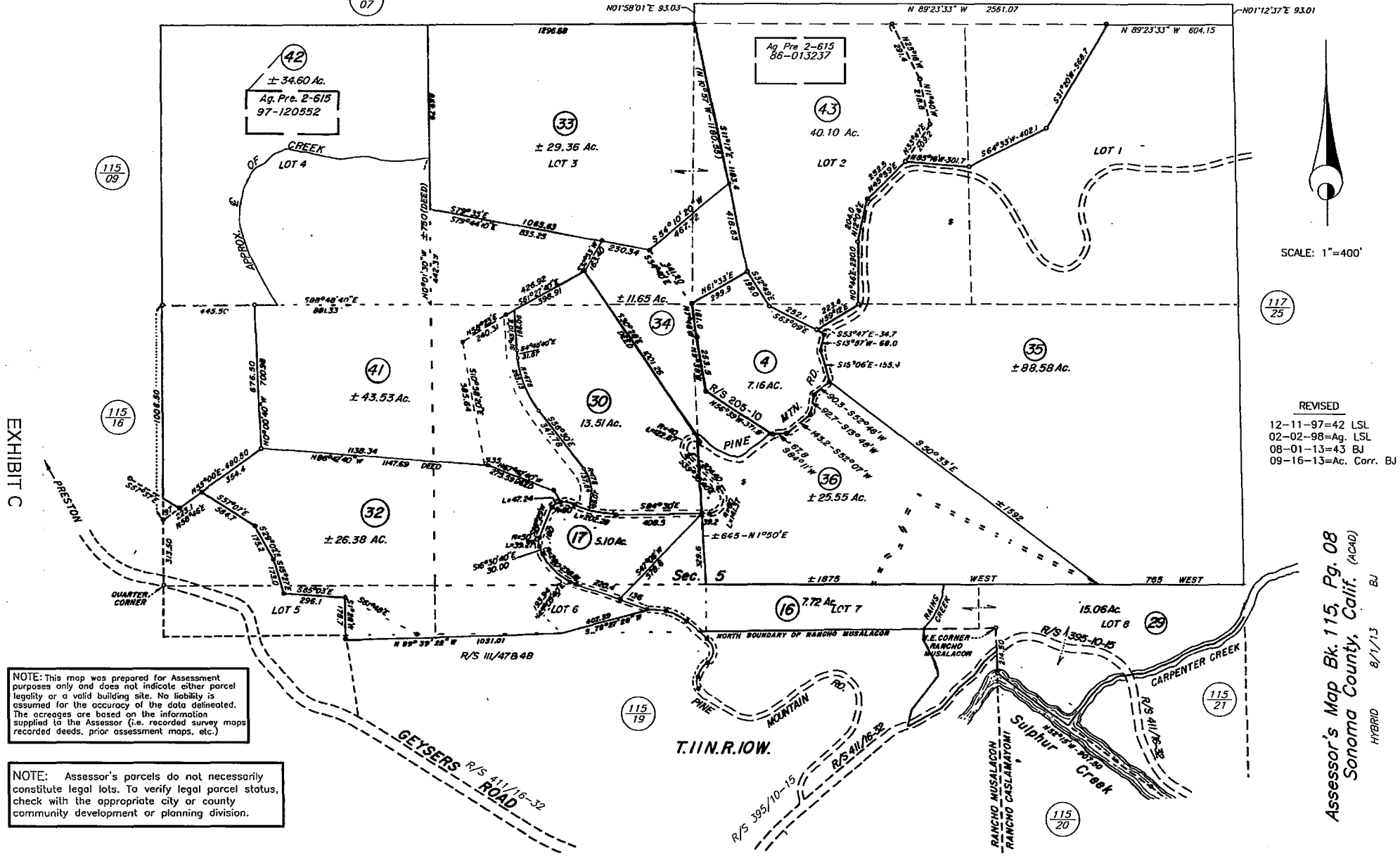
40.10 acres

COUNTY ASSESSOR'S PARCEL MAP

115
07

TAX RATE AREA
65-009

115-08



SCALE: 1"=400'

117
25

REVISED
12-11-97=42 LSL
02-02-98=Ag. LSL
08-01-13=43 BJ
09-16-13=Ac. Corr. BJ

EXHIBIT C

NOTE: This map was prepared for Assessment purposes only and does not indicate either parcel legality or a valid building site. No liability is assumed for the accuracy of the data delineated. The acreages are based on the information supplied to the Assessor (i.e. recorded survey maps, recorded deeds, prior assessment maps, etc.)

NOTE: Assessor's parcels do not necessarily constitute legal lots. To verify legal parcel status, check with the appropriate city or county community development or planning division.

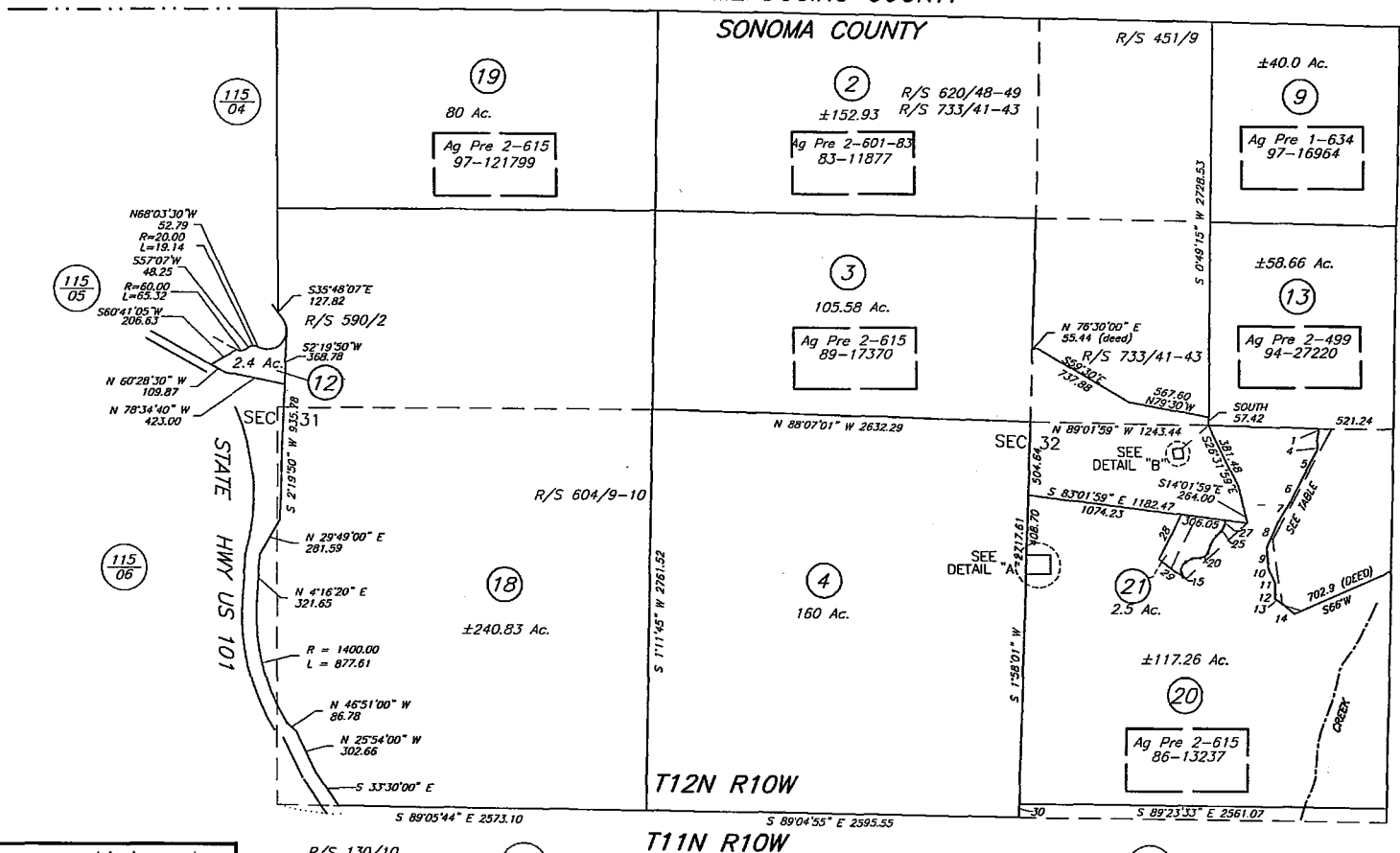
Assessor's Map Bk. 115, Pg. 08
Sonoma County, Calif. (A-CAD)
HYBRID 8/1/13 BJ

COUNTY ASSESSOR'S PARCEL MAP

TAX RATE AREA
65-009

115-07

MENDOCINO COUNTY SONOMA COUNTY



S 11°23' W 1322.01

SCALE: 1"=800'

REVISED
02-02-98=Ag LSL
03-28-00=R/S RL
04-19-02=R/S KB
03-10-10=R/S RL
08-01-13=21 BJ

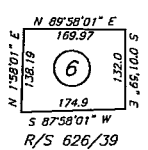
TABLE

1	N3°46'36"W	18.44
2	N10°11'30"E	66.23
3	S10°57'38"E	34.18
4	N12°38'38"E	34.78
5	N29°26'25"E	222.33
6	N27°21'40"E	176.54
7	N32°05'23"E	167.77
8	N23°57'07"E	183.16
9	N4°18'08"W	143.59
10	N19°36'05"W	58.32
11	S26°34'50"E	61.85
12	S1°30'45"W	106.48
13	S57°27'11"E	23.70
14	N51°28'06"W	148.27
15	N13°15'39"W	31.06
16	R = 66.40	66.28
17	N61°10'30"E	46.77
18	R = 50.00	23.89
19	N88°33'33"E	36.37
20	R = 57.50	64.97
21	N23°48'38"E	10.76
22	N18°46'18"E	49.29
23	R = 162.30	77.98
24	N46°18'05"E	38.24
25	R = 77.00	26.75
26	N26°23'55"E	21.86
27	R = 60.00	36.36
28	N26°46'01"E	342.19
29	N52°01'39"W	204.06
30	N01°58'01"E	93.03

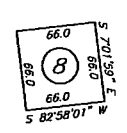
EXHIBIT C

NOTE: This map was prepared for Assessment purposes only and does not indicate either parcel legality or a valid building site. No liability is assumed for the accuracy of the data delineated. The acreages are based on the information supplied to the Assessor (i.e. recorded survey maps, recorded deeds, prior assessment maps, etc.)

NOTE: Assessor's parcels do not necessarily constitute legal lots. To verify legal parcel status, check with the appropriate city or county community development or planning division.



DETAIL "A"
1"=200'



DETAIL "B"
1"=100'

Assessor's Map Bk. 115, Pg. 07
Sonoma County, Calif. (ACAD)

KEY 2/19/09 RL

COUNTY ADMINISTRATION CENTER
575 ADMINISTRATION DRIVE,
ROOM 105A
SANTA ROSA, CALIFORNIA 95403

TELEPHONE: (707) 565-2421
FACSIMILE: (707) 565-2624

ASSISTANT COUNTY COUNSEL
SHERYL L. BRATTON



OFFICE OF THE COUNTY
COUNSEL
BRUCE D. GOLDSTEIN
County Counsel

CHIEF DEPUTIES
C. DAVID HURST
GREGORY T. DION
KATHLEEN A. LAROCQUE

DEPUTIES
SUE GALLAGHER
JEFFREY L. BERK
SALLY B. MCGOUGH
DAVID R. MCFADDEN
STEVE S. SHUPE
PHYLLIS C. GALLAGHER
ANNE L. KECK
BARBARA A. FITZMAURICE
LINDA D. SCHILTGEN
ELIZABETH S. HUTTON
WILLIAM L. ADAMS
JEFFREY M. BRAX
JENNIFER C. KLEIN
MARGARET A. SINGLETON
DEBBIE F. LATHAM
CORY W. O'DONNELL
TAMBRA CURTIS
LISA A. PHEATT
JOSHUA A. MYERS
HOLLY RICKETT
MOE JAMIL
VERNE BALL
IAN TRUEBLOOD
EILEEN ODELL
ADAM BRAND

September 17, 2013

Paul and Constance Mitterbach
P. O. Box 536
Cloverdale, CA 95425

Re: PRMD Application No. AGP 12-0005 (114.18 acres)
Replacement Land Conservation Contract
Address: 31603 Pine Mountain Road, Cloverdale
APN(s): 115-070-020 (Lot B)
(Lot Line Adjustment LLA09-006)

Dear Mr. and Mrs. Mitterbach:

You have applied for a Replacement Land Conservation Contract, also called a Williamson Act Contract. Enclosed please find an original and one copy of your proposed Replacement Land Conservation Contract ("Contract"), which includes a "Land Conservation Plan". A Land Conservation Plan is a separate agreement that is attached to and incorporated by reference into your Contract.

Owner Signature:

Each owner must separately sign the Contract and the Land Conservation Plan. Each signature on each document must be notarized using a separate Acknowledgement form. For your convenience, we are enclosing the appropriate number of Acknowledgement forms for your use.

Next Steps:

Please return the signed and notarized Contract and Land Conservation Plan to our office. Upon receipt of those items, we will inform the Permit and Resource Management Department (PRMD), and request that it schedule your application for consideration by the Board of Supervisors. You will be notified in advance of the date and time the Board of Supervisors will consider your application. If the Board of Supervisors approves your application, we will obtain

EXHIBIT D

Paul and Constance Mitterbach
Page 2
September 17, 2013

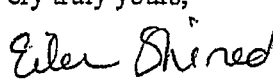
all necessary County signatures and record the Contract and all attachments. We will then send you a conformed copy of the Contract for your permanent records.

Please note, the executed Contract and all attachments, including the Land Conservation Plan, must be recorded by the County Recorder prior to January 1, 2014, to affect your property taxes for the 2014-15 tax year. If you have transferred or encumbered the property, or intend to do so, before the Board of Supervisors will consider your application, please contact our office immediately.

In summary, please return to us: (a) Signed Contract with Signed Land Conservation Plan, and (b) separate and complete Acknowledgement forms, one for each required signature.

If you have any questions, please contact Jennifer Klein, Deputy County Counsel, at (707) 565-2421.

Very truly yours,



Eileen Shired
Legal Assistant to
Jennifer C. Klein

Enclosures

cc: Traci Tesconi, Permit & Resource Management Department

**Exempt from Recording Fees
Per Gov. Code § 27838**

RECORDING REQUESTED BY
AND RETURN TO:

CLERK OF THE BOARD
SONOMA COUNTY BOARD OF SUPERVISORS
575 ADMINISTRATION DR.
SANTA ROSA, CA 95403

**AGREEMENT RESCINDING TYPE II LAND CONSERVATION
CONTRACT AND SIMULTANEOUSLY ENTERING INTO
A NEW TYPE II LAND CONSERVATION CONTRACT**

This Contract is made by and between Paul J. Mitterbach and Constance E. Mitterbach, husband and wife, as Joint Tenants ("Owner(s)") and the County of Sonoma, a political subdivision of the State of California ("County"), and is dated for convenience as _____, 2013.

RECITALS

Whereas County previously entered into a Land Conservation Contract with Owner(s) or Owner(s)' predecessors in interest, which recorded February 26, 1986, and is identified by Instrument Number 1986013237, in the Official Records of the Sonoma County Recorder, ("Original Contract"); and

Whereas Owner(s) own(s) certain real property ("Subject Property") located within Sonoma County and presently identified by Assessor's Parcel Number(s): **115-070-020 (Lot B of Line Adjustment LLA09-0006)**, and more particularly described in the legal description attached to this Contract at Exhibit "A"; and

Whereas Both Owner(s) and County desire to limit/continue to limit the use of the Subject Property to agricultural, open space, and compatible uses in order to discourage premature and unnecessary conversion of the Subject Property to uses incompatible with agricultural and/or open space use, including urban uses, recognizing that the Subject Property has substantial public value as agricultural or open space land and that the preservation of the Subject Property in agricultural production or open space constitutes an important physical, social, aesthetic, and economic asset to County and the State of California; and

OPERATIVE PROVISIONS

Now, therefore, in consideration of the foregoing recitals and the mutual promises contained herein, the substantial public benefits to be derived therefrom, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Owner(s) and County agree as follows:

A. RESCISSION OF ORIGINAL CONTRACT

The Original Contract is hereby rescinded as of the date that this Contract takes effect as to the Subject Property. If this Contract does not become effective, then the Original Contract shall remain in full force and effect, as to the Subject Property.

B. REPLACEMENT CONTRACT

1. PURPOSE. This Contract is entered into pursuant to the provisions of the California Land Conservation Act of 1965, Government Code section 51200 et seq. ("Act"), and is subject to all of the provisions of the Act as they may be amended from time to time.

2. SUBJECT PROPERTY.

(a) Owner(s) own(s) the Subject Property, located 31603 Pine Mountain Road, Cloverdale, California, and more particularly described in the legal description attached to this Contract as Exhibit "A", and incorporated herein by reference.

(b) The Subject Property is located within established Agricultural Preserve 2-615.

(c) The Subject Property is approximately 114.18 acres total and comprised of one legal parcel.

3. TERM. This Contract shall be effective commencing January 1, 2014, and shall remain in effect for a term of 10 years. This Contract shall be automatically renewed for a full term at the end of each year, unless a Notice of Non-renewal is recorded as provided in Government Code section 51245 and the County's Uniform Rules for Agricultural Preserves and Farmland Security Zones ("Uniform Rules"), adopted by County Board of Supervisor's Resolution No.11-0678 pursuant to Government Code section 51231, -- to the end that at all times during this Contract, there shall be a 10-year term of restriction unless Notice of Non-renewal has been recorded.

4. REGULATORY COMPLIANCE & RESTRICTIONS ON USE. During the term of this Contract, and all renewals and extensions thereof, the Subject Property shall not be used for any purpose other than (1) "agricultural use," or "open space use," as those phrases are defined by the Act, and (2) any use determined by County to be a "compatible use" defined and enumerated in the Uniform Rules and shall at all times be in compliance with the Uniform Rules as they may be amended from time to time.

5. LAND CONSERVATION PLAN. The use of the Subject Property shall at all times conform to the Land Conservation Plan, attached to this Contract as Exhibit "B", and made a part of this Contract. If an amendment to the Land Conservation Plan is approved by County and recorded, the amended Land Conservation Plan shall be deemed automatically incorporated

into the Contract as though fully set forth herein without the need for a contract amendment, upon the renewal of the Contract.

6. UNIFORM RULES & FEES. Owner(s) and County agree that the Uniform Rules, as they now exist or as they may be amended from time to time, are incorporated by reference into this Contract as though set out in full and shall be a part of this Contract upon execution and each renewal of this Contract. Owner(s) agree(s) to comply with the Uniform Rules and agree(s) to pay all fees established by County's Board of Supervisors, if any, for the administration of County's agricultural preserve program, and for the processing of applications required by the Uniform Rules.

7. PLANNING AND ZONING. The provisions of this Contract are not intended to limit or supersede the planning and zoning powers of County.

8. CANCELLATION. This Contract may not be cancelled, except pursuant to Government Code sections 51280 through 51287, and the Uniform Rules.

9. RESCISSION. This Contract may not be rescinded, except pursuant to the provisions of the Act and the Uniform Rules, and upon the simultaneous replacement of this Contract with a replacement contract, open space easement, agricultural conservation easement, or other equivalent restriction as allowed by the Act and state law. County may require the rescission and simultaneous replacement of this Contract with a replacement contract as a condition of any proposed subdivision or lot line adjustment affecting the boundaries of the Subject Property.

10. EMINENT DOMAIN. If any action in eminent domain for the condemnation of any land described in this Contract is filed after the execution of this Contract, or if any portion of the Subject Property is acquired in lieu of condemnation, then the provisions of Government Code section 51295 apply.

11. SUCCESSORS IN INTEREST. This Contract, its terms and restrictions, shall run with the land described herein, and upon division, to all parcels created therefrom, and shall be binding upon and shall inure to the benefit of all heirs, successors, and assigns of Owner(s). This Contract shall be transferred from County to a succeeding city or a county acquiring jurisdiction over all or part of the Subject Property, except that a succeeding city may opt not to succeed to the rights, duties, and powers of the County under this Contract if the requirements of Government Code section 51243.5 are met.

12. CERTIFICATE OF COMPLIANCE PARCELS. Owner(s) agree(s) not to apply for or obtain recognition of Certificate of Compliance parcels for all or any portion of the Subject Property for the duration of this Contract, without first obtaining the approval of County's Board of Supervisors, as provided in the Uniform Rules, unless a Notice of Non-Renewal has been recorded for the Contract and there are no more than three years remaining on the Contract's term. County may require replacement contracts for recognized Certificate of Compliance parcels.

13. ENFORCEABLE RESTRICTION. Owner(s) and County intend that the terms, conditions, and restrictions of this Contract conform to the Act, as amended, and that this Contract qualify as an enforceable restriction under the provisions of Revenue and Taxation Code sections 421 through 429, inclusive, and within the meaning of California Constitution, article XIII, section 8.

14. REMEDIES FOR BREACH.

(a) This Contract may be enforced by County in an action filed in the Sonoma County Superior Court for the purpose of compelling compliance or restraining any breach or threatened breach thereof, after providing notice to Owner(s). The notice shall contain a general description of the condition claimed to be a violation and shall contain a reasonable and specific cure period during which the violation is to cease and the Subject Property is to be restored to the condition that existed prior to the violation. Owner(s) agree(s) that County's remedies at law for any violation of the terms of this Contract are inadequate and that County shall be entitled to the injunctive relief described herein, both prohibitive and mandatory, in addition to such other relief, including damages, to which County may be entitled, including specific performance of the terms of this Contract, without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies.

(b) A breach of this Contract that constitutes a violation of the Sonoma County Zoning Code may be enforced by County pursuant to Chapter 1 of the Sonoma County Code.

(c) Without altering the provisions of paragraph 8 (Cancellation), a breach of this Contract that constitutes material breach under Government Code section 51250 may be enforced by County or the State of California pursuant to Government Code section 51250, if the requirements of that Section are met.

(d) If Owner(s) breach(es) this Contract, Owner(s) shall pay County one-half percent (1/2 %) of the restricted assessed value of the land subject to this Contract per day for each day the Contract is in breach as liquidated damages. It is understood and agreed that damages for breach of this Contract by Owner(s) are, and will continue to be, impracticable and extremely difficult to ascertain and determine. Execution of this Contract shall constitute agreement by County and Owner(s) that one-half percent (1/2 %) of the restricted assessed value of the land is the actual damage to County and the general public caused by breach of this Contract by Owner(s), and that such sum is liquidated damages and shall not be construed as a penalty. No damages shall be recoverable if the Owner(s) remedies or has commenced and thereafter diligently pursues such action required to remedy any breach or material breach within sixty (60) days after the date written notice of said breach or material breach is sent to Owner(s) by County. This provision does not impair County's ability to enforce this Contract by injunction or specific performance.

(e) The remedies set forth in this paragraph 14 are not exclusive and are not intended to displace any other remedies available to either party as provided by this Contract or any applicable local, state or federal law.

15. NO WAIVER. Enforcement of the terms of this Contract shall be at the sole discretion of County, or where applicable the State of California, and any forbearance by County or State to exercise its rights under this Contract in the event of any violation or threatened violation by Owner(s) of any term of this Contract shall not be deemed or construed to be a waiver by County or State of such term or of any subsequent violation or threatened violation of the same or any other terms of this Contract. Any failure by County or State to act shall not be deemed a waiver or forfeiture of County's or State's right to enforce any and all of the terms of this Contract in the future.

16. CONSIDERATION. Owner(s) shall not receive any payment from County in consideration of the obligations imposed by this Contract. The parties recognize and agree that the consideration for the execution of this Contract is the substantial public benefit to be derived from this Contract and the advantage that will accrue to Owner(s) as a result of any reduction in the assessed value of the Subject Property due to the imposition of the limitations on the use of the Subject Property contained in this Contract.

17. NOTICE. Notices required to be given under this Contract, or as may otherwise be required by law in connection with the administration of this Contract, shall be made by personal service, or by first-class United States mail, to the parties as follows:

(a) To Owner(s) or successor(s) in interest of Owner(s), at the mailing address shown on the most recent assessment roll for the Subject Property; and

(b) To County, c/o the Clerk of the Board of Supervisors, 575 Administration Drive, Suite 100A, Santa Rosa, California 95403.

IN WITNESS WHEREOF, Owner(s) and County have executed this Contract as of the day and year set forth above.

ATTEST:

COUNTY OF SONOMA

By: _____
Michelle Arellano
Clerk of the Board of Supervisors

By: _____
Supervisor David Rabbitt
Chair, Board of Supervisors

OWNER(S):
PAUL J. MITTERBACH AND CONSTANCE E. MITTERBACH,
husband and wife, as Joint Tenants

By: _____
Paul J. Mitterbach

By: _____
Constance E. Mitterbach

NOTE: Acknowledgments must be attached.

ACKNOWLEDGMENT

State of California
County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

ACKNOWLEDGMENT

State of California

County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
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person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT "A"

The real property which is the subject of this CONTRACT is situated within agricultural preserve 2-615 as shown by map thereof recorded in preserve map book number Book Number 4, Page 116 (35-A), in the Office of the County Recorder of Sonoma County, California, and said real property is more particularly described as follows:

LEGAL DESCRIPTION

EXHIBIT A

The land referred to herein below is situated in the unincorporated area of the, County of Sonoma, State of California, and is described as follows:

PARCEL ONE:

Fourth Road District Crocker (formerly INK) School District, in Southeast corner of Southeast $\frac{1}{4}$ of Section 32, Township 12 North, Range 10 West, Mount Diablo Base and Meridian, Bd. East-Section Line, South Township line, Westerly-a Creek.

PARCEL TWO:

All that certain part of the Southeast quarter of Section 32, Township 12 North, Range 10 West, Mount Diablo Meridian, described as follows:

Beginning at a point on the Western line of said quarter section, and distant thereon 7.22 chains South of the center of said Section 32; thence running South 83° East, 25.13 chains; thence North 14° West, 4 chains, thence North $26^{\circ} 30'$ West, 5.75 chains; thence North 22° West, 1.18 chains, to the North line of said quarter section; thence East along the North line of said quarter section to a point 6.5 chains West of the Northeast corner of said quarter section; thence running South $28^{\circ} 30'$ West, 13.10 chains; thence South $7^{\circ} 45'$ East, 7 chains, thence South 74° East, 2.17 chains; thence North 66° East 10.65 chains, to a point on the Eastern line of said quarter section, distant 14.75 chains South of the Northeast corner of said quarter section, where a deep creek crosses the East line of said section in a Southwesterly direction; thence following the meanderings of said creek to the South line of said quarter section; thence West along the South line of said quarter section to the Southwest corner of said quarter section; thence North along said West line of the said quarter section to the point of beginning.

Excepting therefrom the Tract of Lands described as follows:

Beginning at a point in the Southerly boundary of the Tract of Land containing 18.61 acres, more or less, conveyed to Levi Burden and B. P. Ullm, by Deed dated May 14, 1904 and recorded in Liber 231 Deeds, at page 66, Sonoma County Records, distant thereon 5.35 chains Westerly from the Southeasterly corner of said 18.61 acre tract; thence running Easterly on said boundary 5.35 chains to said Southeasterly corner of said 18.61 acre tract, thence South 48° West 8.82 chains to a point; thence North 52° West, 1.88 chains to a point; and thence Northeasterly in a straight line to the point of beginning.

Also Excepting therefrom the Tract of Land described as follows:

Beginning at a point in the Westerly Boundary of the Northwest quarter of the Southeast quarter of Section 32, Township 12 North, Range 10 West, Mount Diablo Base and Meridian, from which said point of beginning the Southwesterly corner of the aforesaid 18.61 acre tract, described above is distant 575 feet and bears North 2° East, said corner bearing South 2° West from the center of said section thirty two and being distant therefrom 7.22 chains; thence running North 88° East, 2.65 chains to a point; thence North 2.00 chains to a point; thence to said dividing line between the lands of the parties of the first part herein, and Emily Preston; and thence Southerly along said diving line to the point of beginning.

Further excepting therefrom all that portion which lies Easterly of or Northerly of that certain line described in Exhibit "C" of the "Boundary Line Agreement and Quitclaim", recorded December 20, 1983 as Document No. 83084911, Sonoma County Records.

Further excepting therefrom that portion as described in the Deed to Paul Walter Kolling and Kendra Kolling, husband and wife as Community Property, recorder March 26, 2013 as Document No. 2013030911, Sonoma County Records.

Further excepting therefrom that property as described in the Deed to Paul J. Mitterbach and Constance E. Mitterbach, husband and wife, as Joint Tenants recorded March 26, 2013 as Document No. 2013030912, Sonoma County Records.

EXHIBIT A
(Continued)

PARCEL THREE:

All that portion which lies Westerly and Southerly of that certain line described in Exhibit "C" of the "Boundary Line Agreement and Quitclaim," recorded December 20, 1983 as Document No. 83084911, Sonoma County Records.

A.P. No. 115-070-014

PARCEL FOUR:

Being a portion of the Lands of Paul Walter Kolling and Kendra Kolling described as "Parcel Two" in Document Number 2000-080896, Sonoma County Records, and more particularly described as follows:

BEGINNING at the northeasterly corner of said Lands of Kolling being marked by a ½ inch iron pipe tagged "L.S. 7362"; thence along the common boundary of said Lands of Kolling and the Lands of Paul J. Mitterbach and Constance E. Mitterbach described as "Parcel 2" in document Number 1983-084910, Sonoma County Records, South 47°58'01" West, 582.12 feet to the southeasterly corner of the Lands of Kolling being marked by ½ inch iron pipe tagged "L.S. 7362"; thence continuing along said common boundary of Lands of Kolling and the Lands of Mitterbach, North 52°01'59" West, 23.83 feet; thence North 13°15'59" West, 31.06 feet; thence along a curve to the right with a radius of 66.40 feet, through a central angle of 74°26'49" for length of 86.28 feet; thence North 61°10'50" East, 46.77 feet; thence along a curve to the right with a radius of 50.00 feet through a central angle of 27°22'43", for a length of 23.89 feet; thence North 88°33'33" East, 36.37 feet; thence along a curve to the left with a radius of 57.50 feet, through a central angle of 64°44'35", for a length of 64.97 feet; thence North 23°48'58" East, 10.76 feet; thence North 18°46'18" East, 49.29 feet; thence along a curve to the right with a radius of 162.30 feet, through a central angle of 27°31'47", for a length of 77.98 feet; thence North 46°18'05" East, 38.24 feet; thence along a curve to the left with a radius of 77.00 feet, through a central angle of 19°54'10", for a length of 26.75 feet; thence North 26°23'55" East, 21.86 feet; thence along a curve to the left with a radius of 60.00 feet, through a central angle of 36°37'42", for a length of 38.36 feet to a point on the northerly line of said Lands of Kolling; thence along said northerly line of Kolling North 83°01'59" East, 155.28 feet to the **POINT OF BEGINNING**.

A.P. No. 115-070-007 (PTN)

PARCEL FIVE:

Being an easement for private access and public utilities over the Lands of Paul Walter Kolling and Kendra Kolling described as Parcel 2 in Document Number 2000-080896, Sonoma County Records, said easement being a strip of land 10.00 feet Westerly of the following described line:

COMMENCING at the common boundary of said Lands of Kolling, being marked by a ½ inch iron pipe tagged "L.S. 7362"; thence along the common boundary of said Lands of Kolling and the Lands of Paul J. Mitterbach and Constance E. Mitterbach described as "Parcel 2" in Document Number 1983-084910, Sonoma County Records, South 47°58'01" West, 582.12 feet to the southeasterly corner of the Lands of Kolling being marked by ½ inch iron pipe tagged "L.S. 7362"; thence continuing along said common boundary of the Lands of Kolling and the Lands of Mitterbach, North 52°01'59" West, 23.83 feet to the **POINT OF BEGINNING**; thence North 13°15'59" West, 31.06 feet; thence along a curve to the right with a radius of 66.40 feet, through a central angle of 74°26'49" for a length of 86.28 feet; thence North 61°10'50" East, 46.77 feet; thence along a curve to the right with a radius of 50.00 feet through a central angle of 27°22'43", for a length of 23.89 feet; thence North 88°33'33" East, 36.37 feet; thence along a curve to the left with a radius of 57.50 feet, through a central angle of 64°44'35", for a length of 64.97 feet; thence North 23°48'58" East, 10.76 feet; thence North 18°46'18" East, 49.29 feet; thence along a curve to the right with a radius of 162.30 feet, through a central angle of 27°31'47", for length of 77.98 feet; thence North 46°18'05" East, 38.24 feet; thence along a curve to the left with a radius of 77.00 feet, through a central angle of 19°54'10", for a length of 26.75 feet; thence North 26°23'55" East, 21.86 feet; thence along a curve to the left with a radius of 60.00 feet, through a central angle of 36°23'55", for a length of 38.36 feet to a point on the northerly line of said Lands of Kolling which bears North 83°01'59" West, 155.28 feet from the **POINT OF COMMENCEMENT**;

EXHIBIT "B"

LAND CONSERVATION PLAN

This Land Conservation Plan is made by and between Paul J. Mitterbach and Constance E. Mitterbach, husband and wife, as Joint Tenants, ("Owner(s)") and the County of Sonoma, a political subdivision of the State of California ("County"), and is hereby incorporated by reference into the Land Conservation Contract to which it is attached as though fully set forth therein ("Contract").

1. PURPOSE. The purpose of this Land Conservation Plan is to identify the approximate location and acreage of designated uses to which the Subject Property is or may be used during the term of the Land Conservation Contract consistent with the terms of the Land Conservation Contract, the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones ("Uniform Rules"), and the California Land Conservation Act (Government Code section 51200 et seq.), as they now exist, or as they may be amended from time to time.

2. DEFINITIONS.

- a. "Subject Property," shall have the same meaning as the term "Subject Property," as used in the Contract.
- b. "Prime Agricultural Use," means the use of "Prime Agricultural Land," for one or more "Agricultural Use," as those phrases are defined in the Uniform Rules.
- c. "Non-Prime Agricultural Use," means the use of "Non-prime Agricultural Land," for one or more "Agricultural Use," as those phrases are defined in the Uniform Rules.
- d. "Open Space Use," means the use of "Open Space Land for an "Open Space Use," as those phrases are defined in the Uniform Rules.
- e. "Compatible Use," shall have the same meaning as the term "Compatible Use," as used in the Uniform Rules.
- f. "Undesignated Area," means portion of land under the Contract that is vacant and potentially available for any qualifying agricultural and/or compatible use, consistent with the terms of the Contract, the Uniform Rules, and the Land Conservation Act, as they now exist or as they may be amended from time to time. Use of the "Undesignated Area," for agricultural or compatible use requires amendment of this Land Conservation Plan.

3. DESIGNATED LAND USES. Owner(s) agree to manage and maintain the Subject Property in a manner that ensures that the following designated uses will conform to the identified acreage and location at all times during the term of the Contract and any extensions thereof. Any proposed change to a designated use, acreage, and/or location, requires amendment of this Land Conservation Plan.

<u>Designated Use</u>	<u>Acreage</u>	<u>Location</u>
PRIME AGRICULTURAL USE(S):		
NON-PRIME AGRICULTURAL USE(S):	± 112.0 acres	See Site Plan
OPEN SPACE USE(S):		
COMPATIBLE USE(S):	± 2.18 acres	See Site Plan
UNDESIGNATED AREA:		
TOTAL:		± 114.18 acres

4. SITE PLAN. A site plan showing the location of the designated uses described in paragraph 3, above, is attached and incorporated by reference into this Land Conservation Plan. Any proposed change to the Site Plan requires amendment of this Land Conservation Plan.

5. AMENDMENT TO LAND CONSERVATION PLAN.

a. Any change to the acreage or location of the designated uses described in paragraph 3, above, requires written amendment to this Land Conservation Plan, consistent with the Land Conservation Contract, Uniform Rules, and Land Conservation Act, as they now exist or as they may be amended from time to time.

b. Owner(s), or Owner(s) predecessor(s) in interest, may apply to the Permit and Resource Management Department (PRMD) for an amendment of this Land Conservation Plan. With the approval of the Director of PRMD, Owner(s) or Owner(s)' predecessor in interest may designate an agent to file an application for amendment of this Land Conservation Plan on their behalf.

c. The Board of Supervisors, or its designee, shall consider and decide all requests to amend this Land Conservation Plan.

d. All amendments to this Land Conservation Plan are deemed automatically incorporated into the Land Conservation Contract to which it applies, upon approval by the Board of Supervisors or its designee, and upon recordation of the executed amendment with the Sonoma County Recorder's Office.

e. For purposes of property tax assessment, any amendment to the Land Conservation Plan or Land Conservation Contract will be recognized by the Sonoma County Assessor's Office on the January 1st lien date of the year following the year in which the amendment is recorded, consistent with Revenue and Taxation Code sec. 430.5.

6. BREACH. Failure to conform to this Land Conservation Plan is a breach of the Land Conservation Contract to which it is attached and incorporated by reference.

AGREEMENT AND STATEMENT BY OWNER(S):

I/we agree to comply with the provisions of this Land Conservation Plan, as it now exists or as it may be amended from time to time, for the duration of the Land Conservation Contract to which it is attached and incorporated by reference, including any and all renewals or extension of the Land Conservation Contract.

OWNERS:

PAUL J. MITTERBACH AND CONSTANCE E. MITTERBACH,
Husband And Wife, As Joint Tenants

By: _____
Paul J. Mitterbach

by: _____
Constance E. Mitterbach

NOTE: Acknowledgments must be attached.

-----County Use Only-----

COUNTY OF SONOMA:
BOARD OF SUPERVISORS or DESIGNEE OF BOARD OF SUPERVISORS

Attest

COUNTY OF SONOMA

By: _____
Michelle Arellano
Clerk of the Board of Supervisors

By: _____
David Rabbitt
Chair, Board of Supervisors

ACKNOWLEDGMENT

State of California
County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

ACKNOWLEDGMENT

State of California
County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

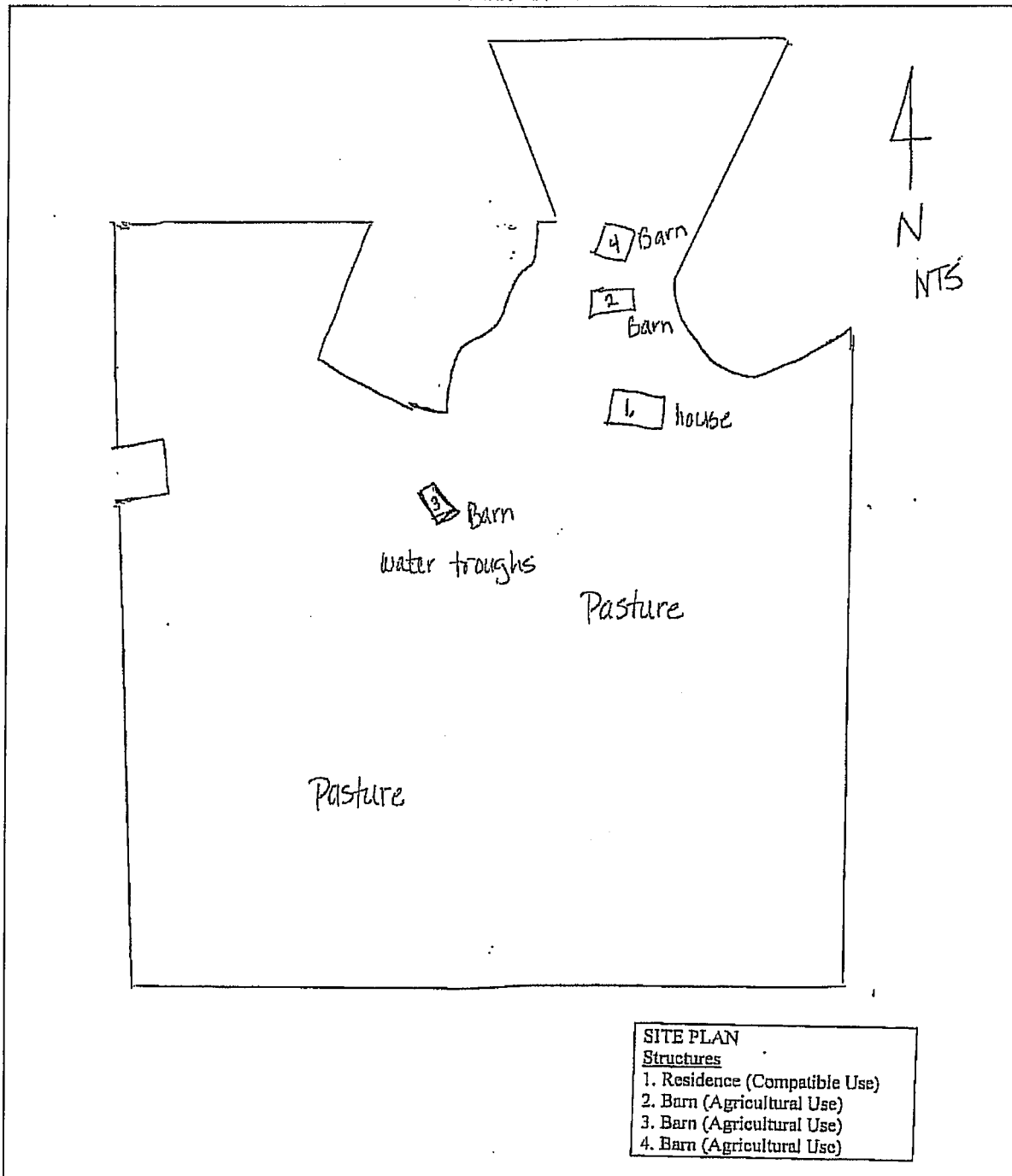
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

SITE PLAN

Lot B of LLA 09-0006
APN 115-070-020



SITE PLAN
Structures
1. Residence (Compatible Use)
2. Barn (Agricultural Use)
3. Barn (Agricultural Use)
4. Barn (Agricultural Use)

COUNTY ADMINISTRATION CENTER
575 ADMINISTRATION DRIVE,
ROOM 105A
SANTA ROSA, CALIFORNIA 95403

TELEPHONE: (707) 565-2421
FACSIMILE: (707) 565-2624

ASSISTANT COUNTY COUNSEL
SHERYL L. BRATTON



OFFICE OF THE COUNTY
COUNSEL
BRUCE D. GOLDSTEIN
County Counsel

CHIEF DEPUTIES
C. DAVID HURST
GREGORY T. DIDON
KATHLEEN A. LAROCQUE

DEPUTIES
SUE GALLAGHER
JEFFREY L. BERK
SALLY B. MCGOUGH
DAVID R. MCFADDEN
STEVE S. SHUPE
PHYLLIS C. GALLAGHER
ANNE L. KECK
BARBARA A. FITZMAURICE
LINDA D. SCHILTGEN
ELIZABETH S. HUTTON
WILLIAM L. ADAMS
JEFFREY M. BRAX
JENNIFER C. KLEIN
MARGARET A. SINGLETON
DEBBIE F. LATHAM
CORY W. O'DONNELL
TAMBRA CURTIS
LISA A. PHEATT
JOSHUA A. MYERS
HOLLY RICKETT
MOE JAMIL
VERNE BALL
IAN TRUEBLOOD
EILEEN ODELL
ADAM BRAND

September 17, 2013

Paul and Constance Mitterbach
P. O. Box 536
Cloverdale, CA 95425

Re: PRMD Application No. AGP 10-0018 (40.10 acres)
Replacement Land Conservation Contract
Address: 31603 Pine Mountain Road, Cloverdale
APN(s): 115-080-043 (Lot C)
(Lot Line Adjustment LLA09-006)

Dear Mr. and Mrs. Mitterbach:

You have applied for a Replacement Land Conservation Contract, also called a Williamson Act Contract. Enclosed please find an original and one copy of your proposed Replacement Land Conservation Contract ("Contract"), which includes a "Land Conservation Plan". A Land Conservation Plan is a separate agreement that is attached to and incorporated by reference into your Contract.

Owner Signature:

Each owner must separately sign the Contract and the Land Conservation Plan. Each signature on each document must be notarized using a separate Acknowledgement form. For your convenience, we are enclosing the appropriate number of Acknowledgement forms for your use.

Next Steps:

Please return the signed and notarized Contract and Land Conservation Plan to our office. Upon receipt of those items, we will inform the Permit and Resource Management Department (PRMD), and request that it schedule your application for consideration by the Board of Supervisors. You will be notified in advance of the date and time the Board of Supervisors will consider your application. If the Board of Supervisors approves your application, we will obtain

EXHIBIT D

Paul and Constance Mitterbach
Page 2
September 17, 2013

all necessary County signatures and record the Contract and all attachments. We will then send you a conformed copy of the Contract for your permanent records.

Please note, the executed Contract and all attachments, including the Land Conservation Plan, must be recorded by the County Recorder prior to January 1, 2014, to affect your property taxes for the 2014-15 tax year. If you have transferred or encumbered the property, or intend to do so, before the Board of Supervisors will consider your application, please contact our office immediately.

In summary, please return to us: (a) Signed Contract with Signed Land Conservation Plan, and (b) separate and complete Acknowledgement forms, one for each required signature.

If you have any questions, please contact Jennifer Klein, Deputy County Counsel, at (707) 565-2421.

Very truly yours,



Eileen Shired
Legal Assistant to
Jennifer C. Klein

Enclosures
cc: Traci Tesconi, Permit & Resource Management Department

**Exempt from Recording Fees
Per Gov. Code § 27838**

RECORDING REQUESTED BY
AND RETURN TO:

CLERK OF THE BOARD
BOARD OF SUPERVISORS
575 ADMINISTRATION DRIVE
SANTA ROSA, CA 95403

**AGREEMENT RESCINDING TYPE II LAND CONSERVATION
CONTRACT AND SIMULTANEOUSLY ENTERING INTO
A NEW TYPE II LAND CONSERVATION CONTRACT**

This Contract is made by and between Paul J. Mitterbach and Constance E. Mitterbach, husband and wife, as Joint Tenants ("Owner(s)") and the County of Sonoma, a political subdivision of the State of California ("County"), and is dated for convenience as _____, 2013.

RECITALS

Whereas County previously entered into a Land Conservation Contract with Owner(s) or Owner(s)' predecessors in interest, which recorded February 26, 1986, and is identified by Instrument Number 1986013237, in the Official Records of the Sonoma County Recorder, ("Original Contract"); and

Whereas Owner(s) own(s) certain real property ("Subject Property") located within Sonoma County and presently identified by Assessor's Parcel Number(s): **115-080-043 (Lot C of Line Adjustment LLA09-0006)**, and more particularly described in the legal description attached to this Contract at Exhibit "A"; and

Whereas Both Owner(s) and County desire to limit/continue to limit the use of the Subject Property to agricultural, open space, and compatible uses in order to discourage premature and unnecessary conversion of the Subject Property to uses incompatible with agricultural and/or open space use, including urban uses, recognizing that the Subject Property has substantial public value as agricultural or open space land and that the preservation of the Subject Property in agricultural production or open space constitutes an important physical, social, aesthetic, and economic asset to County and the State of California; and

OPERATIVE PROVISIONS

Now, therefore, in consideration of the foregoing recitals and the mutual promises contained herein, the substantial public benefits to be derived therefrom, and other good and

valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Owner(s) and County agree as follows:

A. RESCISSION OF ORIGINAL CONTRACT

The Original Contract is hereby rescinded as of the date that this Contract takes effect as to the Subject Property. If this Contract does not become effective, then the Original Contract shall remain in full force and effect, as to the Subject Property.

B. REPLACEMENT CONTRACT

1. **PURPOSE.** This Contract is entered into pursuant to the provisions of the California Land Conservation Act of 1965, Government Code section 51200 et seq. ("Act"), and is subject to all of the provisions of the Act as they may be amended from time to time.

2. **SUBJECT PROPERTY.**

(a) Owner(s) own(s) the Subject Property, located 31603 Pine Mountain Road, Cloverdale, California, and more particularly described in the legal description attached to this Contract as Exhibit "A", and incorporated herein by reference.

(b) The Subject Property is located within established Agricultural Preserve 2-615.

(c) The Subject Property is approximately 40.10 acres total and comprised of one legal parcel.

3. **TERM.** This Contract shall be effective commencing January 1, 2014, and shall remain in effect for a term of 10 years. This Contract shall be automatically renewed for a full term at the end of each year, unless a Notice of Non-renewal is recorded as provided in Government Code section 51245 and the County's Uniform Rules for Agricultural Preserves and Farmland Security Zones ("Uniform Rules"), adopted by County Board of Supervisor's Resolution No.11-0678 pursuant to Government Code section 51231, -- to the end that at all times during this Contract, there shall be a 10-year term of restriction unless a Notice of Non-renewal has been recorded.

4. **REGULATORY COMPLIANCE & RESTRICTIONS ON USE.** During the term of this Contract, and all renewals and extensions thereof, the Subject Property shall not be used for any purpose other than (1) "agricultural use," or "open space use," as those phrases are defined by the Act, and (2) any use determined by County to be a "compatible use" defined and enumerated in the Uniform Rules and shall at all times be in compliance with the Uniform Rules as they may be amended from time to time.

5. **LAND CONSERVATION PLAN.** The use of the Subject Property shall at all times conform to the Land Conservation Plan, attached to this Contract as Exhibit "B", and made a part of this Contract. If an amendment to the Land Conservation Plan is approved by County

and recorded, the amended Land Conservation Plan shall be deemed automatically incorporated into the Contract as though fully set forth herein without the need for a contract amendment, upon the renewal of the Contract.

6. UNIFORM RULES & FEES. Owner(s) and County agree that the Uniform Rules, as they now exist or as they may be amended from time to time, are incorporated by reference into this Contract as though set out in full and shall be a part of this Contract upon execution and each renewal of this Contract. Owner(s) agree(s) to comply with the Uniform Rules and agree(s) to pay all fees established by County's Board of Supervisors, if any, for the administration of County's agricultural preserve program, and for the processing of applications required by the Uniform Rules.

7. PLANNING AND ZONING. The provisions of this Contract are not intended to limit or supersede the planning and zoning powers of County.

8. CANCELLATION. This Contract may not be cancelled, except pursuant to Government Code sections 51280 through 51287, and the Uniform Rules.

9. RESCISSION. This Contract may not be rescinded, except pursuant to the provisions of the Act and the Uniform Rules, and upon the simultaneous replacement of this Contract with a replacement contract, open space easement, agricultural conservation easement, or other equivalent restriction as allowed by the Act and state law. County may require the rescission and simultaneous replacement of this Contract with a replacement contract as a condition of any proposed subdivision or lot line adjustment affecting the boundaries of the Subject Property.

10. EMINENT DOMAIN. If any action in eminent domain for the condemnation of any land described in this Contract is filed after the execution of this Contract, or if any portion of the Subject Property is acquired in lieu of condemnation, then the provisions of Government Code section 51295 apply.

11. SUCCESSORS IN INTEREST. This Contract, its terms and restrictions, shall run with the land described herein, and upon division, to all parcels created therefrom, and shall be binding upon and shall inure to the benefit of all heirs, successors, and assigns of Owner(s). This Contract shall be transferred from County to a succeeding city or a county acquiring jurisdiction over all or part of the Subject Property, except that a succeeding city may opt not to succeed to the rights, duties, and powers of the County under this Contract if the requirements of Government Code section 51243.5 are met.

12. CERTIFICATE OF COMPLIANCE PARCELS. Owner(s) agree(s) not to apply for or obtain recognition of Certificate of Compliance parcels for all or any portion of the Subject Property for the duration of this Contract, without first obtaining the approval of County's Board of Supervisors, as provided in the Uniform Rules, unless a Notice of Non-Renewal has been recorded for the Contract and there are no more than three years remaining on the Contract's term. County may require replacement contracts for recognized Certificate of Compliance parcels.

13. ENFORCEABLE RESTRICTION. Owner(s) and County intend that the terms, conditions, and restrictions of this Contract conform to the Act, as amended, and that this Contract qualify as an enforceable restriction under the provisions of Revenue and Taxation Code sections 421 through 429, inclusive, and within the meaning of California Constitution, article XIII, section 8.

14. REMEDIES FOR BREACH.

(a) This Contract may be enforced by County in an action filed in the Sonoma County Superior Court for the purpose of compelling compliance or restraining any breach or threatened breach thereof, after providing notice to Owner(s). The notice shall contain a general description of the condition claimed to be a violation and shall contain a reasonable and specific cure period during which the violation is to cease and the Subject Property is to be restored to the condition that existed prior to the violation. Owner(s) agree(s) that County's remedies at law for any violation of the terms of this Contract are inadequate and that County shall be entitled to the injunctive relief described herein, both prohibitive and mandatory, in addition to such other relief, including damages, to which County may be entitled, including specific performance of the terms of this Contract, without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies.

(b) A breach of this Contract that constitutes a violation of the Sonoma County Zoning Code may be enforced by County pursuant to Chapter 1 of the Sonoma County Code.

(c) Without altering the provisions of paragraph 8 (Cancellation), a breach of this Contract that constitutes material breach under Government Code section 51250 may be enforced by County or the State of California pursuant to Government Code section 51250, if the requirements of that Section are met.

(d) If Owner(s) breach(es) this Contract, Owner(s) shall pay County one-half percent (1/2 %) of the restricted assessed value of the land subject to this Contract per day for each day the Contract is in breach as liquidated damages. It is understood and agreed that damages for breach of this Contract by Owner(s) are, and will continue to be, impracticable and extremely difficult to ascertain and determine. Execution of this Contract shall constitute agreement by County and Owner(s) that one-half percent (1/2 %) of the restricted assessed value of the land is the actual damage to County and the general public caused by breach of this Contract by Owner(s), and that such sum is liquidated damages and shall not be construed as a penalty. No damages shall be recoverable if the Owner(s) remedies or has commenced and thereafter diligently pursues such action required to remedy any breach or material breach within sixty (60) days after the date written notice of said breach or material breach is sent to Owner(s) by County. This provision does not impair County's ability to enforce this Contract by injunction or specific performance.

(e) The remedies set forth in this paragraph 14 are not exclusive and are not intended to displace any other remedies available to either party as provided by this Contract or any applicable local, state or federal law.

15. NO WAIVER. Enforcement of the terms of this Contract shall be at the sole discretion of County, or where applicable the State of California, and any forbearance by County or State to exercise its rights under this Contract in the event of any violation or threatened violation by Owner(s) of any term of this Contract shall not be deemed or construed to be a waiver by County or State of such term or of any subsequent violation or threatened violation of the same or any other terms of this Contract. Any failure by County or State to act shall not be deemed a waiver or forfeiture of County's or State's right to enforce any and all of the terms of this Contract in the future.

16. CONSIDERATION. Owner(s) shall not receive any payment from County in consideration of the obligations imposed by this Contract. The parties recognize and agree that the consideration for the execution of this Contract is the substantial public benefit to be derived from this Contract and the advantage that will accrue to Owner(s) as a result of any reduction in the assessed value of the Subject Property due to the imposition of the limitations on the use of the Subject Property contained in this Contract.

17. NOTICE. Notices required to be given under this Contract, or as may otherwise be required by law in connection with the administration of this Contract, shall be made by personal service, or by first-class United States mail, to the parties as follows:

(a) To Owner(s) or successor(s) in interest of Owner(s), at the mailing address shown on the most recent assessment roll for the Subject Property; and

(b) To County, c/o the Clerk of the Board of Supervisors, 575 Administration Drive, Suite 100A, Santa Rosa, California 95403.

IN WITNESS WHEREOF, Owner(s) and County have executed this Contract as of the day and year set forth above.

ATTEST:

COUNTY OF SONOMA

By: _____
Michelle Arellano
Clerk of the Board of Supervisors

By: _____
Supervisor David Rabbitt
Chair, Board of Supervisors

OWNER(S):
PAUL J. MITTERBACH AND CONSTANCE E. MITTERBACH,
husband and wife, as Joint Tenants

By: _____
Paul J. Mitterbach

By: _____
Constance E. Mitterbach

NOTE: Acknowledgments must be attached.

ACKNOWLEDGMENT

State of California
County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

ACKNOWLEDGMENT

State of California

County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT "A"

The real property which is the subject of this CONTRACT is situated within agricultural preserve 2-615 as shown by map thereof recorded in preserve map book number Book Number 4, Page 116 (35-A), in the Office of the County Recorder of Sonoma County, California, and said real property is more particularly described as follows:

LEGAL DESCRIPTION

EXHIBIT A

The land referred to herein below is situated in the unincorporated area of the, County of Sonoma, State of CALIFORNIA, and is described as follows:

PARCEL ONE:

Beginning at the Northwest corner of Lot 2 of Section 5, Township 11 North, Range 10 West, Mount Diablo Base & Meridian, from which a 26" Live Oak bears North 16 3/4° West, 11 links distant, and a 15" White Oak bears South 24 3/4° East, 25 links distant; thence South 11° 17' East, 1183.4 feet to a 14" White Oak Tree; thence South 32° 49' East, 199.0 feet to a 33" White Oak Tree; thence South 63° 9' East, 252.1 feet to a point marked by an iron pipe driven on a fence line on the Northwesterly side of the County Road; thence along the Westerly side of the said road to points as follows: North 59° 12' East, 223.4 feet to a point; thence North 0° 46' East, 290.0 feet to a point; thence North 12° 4' East, 204.0 feet to a point; thence North 45° 59' East, 252.5 feet to a Madrone Tree 7 feet in diameter; thence leaving the said road and along the Easterly line of Parcel Six as described in the Deed from Patricia Hashagen to Lucien L. Tyler, et ux, dated July 29, 1948 and recorded August 17, 1948 under Recorder's Serial No. C 73671, Sonoma County Records, North 33° 47' East, 209.2 feet to a fence corner; thence following a fence line and the said Easterly line of said Parcel Six to points as follows: North 11° 40' West, 218.8 feet to a point; thence North 25° 16' West, 291.4 feet to a point marked by an iron pipe driven at a corner post; thence along the North line of Section 5, North 89° 21' West, 932.0 feet to the place of beginning.

PARCEL TWO:

Part of the property of Eugenia S. Oster situated in the Northwest 1/4 of Section 5, Township 11 North, Range 10 West, Mount Diablo Base & Meridian, Sonoma County Records; beginning at an iron pipe marking the Northwest corner of the Northeast 1/4 of the Northeast 1/4 of Section 5, Township 11 North, Range 10 West, Mount Diablo Base & Meridian; thence South 88° 57' East, 294.7 feet to a blazed Live Oak marking the North line of Section 5; thence South 88° 57' East, 379.3 feet to a point marked by an iron pipe driven at the intersection of a fence line with the approximate North line of Section 5; thence along said fence line South 31° 20' West, 568.7 feet to an angle point; thence along the said fence line South 64° 33' West, 402.1 feet to a point marked by an iron pipe driven on the Northerly side of the County Road; thence along the Northerly side of the County Road to a Madrone Tree 7 feet in diameter, bearing North 85° 16' West, 301.7 feet distant; the said Madrone Tree being described in a Deed recorded in Book 99 of Deeds, page 73, Sonoma County Records; thence North 33° 47' East, 209.2 feet to a fence angle point; thence along a fence line North 11° 40' West, 218.8 feet to a point; thence along a fence line North 25° 16' West, 291.4 feet to a point marked by an iron pipe driven at a fence corner on the approximate North line of Section 5; thence South 89° 2' East, 338.0 feet to the place of beginning.

PARCEL THREE:

Being a portion of the Lands of Paul J. Mitterbach and Constance E. Mitterbach described as "Parcel 2" in Document No. 1983084910, Sonoma County Records, and more particularly described as follows:

Beginning as the Southeasterly corner of said land of Mitterbach being marked by a 1 inch iron pipe, no tag; thence along the Easterly boundary of said land of Mitterbach North 01° 12' 37" East, 93.01 feet; thence North 89° 23' 33" West, 2561.07 feet to a point on the Westerly boundary of said lands of Mitterbach; thence along said Westerly boundary of Mitterbach South 01° 58' 01" West, 93.03 feet to the Southwesterly corner of lands of Mitterbach marked by a 3/4 inch iron pipe, no tag; thence along the Southerly boundary of said lands of Mitterbach South 89° 23' 33" East 2562.30 feet to the Point of Beginning.

A.P. No. 115-080-005

A.P. No. 115-070-014 (PTN)

EXHIBIT "B"

LAND CONSERVATION PLAN

This Land Conservation Plan is made by and between Paul J. Mitterbach and Constance E. Mitterbach, husband and wife, as Joint Tenants, ("Owner(s)") and the County of Sonoma, a political subdivision of the State of California ("County"), and is hereby incorporated by reference into the Land Conservation Contract to which it is attached as though fully set forth therein ("Contract").

1. **PURPOSE.** The purpose of this Land Conservation Plan is to identify the approximate location and acreage of designated uses to which the Subject Property is or may be used during the term of the Land Conservation Contract consistent with the terms of the Land Conservation Contract, the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones ("Uniform Rules"), and the California Land Conservation Act (Government Code section 51200 et seq.), as they now exist, or as they may be amended from time to time.

2. **DEFINITIONS.**

- a. "Subject Property," shall have the same meaning as the term "Subject Property," as used in the Contract.
- b. "Prime Agricultural Use," means the use of "Prime Agricultural Land," for one or more "Agricultural Use," as those phrases are defined in the Uniform Rules.
- c. "Non-Prime Agricultural Use," means the use of "Non-prime Agricultural Land," for one or more "Agricultural Use," as those phrases are defined in the Uniform Rules.
- d. "Open Space Use," means the use of "Open Space Land for an "Open Space Use," as those phrases are defined in the Uniform Rules.
- e. "Compatible Use," shall have the same meaning as the term "Compatible Use," as used in the Uniform Rules.
- f. "Undesignated Area," means portion of land under the Contract that is vacant and potentially available for any qualifying agricultural and/or compatible use, consistent with the terms of the Contract, the Uniform Rules, and the Land Conservation Act, as they now exist or as they may be amended from time to time. Use of the "Undesignated Area," for agricultural or compatible use requires amendment of this Land Conservation Plan.

3. DESIGNATED LAND USES. Owner(s) agree to manage and maintain the Subject Property in a manner that ensures that the following designated uses will conform to the identified acreage and location at all times during the term of the Contract and any extensions thereof. Any proposed change to a designated use, acreage, and/or location, requires amendment of this Land Conservation Plan.

<u>Designated Use</u>	<u>Acreage</u>	<u>Location</u>
PRIME AGRICULTURAL USE(S):		
NON-PRIME AGRICULTURAL USE(S):	± 40.10 acres	See Site Plan
OPEN SPACE USE(S):		
COMPATIBLE USE(S):		
UNDESIGNATED AREA:		
TOTAL:		± 40.10 acres

4. SITE PLAN. A site plan showing the location of the designated uses described in paragraph 3, above, is attached and incorporated by reference into this Land Conservation Plan. Any proposed change to the Site Plan requires amendment of this Land Conservation Plan.

5. AMENDMENT TO LAND CONSERVATION PLAN.

a. Any change to the acreage or location of the designated uses described in paragraph 3, above, requires written amendment to this Land Conservation Plan, consistent with the Land Conservation Contract, Uniform Rules, and Land Conservation Act, as they now exist or as they may be amended from time to time.

b. Owner(s), or Owner(s) predecessor(s) in interest, may apply to the Permit and Resource Management Department (PRMD) for an amendment of this Land Conservation Plan. With the approval of the Director of PRMD, Owner(s) or Owner(s)' predecessor in interest may designate an agent to file an application for amendment of this Land Conservation Plan on their behalf.

c. The Board of Supervisors, or its designee, shall consider and decide all requests to amend this Land Conservation Plan.

d. All amendments to this Land Conservation Plan are deemed automatically incorporated into the Land Conservation Contract to which it applies, upon approval by the Board of Supervisors or its designee, and upon recordation of the executed amendment with the Sonoma County Recorder's Office.

e. For purposes of property tax assessment, any amendment to the Land Conservation Plan or Land Conservation Contract will be recognized by the Sonoma County Assessor's Office on the January 1st lien date of the year following the year in which the amendment is recorded, consistent with Revenue and Taxation Code sec. 430.5.

6. BREACH. Failure to conform to this Land Conservation Plan is a breach of the Land Conservation Contract to which it is attached and incorporated by reference.

AGREEMENT AND STATEMENT BY OWNER(S):

I/we agree to comply with the provisions of this Land Conservation Plan, as it now exists or as it may be amended from time to time, for the duration of the Land Conservation Contract to which it is attached and incorporated by reference, including any and all renewals or extension of the Land Conservation Contract.

OWNERS:

PAUL J. MITTERBACH AND CONSTANCE E. MITTERBACH, HUSBAND AND WIFE,
AS JOINT TENANTS

By: _____
Paul J. Mitterbach

by: _____
Constance E. Mitterbach

NOTE: Acknowledgments must be attached.

-----*County Use Only*-----

COUNTY OF SONOMA:
BOARD OF SUPERVISORS or DESIGNEE OF BOARD OF SUPERVISORS

Attest

COUNTY OF SONOMA

By: _____
Michelle Arellano
Clerk of the Board of Supervisors

By: _____
David Rabbitt
Chair, Board of Supervisors

ACKNOWLEDGMENT

State of California
County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

ACKNOWLEDGMENT

State of California

County of _____)

On _____ before me, _____
(insert name and title of the officer)

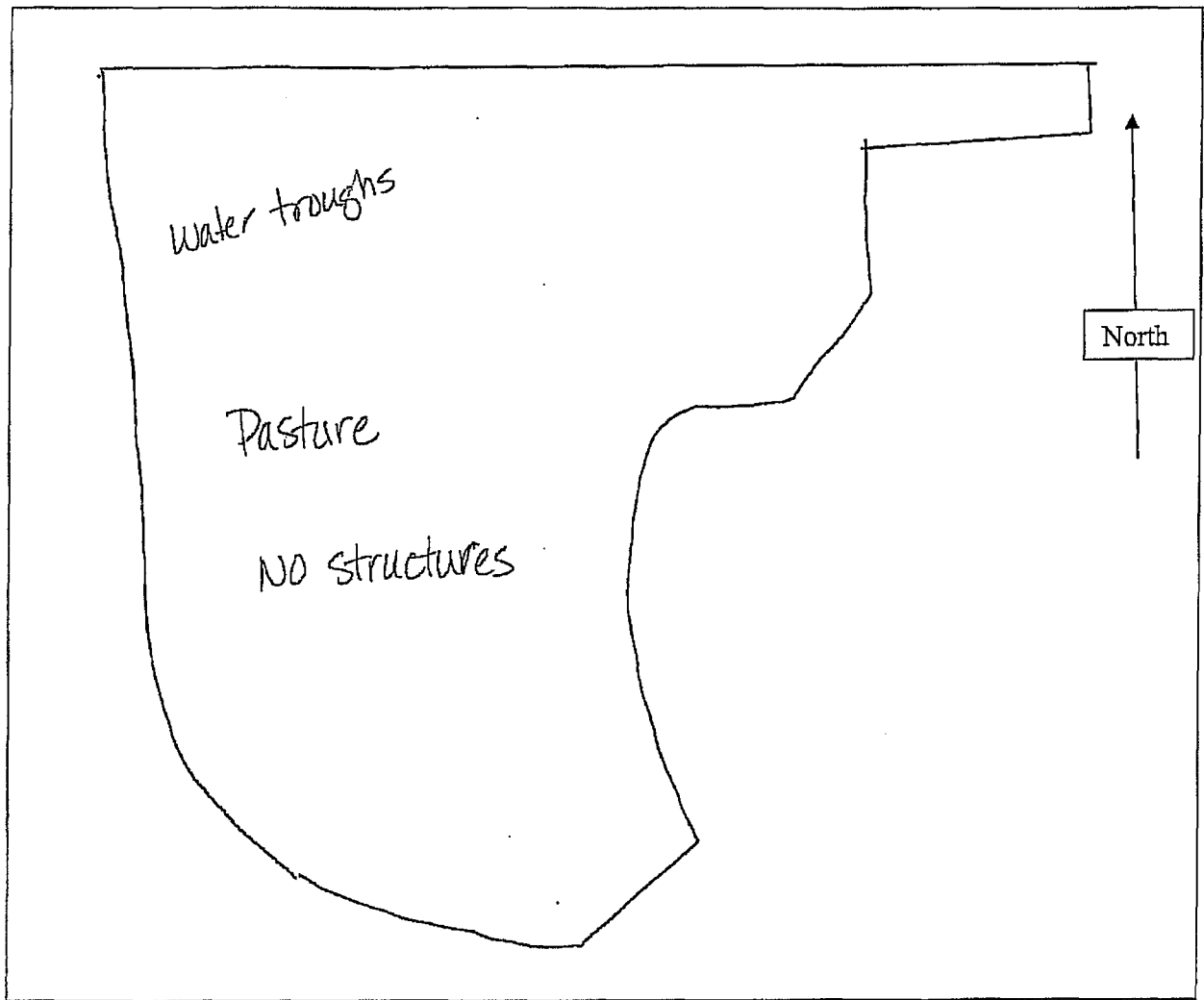
personally appeared _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

SITE PLAN
Lot C of LLA 09-0006
APN 115-080-043



SITE PLAN
Structures: None

COUNTY ADMINISTRATION CENTER
575 ADMINISTRATION DRIVE,
ROOM 105A
SANTA ROSA, CALIFORNIA 95403

TELEPHONE: (707) 565-2421
FACSIMILE: (707) 565-2624

ASSISTANT COUNTY COUNSEL
SHERYL L. BRATTON



OFFICE OF THE COUNTY
COUNSEL
BRUCE D. GOLDSTEIN
County Counsel

CHIEF DEPUTIES
C. DAVID HURST
GREGORY T. DIDN
KATHLEEN A. LAROCQUE

DEPUTIES
SUE GALLAGHER
JEFFREY L. BERK
SALLY B. MCGOUGH
DAVID R. MCFADDEN
STEVE S. SHUPE
PHYLLIS C. GALLAGHER
ANNE L. KECK
BARBARA A. FITZMAURICE
LINDA D. SCHILTGEN
ELIZABETH S. HUTTON
WILLIAM L. ADAMS
JEFFREY M. BRAX
JENNIFER C. KLEIN
MARGARET A. SINGLETON
DEBBIE F. LATHAM
CORY W. O'DONNELL
TAMBRA CURTIS
LISA A. PHEATT
JOSHUA A. MYERS
HOLLY RICKETT
MOE JAMIL
VERNE BALL
IAN TRUEBLOOD
EILEEN ODELL
ADAM BRAND

September 17, 2013

Paul and Constance Mitterbach
P. O. Box 536
Cloverdale, CA 95425

Re: PRMD Application No. AGP 10-0018 (40.10 acres)
Replacement Land Conservation Contract
Address: 31603 Pine Mountain Road, Cloverdale
APN(s): 115-080-043 (Lot C)
(Lot Line Adjustment LLA09-006)

Dear Mr. and Mrs. Mitterbach:

You have applied for a Replacement Land Conservation Contract, also called a Williamson Act Contract. Enclosed please find an original and one copy of your proposed Replacement Land Conservation Contract ("Contract"), which includes a "Land Conservation Plan". A Land Conservation Plan is a separate agreement that is attached to and incorporated by reference into your Contract.

Owner Signature:

Each owner must separately sign the Contract and the Land Conservation Plan. Each signature on each document must be notarized using a separate Acknowledgement form. For your convenience, we are enclosing the appropriate number of Acknowledgement forms for your use.

Next Steps:

Please return the signed and notarized Contract and Land Conservation Plan to our office. Upon receipt of those items, we will inform the Permit and Resource Management Department (PRMD), and request that it schedule your application for consideration by the Board of Supervisors. You will be notified in advance of the date and time the Board of Supervisors will consider your application. If the Board of Supervisors approves your application, we will obtain

Paul and Constance Mitterbach
Page 2
September 17, 2013

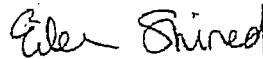
all necessary County signatures and record the Contract and all attachments. We will then send you a conformed copy of the Contract for your permanent records.

Please note, the executed Contract and all attachments, including the Land Conservation Plan, must be recorded by the County Recorder prior to January 1, 2014, to affect your property taxes for the 2014-15 tax year. If you have transferred or encumbered the property, or intend to do so, before the Board of Supervisors will consider your application, please contact our office immediately.

In summary, please return to us: (a) Signed Contract with Signed Land Conservation Plan, and (b) separate and complete Acknowledgement forms, one for each required signature.

If you have any questions, please contact Jennifer Klein, Deputy County Counsel, at (707) 565-2421.

Very truly yours,



Eileen Shired
Legal Assistant to
Jennifer C. Klein

Enclosures

cc: Traci Tesconi, Permit & Resource Management Department

Exempt from Recording Fees
Per Gov. Code § 27838

RECORDING REQUESTED BY
AND RETURN TO:

CLERK OF THE BOARD
BOARD OF SUPERVISORS
575 ADMINISTRATION DRIVE
SANTA ROSA, CA 95403

**AGREEMENT RESCINDING TYPE II LAND CONSERVATION
CONTRACT AND SIMULTANEOUSLY ENTERING INTO
A NEW TYPE II LAND CONSERVATION CONTRACT**

This Contract is made by and between Paul J. Mitterbach and Constance E. Mitterbach, husband and wife, as Joint Tenants ("Owner(s)") and the County of Sonoma, a political subdivision of the State of California ("County"), and is dated for convenience as _____, 2013.

RECITALS

Whereas County previously entered into a Land Conservation Contract with Owner(s) or Owner(s)' predecessors in interest, which recorded February 26, 1986, and is identified by Instrument Number 1986013237, in the Official Records of the Sonoma County Recorder, ("Original Contract"); and

Whereas Owner(s) own(s) certain real property ("Subject Property") located within Sonoma County and presently identified by Assessor's Parcel Number(s): 115-080-043 (Lot C of Line Adjustment LLA09-0006), and more particularly described in the legal description attached to this Contract at Exhibit "A"; and

Whereas Both Owner(s) and County desire to limit/continue to limit the use of the Subject Property to agricultural, open space, and compatible uses in order to discourage premature and unnecessary conversion of the Subject Property to uses incompatible with agricultural and/or open space use, including urban uses, recognizing that the Subject Property has substantial public value as agricultural or open space land and that the preservation of the Subject Property in agricultural production or open space constitutes an important physical, social, aesthetic, and economic asset to County and the State of California; and

OPERATIVE PROVISIONS

Now, therefore, in consideration of the foregoing recitals and the mutual promises contained herein, the substantial public benefits to be derived therefrom, and other good and

valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Owner(s) and County agree as follows:

A. RESCISSION OF ORIGINAL CONTRACT

The Original Contract is hereby rescinded as of the date that this Contract takes effect as to the Subject Property. If this Contract does not become effective, then the Original Contract shall remain in full force and effect, as to the Subject Property.

B. REPLACEMENT CONTRACT

1. PURPOSE. This Contract is entered into pursuant to the provisions of the California Land Conservation Act of 1965, Government Code section 51200 et seq. ("Act"), and is subject to all of the provisions of the Act as they may be amended from time to time.

2. SUBJECT PROPERTY.

(a) Owner(s) own(s) the Subject Property, located 31603 Pine Mountain Road, Cloverdale, California, and more particularly described in the legal description attached to this Contract as Exhibit "A", and incorporated herein by reference.

(b) The Subject Property is located within established Agricultural Preserve 2-615.

(c) The Subject Property is approximately 40.10 acres total and comprised of one legal parcel.

3. TERM. This Contract shall be effective commencing January 1, 2014, and shall remain in effect for a term of 10 years. This Contract shall be automatically renewed for a full term at the end of each year, unless a Notice of Non-renewal is recorded as provided in Government Code section 51245 and the County's Uniform Rules for Agricultural Preserves and Farmland Security Zones ("Uniform Rules"), adopted by County Board of Supervisor's Resolution No.11-0678 pursuant to Government Code section 51231, -- to the end that at all times during this Contract, there shall be a 10-year term of restriction unless a Notice of Non-renewal has been recorded.

4. REGULATORY COMPLIANCE & RESTRICTIONS ON USE. During the term of this Contract, and all renewals and extensions thereof, the Subject Property shall not be used for any purpose other than (1) "agricultural use," or "open space use," as those phrases are defined by the Act, and (2) any use determined by County to be a "compatible use" defined and enumerated in the Uniform Rules and shall at all times be in compliance with the Uniform Rules as they may be amended from time to time.

5. LAND CONSERVATION PLAN. The use of the Subject Property shall at all times conform to the Land Conservation Plan, attached to this Contract as Exhibit "B", and made a part of this Contract. If an amendment to the Land Conservation Plan is approved by County

and recorded, the amended Land Conservation Plan shall be deemed automatically incorporated into the Contract as though fully set forth herein without the need for a contract amendment, upon the renewal of the Contract.

6. UNIFORM RULES & FEES. Owner(s) and County agree that the Uniform Rules, as they now exist or as they may be amended from time to time, are incorporated by reference into this Contract as though set out in full and shall be a part of this Contract upon execution and each renewal of this Contract. Owner(s) agree(s) to comply with the Uniform Rules and agree(s) to pay all fees established by County's Board of Supervisors, if any, for the administration of County's agricultural preserve program, and for the processing of applications required by the Uniform Rules.

7. PLANNING AND ZONING. The provisions of this Contract are not intended to limit or supersede the planning and zoning powers of County.

8. CANCELLATION. This Contract may not be cancelled, except pursuant to Government Code sections 51280 through 51287, and the Uniform Rules.

9. RESCISSION. This Contract may not be rescinded, except pursuant to the provisions of the Act and the Uniform Rules, and upon the simultaneous replacement of this Contract with a replacement contract, open space easement, agricultural conservation easement, or other equivalent restriction as allowed by the Act and state law. County may require the rescission and simultaneous replacement of this Contract with a replacement contract as a condition of any proposed subdivision or lot line adjustment affecting the boundaries of the Subject Property.

10. EMINENT DOMAIN. If any action in eminent domain for the condemnation of any land described in this Contract is filed after the execution of this Contract, or if any portion of the Subject Property is acquired in lieu of condemnation, then the provisions of Government Code section 51295 apply.

11. SUCCESSORS IN INTEREST. This Contract, its terms and restrictions, shall run with the land described herein, and upon division, to all parcels created therefrom, and shall be binding upon and shall inure to the benefit of all heirs, successors, and assigns of Owner(s). This Contract shall be transferred from County to a succeeding city or a county acquiring jurisdiction over all or part of the Subject Property, except that a succeeding city may opt not to succeed to the rights, duties, and powers of the County under this Contract if the requirements of Government Code section 51243.5 are met.

12. CERTIFICATE OF COMPLIANCE PARCELS. Owner(s) agree(s) not to apply for or obtain recognition of Certificate of Compliance parcels for all or any portion of the Subject Property for the duration of this Contract, without first obtaining the approval of County's Board of Supervisors, as provided in the Uniform Rules, unless a Notice of Non-Renewal has been recorded for the Contract and there are no more than three years remaining on the Contract's term. County may require replacement contracts for recognized Certificate of Compliance parcels.

13. ENFORCEABLE RESTRICTION. Owner(s) and County intend that the terms, conditions, and restrictions of this Contract conform to the Act, as amended, and that this Contract qualify as an enforceable restriction under the provisions of Revenue and Taxation Code sections 421 through 429, inclusive, and within the meaning of California Constitution, article XIII, section 8.

14. REMEDIES FOR BREACH.

(a) This Contract may be enforced by County in an action filed in the Sonoma County Superior Court for the purpose of compelling compliance or restraining any breach or threatened breach thereof, after providing notice to Owner(s). The notice shall contain a general description of the condition claimed to be a violation and shall contain a reasonable and specific cure period during which the violation is to cease and the Subject Property is to be restored to the condition that existed prior to the violation. Owner(s) agree(s) that County's remedies at law for any violation of the terms of this Contract are inadequate and that County shall be entitled to the injunctive relief described herein, both prohibitive and mandatory, in addition to such other relief, including damages, to which County may be entitled, including specific performance of the terms of this Contract, without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies.

(b) A breach of this Contract that constitutes a violation of the Sonoma County Zoning Code may be enforced by County pursuant to Chapter 1 of the Sonoma County Code.

(c) Without altering the provisions of paragraph 8 (Cancellation), a breach of this Contract that constitutes material breach under Government Code section 51250 may be enforced by County or the State of California pursuant to Government Code section 51250, if the requirements of that Section are met.

(d) If Owner(s) breach(es) this Contract, Owner(s) shall pay County one-half percent (1/2 %) of the restricted assessed value of the land subject to this Contract per day for each day the Contract is in breach as liquidated damages. It is understood and agreed that damages for breach of this Contract by Owner(s) are, and will continue to be, impracticable and extremely difficult to ascertain and determine. Execution of this Contract shall constitute agreement by County and Owner(s) that one-half percent (1/2 %) of the restricted assessed value of the land is the actual damage to County and the general public caused by breach of this Contract by Owner(s), and that such sum is liquidated damages and shall not be construed as a penalty. No damages shall be recoverable if the Owner(s) remedies or has commenced and thereafter diligently pursues such action required to remedy any breach or material breach within sixty (60) days after the date written notice of said breach or material breach is sent to Owner(s) by County. This provision does not impair County's ability to enforce this Contract by injunction or specific performance.

(e) The remedies set forth in this paragraph 14 are not exclusive and are not intended to displace any other remedies available to either party as provided by this Contract or any applicable local, state or federal law.

15. NO WAIVER. Enforcement of the terms of this Contract shall be at the sole discretion of County, or where applicable the State of California, and any forbearance by County or State to exercise its rights under this Contract in the event of any violation or threatened violation by Owner(s) of any term of this Contract shall not be deemed or construed to be a waiver by County or State of such term or of any subsequent violation or threatened violation of the same or any other terms of this Contract. Any failure by County or State to act shall not be deemed a waiver or forfeiture of County's or State's right to enforce any and all of the terms of this Contract in the future.

16. CONSIDERATION. Owner(s) shall not receive any payment from County in consideration of the obligations imposed by this Contract. The parties recognize and agree that the consideration for the execution of this Contract is the substantial public benefit to be derived from this Contract and the advantage that will accrue to Owner(s) as a result of any reduction in the assessed value of the Subject Property due to the imposition of the limitations on the use of the Subject Property contained in this Contract.

17. NOTICE. Notices required to be given under this Contract, or as may otherwise be required by law in connection with the administration of this Contract, shall be made by personal service, or by first-class United States mail, to the parties as follows:

(a) To Owner(s) or successor(s) in interest of Owner(s), at the mailing address shown on the most recent assessment roll for the Subject Property; and

(b) To County, c/o the Clerk of the Board of Supervisors, 575 Administration Drive, Suite 100A, Santa Rosa, California 95403.

IN WITNESS WHEREOF, Owner(s) and County have executed this Contract as of the day and year set forth above.

ATTEST:

COUNTY OF SONOMA

By: _____
Michelle Arellano
Clerk of the Board of Supervisors

By: _____
Supervisor David Rabbitt
Chair, Board of Supervisors

OWNER(S):
PAUL J. MITTERBACH AND CONSTANCE E. MITTERBACH,
husband and wife, as Joint Tenants

By: _____
Paul J. Mitterbach

By: _____
Constance E. Mitterbach

NOTE: Acknowledgments must be attached.

ACKNOWLEDGMENT

State of California
County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

ACKNOWLEDGMENT

State of California
County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT "A"

The real property which is the subject of this CONTRACT is situated within agricultural preserve 2-615 as shown by map thereof recorded in preserve map book number Book Number 4, Page 116 (35-A), in the Office of the County Recorder of Sonoma County, California, and said real property is more particularly described as follows:

LEGAL DESCRIPTION

EXHIBIT A

The land referred to herein below is situated in the unincorporated area of the County of Sonoma, State of CALIFORNIA, and is described as follows:

PARCEL ONE:

Beginning at the Northwest corner of Lot 2 of Section 5, Township 11 North, Range 10 West, Mount Diablo Base & Meridian, from which a 26" Live Oak bears North 16 3/4° West, 11 links distant, and a 15" White Oak bears South 24 3/4° East, 25 links distant; thence South 11° 17' East, 1183.4 feet to a 14" White Oak Tree; thence South 32° 49' East, 199.0 feet to a 33" White Oak Tree; thence South 63° 9' East, 252.1 feet to a point marked by an iron pipe driven on a fence line on the Northwesterly side of the County Road; thence along the Westerly side of the said road to points as follows: North 59° 12' East, 223.4 feet to a point; thence North 0° 46' East, 290.0 feet to a point; thence North 12° 4' East, 204.0 feet to a point; thence North 45° 59' East, 252.5 feet to a Madrone Tree 7 feet in diameter; thence leaving the said road and along the Easterly line of Parcel Six as described in the Deed from Patricia Hashagen to Lucien L. Tyler, et ux, dated July 29, 1948 and recorded August 17, 1948 under Recorder's Serial No. C 73671, Sonoma County Records, North 33° 47' East, 209.2 feet to a fence corner; thence following a fence line and the said Easterly line of said Parcel Six to points as follows: North 11° 40' West, 218.8 feet to a point; thence North 25° 16' West, 291.4 feet to a point marked by an iron pipe driven at a corner post; thence along the North line of Section 5, North 89° 21' West, 932.0 feet to the place of beginning.

PARCEL TWO:

Part of the property of Eugenia S. Oster situated in the Northwest 1/4 of Section 5, Township 11 North, Range 10 West, Mount Diablo Base & Meridian, Sonoma County Records; beginning at an iron pipe marking the Northwest corner of the Northeast 1/4 of the Northeast 1/4 of Section 5, Township 11 North, Range 10 West, Mount Diablo Base & Meridian; thence South 88° 57' East, 294.7 feet to a blazed Live Oak marking the North line of Section 5; thence South 88° 57' East, 379.3 feet to a point marked by an iron pipe driven at the intersection of a fence line with the approximate North line of Section 5; thence along said fence line South 31° 20' West, 568.7 feet to an angle point; thence along the said fence line South 64° 33' West, 402.1 feet to a point marked by an iron pipe driven on the Northerly side of the County Road; thence along the Northerly side of the County Road to a Madrone Tree 7 feet in diameter, bearing North 85° 16' West, 301.7 feet distant; the said Madrone Tree being described in a Deed recorded in Book 99 of Deeds, page 73, Sonoma County Records; thence North 33° 47' East, 209.2 feet to a fence angle point; thence along a fence line North 11° 40' West, 218.8 feet to a point; thence along a fence line North 25° 16' West, 291.4 feet to a point marked by an iron pipe driven at a fence corner on the approximate North line of Section 5; thence South 89° 2' East, 338.0 feet to the place of beginning.

PARCEL THREE:

Being a portion of the Lands of Paul J. Mitterbach and Constance E. Mitterbach described as "Parcel 2" in Document No. 1983084910, Sonoma County Records, and more particularly described as follows:

Beginning as the Southeasterly corner of said land of Mitterbach being marked by a 1 inch iron pipe, no tag; thence along the Easterly boundary of said land of Mitterbach North 01° 12' 37" East, 93.01 feet; thence North 89° 23' 33" West, 2561.07 feet to a point on the Westerly boundary of said lands of Mitterbach; thence along said Westerly boundary of Mitterbach South 01° 58' 01" West, 93.03 feet to the Southwesterly corner of lands of Mitterbach marked by a 1/2 inch iron pipe, no tag; thence along the Southerly boundary of said lands of Mitterbach South 89° 23' 33" East 2562.30 feet to the Point of Beginning.

A.P. No. 115-080-005

A.P. No. 115-070-014 (PTN)

EXHIBIT "B"

LAND CONSERVATION PLAN

This Land Conservation Plan is made by and between Paul J. Mitterbach and Constance E. Mitterbach, husband and wife, as Joint Tenants, ("Owner(s)") and the County of Sonoma, a political subdivision of the State of California ("County"), and is hereby incorporated by reference into the Land Conservation Contract to which it is attached as though fully set forth therein ("Contract").

1. PURPOSE. The purpose of this Land Conservation Plan is to identify the approximate location and acreage of designated uses to which the Subject Property is or may be used during the term of the Land Conservation Contract consistent with the terms of the Land Conservation Contract, the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones ("Uniform Rules"), and the California Land Conservation Act (Government Code section 51200 et seq.), as they now exist, or as they may be amended from time to time.

2. DEFINITIONS.

- a. "Subject Property," shall have the same meaning as the term "Subject Property," as used in the Contract.
- b. "Prime Agricultural Use," means the use of "Prime Agricultural Land," for one or more "Agricultural Use," as those phrases are defined in the Uniform Rules.
- c. "Non-Prime Agricultural Use," means the use of "Non-prime Agricultural Land," for one or more "Agricultural Use," as those phrases are defined in the Uniform Rules.
- d. "Open Space Use," means the use of "Open Space Land for an "Open Space Use," as those phrases are defined in the Uniform Rules.
- e. "Compatible Use," shall have the same meaning as the term "Compatible Use," as used in the Uniform Rules.
- f. "Undesignated Area," means portion of land under the Contract that is vacant and potentially available for any qualifying agricultural and/or compatible use, consistent with the terms of the Contract, the Uniform Rules, and the Land Conservation Act, as they now exist or as they may be amended from time to time. Use of the "Undesignated Area," for agricultural or compatible use requires amendment of this Land Conservation Plan.

3. DESIGNATED LAND USES. Owner(s) agree to manage and maintain the Subject Property in a manner that ensures that the following designated uses will conform to the identified acreage and location at all times during the term of the Contract and any extensions thereof. Any proposed change to a designated use, acreage, and/or location, requires amendment of this Land Conservation Plan.

<u>Designated Use</u>	<u>Acreage</u>	<u>Location</u>
PRIME AGRICULTURAL USE(S):		
NON-PRIME AGRICULTURAL USE(S):	± 40.10 acres	See Site Plan
OPEN SPACE USE(S):		
COMPATIBLE USE(S):		
UNDESIGNATED AREA:		
TOTAL:		± 40.10 acres

4. SITE PLAN. A site plan showing the location of the designated uses described in paragraph 3, above, is attached and incorporated by reference into this Land Conservation Plan. Any proposed change to the Site Plan requires amendment of this Land Conservation Plan.

5. AMENDMENT TO LAND CONSERVATION PLAN.

a. Any change to the acreage or location of the designated uses described in paragraph 3, above, requires written amendment to this Land Conservation Plan, consistent with the Land Conservation Contract, Uniform Rules, and Land Conservation Act, as they now exist or as they may be amended from time to time.

b. Owner(s), or Owner(s) predecessor(s) in interest, may apply to the Permit and Resource Management Department (PRMD) for an amendment of this Land Conservation Plan. With the approval of the Director of PRMD, Owner(s) or Owner(s)' predecessor in interest may designate an agent to file an application for amendment of this Land Conservation Plan on their behalf.

c. The Board of Supervisors, or its designee, shall consider and decide all requests to amend this Land Conservation Plan.

d. All amendments to this Land Conservation Plan are deemed automatically incorporated into the Land Conservation Contract to which it applies, upon approval by the Board of Supervisors or its designee, and upon recordation of the executed amendment with the Sonoma County Recorder's Office.

e. For purposes of property tax assessment, any amendment to the Land Conservation Plan or Land Conservation Contract will be recognized by the Sonoma County Assessor's Office on the January 1st lien date of the year following the year in which the amendment is recorded, consistent with Revenue and Taxation Code sec. 430.5.

6. BREACH. Failure to conform to this Land Conservation Plan is a breach of the Land Conservation Contract to which it is attached and incorporated by reference.

AGREEMENT AND STATEMENT BY OWNER(S):

I/we agree to comply with the provisions of this Land Conservation Plan, as it now exists or as it may be amended from time to time, for the duration of the Land Conservation Contract to which it is attached and incorporated by reference, including any and all renewals or extension of the Land Conservation Contract.

OWNERS:

PAUL J. MITTERBACH AND CONSTANCE E. MITTERBACH, HUSBAND AND WIFE,
AS JOINT TENANTS

By: _____
Paul J. Mitterbach

by: _____
Constance E. Mitterbach

NOTE: Acknowledgments must be attached.

-----County Use Only-----

COUNTY OF SONOMA:
BOARD OF SUPERVISORS or DESIGNEE OF BOARD OF SUPERVISORS

Attest

COUNTY OF SONOMA

By: _____
Michelle Arellano
Clerk of the Board of Supervisors

By: _____
David Rabbitt
Chair, Board of Supervisors

ACKNOWLEDGMENT

State of California
County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

ACKNOWLEDGMENT

State of California
County of _____)

On _____ before me, _____
(Insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)



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

Board Agenda Date: October 22, 2013

Vote Requirement: Majority

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

Staff Name and Phone Number:

DeWayne Starnes, (707) 565-1146

Supervisory District(s):

All (First through Fifth)

Title: Ordinance amending Chapters 7, Building Regulations and 7D2, Local Energy Efficiency Standards of the Sonoma County Code, including 2013 California Codes, with local amendments

Recommended Actions:

(1) Adopt Resolution introducing, reading the title of, and waiving further reading and; (2) direct the Clerk of the Board to set a public hearing for November 5, 2013 at 10:00 a.m. to consider adoption of an Ordinance amending Chapters 7, Building Regulations and 7D2, Local Energy Efficiency Standards, of the Sonoma County Code to adopt with local amendments, the Title 24 California Code of Regulations, 2013 Codes referenced therein (Building Codes, Volumes 1 and 2, California Residential Code, Green Building Standards Code, Mechanical Code, Plumbing Code, Electrical Code, Energy Code, Referenced Standards Code, and Administrative Code), and making other technical and administrative revisions to Chapters 7, and 7D2.

Executive Summary:

The California Code of Regulations, Title 24, Parts 1-12 are commonly referred to as the "model codes. The model codes are amended by all the State agencies of California and were adopted in January of this year. The State of California, as required, subsequently published the documents within 180 days. Each local jurisdiction has 180 days to make any local amendments pertinent to the jurisdiction. The effective date of those local amendments must coincide with the effective date of the model codes of January 1, 2014. Local amendments must be provided to the California Building Standards Commission along with findings upon adoption of the ordinance. Local amendments are permitted if reasonably necessary due to local conditions including: climatic, geographical, topographical, and with the advent of green building, environmental. This ordinance represents adoption of the model codes with local amendments, as well as other technical and administrative revisions to Chapter 7 and 7D2 of the Sonoma County Code summarized as follows:

Sonoma County Code Chapter 7 – Building Regulations

With respect to the 2013 Building, Plumbing, Mechanical, Electrical, and Fire Codes, there are no significant changes to report. The new 2013 Energy Code, however, represents a significant 25% increase in energy efficiency over the current 2010 Energy Code requirements (see 7D2 below). Most of the proposed changes to Sonoma County Code Chapter 7 are very minor, due mainly to renumbering of state code sections. Sections 17-48 of the proposed ordinance constitute changes to Chapter 9 of the Building Code for Fire Protection Systems. Although this appears to be significantly changed, changes are mostly formatting and reconciling the California Residential Code (CRC) with our current fire sprinkler ordinance and Fire Safe Standards. Because Sonoma County already has a fire sprinkler ordinance, the changes are minor and the practical impact of the new CRC is minimal.

Sonoma County Code Chapter 7D2 - Green Building/Energy Efficiency

The new California Green Building Standards Code (CalGreen) will be effective January 1, 2014. It is composed of certain mandatory measures and two tiers of voluntary measures for new residential and non-residential construction. Local agencies have the option of adopting these voluntary measures as mandatory requirements at the local level. CalGreen has mandatory measures for both residential and non-residential construction which are broken into 5 separate divisions as follows: (1) Planning & Design; (2) Energy Efficiency; (3) Water Efficiency and Conservation; (4) Material Conservation and Resource Efficiency; and (5) Environmental Quality. During the last code adoption cycle, your Board adopted CalGreen and added the voluntary provisions of Tier 1 for all 5 divisions as mandatory.

This code cycle, staff is recommending the adoption of CalGreen for new construction at the Tier 1 level for all divisions again except Energy Efficiency. The reason staff is not recommending adoption of voluntary tier 1 for Energy Efficiency is that software needed for a required climate zone study will not be available in time for this code adoption cycle. any time a jurisdiction decides to be more restrictive than Title 24 Energy Code, The California Energy Commission (CEC) must approve the jurisdiction's ordinance. Adoption of Tier 1 Energy Efficiency represents a 15% increase above Title 24. The CEC will not approve any Tier 1 application without an energy efficiency ordinance based on a climate zone study. The CEC also is responsible for providing the energy efficiency software the climate zone study is based upon, and this software is not expected to be available until November of this year. This is too late for the code adoption ordinance which must be effective by January 1, 2014. All jurisdictions within Sonoma County, and within the State will not be able to adopt Tier 1 level for energy efficiency until such time as the CEC software becomes available, climate studies are completed, and ensuing energy efficiency ordinance is submitted to the CEC for review and approval.

Additionally, as previously mentioned, the 2013 Building Energy Efficiency Standards already represent a 25% increase above the current Title 24 Energy Code regulations. It has been long been recognized that the California Energy Commission's goal is to be carbon neutral by 2020 and ramping up of both energy and green building codes will occur over time.

Prior Board Actions:

The entirety of Chapter 7 was last amended during the triennial adoption cycle of the California Building Codes, on November 2, 2010.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community			
Adopting model codes with local amendments allows implementation of the most current regulations for construction that are tailored to Sonoma County.			
Fiscal Summary - FY 13-14			
Expenditures		Funding Source(s)	
Budgeted Amount	\$		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$	Total Sources	\$
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):			
No staffing impacts.			
Attachments:			
1. Resolution introducing the ordinance, waiving further reading, and setting November 5, 2013 for hearing. 2. Proposed Ordinance (Clean version and strikeout version). 3. Summary of the proposed ordinance. (Pre-adoption and Post-adoption summaries).			
Related Items "On File" with the Clerk of the Board:			
Proposed Ordinance amending Chapters 7, and 7D2, California Building Codes, Volumes 1 and 2, Residential Code, Green Building Standards Code, Mechanical Code, Plumbing Code, Electrical Code, Energy Code, Referenced Standards Code and Administrative Code.			



County of Sonoma
State of California

Date: October 22, 2013

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 Entitled “An Ordinance Of The Board Of Supervisors, County Of Sonoma, State Of California, Amending Chapters 7 (Building Regulations), And 7D2 (Local Energy Efficiency Standards), Of The Sonoma County Code, And Adopting By Reference With Local Amendments, Selected Provisions, Chapters And Appendices Of Title 24 of The California Code Of Regulations, 2013 Editions Of The California Building Standards Code, Including: (1) The California Building Code Volumes 1 And 2; (2) The California Residential Building Code; (3) The California Green Building Standards Code; (4) The California Mechanical Code; (5) The California Plumbing Code; (6) The California Electrical Code; (7) The California Energy Code, (8) The California Referenced Standards Code, And (9) The California Administrative Code; And Adopting Local Findings; And Making Other Technical And Administrative Revisions To Chapters 7, And 7D2.

Whereas, an ordinance entitled “An Ordinance of the Board of Supervisors, County of Sonoma, State of California, Amending Chapter 7 (Building Regulations), and 7D2 (Local Energy Efficiency Standards), of the Sonoma County Code, and Adopting by Reference with Local Amendments, Selected Provisions, Chapters and Appendices of Title 24 of the California Code of Regulations, 2013 Editions of The California Building Standards Code, including: (1) The California Building Code Volumes 1 and 2; (2) The California Residential Building Code; (3) The California Green Building Standards Code; (4) The California Mechanical Code; (5) The California Plumbing Code; (6) The California Electrical Code; (7) The California Energy Code; (8) The California Referenced Standards Code, and (9) The California Administrative Code; and Adopting Local Findings and Making other Technical and Administrative Revisions to Chapter 7, and 7D2 has been introduced and read;

Now, Therefore, Be It Resolved that further reading of the proposed ordinance is waived.

Be It Further Resolved that a public hearing shall be held at 10 a.m. on Tuesday, November 5, 2013, in the Board of Supervisors Chambers, 575 Administration Drive, Room 102A, Santa Rosa, California, to consider the proposed ordinance.

Be It Further Resolved that the Clerk of the Board shall cause notice of the

Resolution #
Date: October 22, 2013
Page 2

hearing to be published once a week for two successive weeks in a newspaper of general circulation, published in the County of Sonoma, State of California.

Supervisors:

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

So Ordered.

Ordinance No.

An Ordinance of the Board of Supervisors, County of Sonoma, State of California, Amending Chapters 7 (Building Regulations), 7D2 (Local Energy Efficiency Standards), of the Sonoma County Code, and Adopting by Reference with Local Amendments, Selected Provisions, Chapters and Appendices of Title 24 of the California Code Of Regulations, Title 24,2013 Editions Of The California Building Standards Code, Including: (1) The California Building Code Volumes 1 and 2; (2) The California Residential Building Code; (3) The California Green Building Standards Code; (4) The California Mechanical Code; (5) The California Plumbing Code; (6) The California Electrical Code; (7) The California Energy Code, (8) The California Referenced Standards Code, and (9) The California Administrative Code; and Adopting Local Findings; and Making Other Technical and Administrative Revisions to Chapters 7, and 7D2.

The Board of Supervisors of the County of Sonoma, ordains as follows:

SECTION I. Chapter 7, Building Regulations, of the Sonoma County Code is hereby amended as follows:

(a) Section 7-5, Building permit required, is revised to read:

Sec. 7-5. - Building permit required.

(a) No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, convert or demolish any building or structure in the unincorporated area of this county, or cause the same to be done, without first obtaining a separate building permit for each such building or structure as required by this chapter. Permits shall be issued and fees shall be collected by the permit and resource management department. The building standards for the work authorized by the new permit shall be governed by the codes in force at the time of the new permit application as described in Chapter 1, Division I, , of the California Building Code as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced, commenced to legalize a violation, or approved prior to the effective date of this ordinance.

(b) Permits shall not be issued by the permit and resource management department for work which includes any of the following, unless and until written approval has been received:

(1) The construction, alteration or modification of:

(i) Any on-site disposal system (approval required from the well and septic section of permit and resource management department),

(ii) Any water supply system which under state law or county ordinance is required to have a permit to operate (approval required from the health officer or the state health services department),

(iii) Any establishment selling or preparing food or food products, any public or semi-public swimming pool as defined in the 2013 California Administrative Code (approval required from the health officer);

(2) The construction, alteration or modification of any structure which will result in the structure being connected to an on-site wastewater disposal system or water system; (approval required from the well and septic section of permit and resource management department),

(3) The alteration or modification of any existing structure which is connected to an on-site wastewater disposal system or water system requiring a permit, where the alteration or modification may impose additional burdens upon the existing system, such as, but not limited to, the addition of rooms or the modification of floor plans for potential additional occupancy. This section shall not apply to repairs, such as replacement of roofing or siding. Where the permit is for modification or alteration of an existing structure, no permit will be issued where, in the determination of the chief building official, such modification is likely to result in exceeding the capacity of the system;

(4) The construction, alteration or modification of any structure which may result in the property being improved in excess of its capacity to absorb sewage effluent. This section is intended to cover any change in the property which might adversely affect sewage disposal such as, but not limited to grading or the construction of a barn or swimming pool which might infringe on the leach field (approval required from the well and septic section of permit and resource management department);

(5) For the purposes of this section, approval by the well and septic section of permit and resource management department shall mean either an office clearance, field clearance, or issued well and septic permit for on-site wastewater disposal system.

(c) Whenever approval of the on-site wastewater disposal system is required, it shall be based upon the requirements imposed by this chapter and any other state or local law or regulation which may be applicable, including basin plans and other standards promulgated by the North Coast Water Quality Control Board and the San Francisco Bay Regional Water Quality Control Board.

(d) Building permits must be cleared as to zoning considerations in Chapter 26 or 26C, grading and drainage requirements in Chapter 11, and stormwater requirements in Chapter 11A of this code. Building permits for projects regulated by the California Fire Code and Sonoma County fire safe standards may be subject to review and approval by appropriate fire service agencies. Where county road encroachment is necessary, a permit

for same shall be first secured. A water and/or sewer clearance is first required in areas serviced by special districts and cities before building permits can be issued.

(e) Notwithstanding any other provision of this chapter or the codes adopted hereby, emergency maintenance work or repair of buildings and structures requiring a permit hereunder may be commenced before obtaining a permit without violating this chapter provided the permit and resource management department or the public health officer, in the appropriate case, is notified prior to noon of the next following business day and the permit required is obtained within twenty-four (24) hours thereafter, and provided further that no work shall be covered before it has been duly inspected and approved.

Compliance with the State Subdivision Map Act, the Sonoma County subdivision regulations, and the Sonoma County zoning regulations, including compliance with conditional permits issued thereunder, and compliance with all laws, is a condition precedent to the issuance of any permit required by this chapter for work to be done on any particular parcel of real property in the unincorporated area of this county.

(f) As a condition precedent to the issuance of a building permit required by this section for which an application was made on or after November, 1989, the applicant shall pay to the county development fee as specified in Section 26-98-660 of this code. The permit required for Section 105 of Appendix 1 of the California Building Code for structures subject to the requirements of this subsection shall not be issued unless and until the development fee has been paid.

(g) Within flood-prone urban areas as defined in Section 7-13(a)(10), a building permit authorizing excavation for foundations shall not be issued until a disposal location for excavated material has been designated. Acquisition of a building permit does not relieve the permittee of the responsibility for acquiring any other state and local permits required for the activity.

(h) In any unincorporated portion of Sonoma County where stormwater discharges are subject to the requirements of one or more NPDES permits, as referenced in Chapter 11, any construction site for which building permits are approved pursuant to Chapter 7 must be developed and used pursuant to any applicable requirements of said NPDES permit(s). Failure to adhere to applicable NPDES permit requirements at any time will be deemed to be a violation of this section and may subject the permittee to the penalties established by this chapter. Permittees may meet this requirement by filing with the Regional Water Quality Control Board the appropriate notice of intent to comply with the state general construction activity stormwater permit or by obtaining approval of an individual NPDES permit from the Regional Water Quality Control Board.

(b) Section 7-9, Refunds, is revised to read:

Sec. 7-9. - Refunds.

Pursuant to Section 109.6 of Chapter 1, Division II, of the California Building Code, 103.4.4 of Chapter 1, Division II, of the California Plumbing Code, Section 114.6 of Chapter 1, Division II, of the California Mechanical Code, and Section 89.108.4.2 of the California Electrical Code, refunds of fees paid may be made, subject to the following:

- (a) One hundred percent (100%) of a fee erroneously paid or collected may be refunded.
- (b) Ninety percent (90%) of the plan review fee may be refunded when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled or expires or becomes void before any plan review effort has been expended. No portion of the plan review fee shall be refunded when any plan review effort has been expended.
- (c) Ninety percent (90%) of the building, plumbing, electrical, and/or mechanical permit fee may be refunded when a permit for which some or all of these permit fees have been paid is withdrawn or cancelled or expires or becomes void before any work was done and before any inspections are performed. No portion of these fees shall be refunded when any work was done and/or any inspections have been performed.
- (d) The chief building official may authorize the refund of all or part of a fee in order to correct an error by the department. The details of such a refund shall be retained in project file.
- (e) Application for refund must be made within one (1) year of the date the fee is paid.

(c) Section 7-12, Building permits in water scarce areas and second dwelling units in marginal water areas, is revised to read:

1. No building permit for new or replacement residential dwelling units shall be issued within the water scarce area four (4) or for new or replacement second dwelling units within the marginal water availability area three (3) where the water supply is from individual wells, public water wells, or springs unless the following requirements are met:

(a) That the well or wells yield a minimum of one (1) gallon per minute per dwelling unit by a sustained yield, metered pump test of the following duration:

(1) Each dwelling unit is a connection to the well. Wells with one (1) to two (2) connections: test of twelve (12) hours or eight (8) hours in accordance with the Sonoma County Permit and Resource Management Department's well pump test guidelines,

(2) Wells with three (3) to four (4) connections: test of twenty-four (24) hours or sixteen (16) hours in accordance with the Sonoma County permit and resource management department's well pump test guidelines,

(3) Wells with five (5) to fourteen (14) connections: test of at least seventy-two (72) hours after the dynamic pumping level has been established. A reduction of the seventy-two (72) hour metered pumping test may be granted by the administrative authority if it is indicated that the sustained yield well production is two (2) or more times greater than required. Under no circumstances shall the test be less than forty-eight (48) hours.

(4) Wells with fifteen or more connections and an operating permit from the California Department of Public Health shall comply with the applicable state water yield requirements.

(b) That a minimum storage capacity shall be provided as follows:

(1) Single-family dwelling (one (1) connection) — one thousand (1,000) gallons shall be provided in a storage tank, provided, however, that only five hundred (500) gallon storage shall be required if the yield is three (3) gallons per minute; provided further, however, that no storage is required if the well yield is five (5) gallons per minute, or greater,

(2) Two (2) to fourteen (14) connections — one thousand (1,000) gallons shall be provided per connection, in a storage tank, or as required by the county of Sonoma water system standards, whichever is greater,

(3) Wells with fifteen or more connections and an operating permit from the California Department of Public Health shall comply with the applicable state water storage requirements.

(4) Note: These volumes are for domestic water storage. Additional storage volume is required for fire control.

(c) The tests shall be conducted from July 15 to October 1st. The test period may be extended by the . director of the permit and resource management department . Pump tests shall be performed by or under the direction of a licensed water well drilling contractor (C57), pumping contractor (C61/D21), a registered civil engineer or a registered geologist who shall report test results to the director of permit and resource management department. The director of permit and resource management department shall be notified a minimum of twenty-four (24) hours prior to the pump testing of wells or springs;

(d) That, if spring(s) are to be used as the primary domestic water source, yields and required storage capacity shall meet the same minimum requirements as for wells. Springs shall be perennial;

Repealed.

2. Notwithstanding Section 1., a building permit for new or replacement residential dwelling units may be issued within the water scarce area four (4) or for new or replacement second dwelling units within the marginal water available area three (3) if the permittee obtains an easement for water supply on a parcel that is entirely within a Groundwater Availability Area 1, major groundwater basin (Zone 1); or Area 2, major natural recharge area (Zone 2), in format approved by the permit and resource management department.

(d) Section 7-13, Codes adopted and modifications, is revised to read:

Sec. 7-13. – Codes adopted and modifications.

(A) 2013 California Building Code Volumes 1 and 2, Chapters 1-35, including Part 7, “California Elevator Safety Construction Code”, Part 8, “California Historical Building Code”, Part 10, “California Existing Building Code”, Appendix Chapter A1, Appendix C, Appendix H, and Appendix I; are hereby adopted and incorporated herein by reference, save and except such portions as are deleted, modified or revised as follows:

(1) Section 101.4.4 of Chapter 1, Division II, of the California Building Code is amended to read:

101.4.4. Property maintenance. The provisions of Sections 116 Unsafe Structures and Equipment of the California Building Code as amended by Sonoma County Code by adding Sections 116.1.1 and 116.1.2, shall apply to existing buildings and premises

(2) Intentionally left blank

(3) Section 105.2 of Chapter 1, Division II, of the California Building Code is amended to read:

105.2 Work exempt from permit. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of the jurisdiction. Such exempt structures must meet all other applicable requirements of this jurisdiction, including required minimum distances from property lines. Permits shall not be required for the following:

(a) Building Permit Exemptions:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet, and the height above grade does not exceed 12 feet. No more than one structure may be allowed under this exemption unless separated from another permit exempt structure by more than 50 feet.

2. Fences, not over 10 feet high, except that solid wood, concrete, metal, and masonry fences more than 7 feet in height measured from the lowest existing grade to the top of the fence shall require a building permit.
3. Oil derricks.
4. Retaining walls, which retain not more than 3 feet of material unless supporting a surcharge or impounding Class I, II, or IIIA liquids. For the purpose of this section, a retaining wall is considered to be supporting a surcharge if:
 - a. The wall retains more than one foot of material and the retained material slopes more than two units horizontal to one vertical within a distance equal to twice the height of the wall above the lowest existing grade, or
 - b. The wall retains more than one foot of material and any road or structure is located on the retained material within a distance equal to twice the height of the wall above the lowest existing grade.
5. Tanks, not containing Class I, II, or IIIA liquids supported directly upon grade, or below grade, if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
6. Sidewalks, platforms, driveways, non-structural slabs and decks not more than 30 inches above grade, and not over any basement or story below and are not part of a disabled access route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy which do not exceed 5,000 gallons, and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems. (Plumbing, electrical or mechanical systems associated with the structure require permits.)
11. Swings, play structures, and other playground equipment, treehouses with a floor area less than 120 square feet, and skateboard ramps, accessory to detached one and two family dwellings, which are not used for commercial purposes, and children's play structures when constructed on a parcel which contains a one or two- family dwelling or a State licensed school or day care center.
12. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support of Group R-3 and U Occupancies.
13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height for office work spaces and cubicles.
14. Minor repair of interior paneling or gypsum wallboard when it does not serve as a fire-resistive assembly or as lateral bracing for a structure. Minor repairs are limited to 100 square feet, on a one time basis. Subsequent minor repairs will require permits. This exemption shall not apply to structures subject to flood damage.

15. Replacement of windows or doors with others of the same size, and in the same location when the structural frame of the opening is not altered.

16. Prefabricated structures no more than 500 square feet in area, constructed of light frame materials and covered with cloth or flexible plastic which has a thickness no greater than 5/1000 of an inch, accessory to a single family dwelling, with no associated electrical, plumbing, or mechanical equipment and the height above grade does not exceed 12 feet.

17. Residential Arbors, trellises, and gazebos, when the height above grade does not exceed 12 feet. For the purpose of this section, arbors, trellises, and gazebos are considered for detached shade structures accessory to residential occupancies and are defined as follows:

- a. Structures which have a lattice or fabric roof structure, and
- b. 75% of the exterior walls are not less than 75% open, and
- c. Into which a motor vehicle cannot be driven due to the configuration of the structure or placement on the site.

If such a structure contains electrical, plumbing, or mechanical equipment, a permit is required for this work.

18. Removal of up to 25% of exterior and/or interior or roof coverings or other similar work for the purpose of determining the condition of structural members in a structure where work is being planned. Such work may remain exposed for a maximum of 90 days before being repaired. A permit must be obtained for the repairs unless exempted by this section of the Sonoma county code.

19. 2-bin trash enclosure covers with a height not exceeding 12 feet.

(b) Electrical Permit Exemptions:

1. Minor repair work, including the replacement of lamps or the connection of approved portable electric equipment to approved permanently installed receptacles.
2. The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. The installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.
4. Listed cord and plug connected temporary decorative lighting.
5. Reinstallation or replacement of attachment plug receptacles, but not the outlets therefor.
6. Repair or replacement of branch circuit overcurrent devices of the required capacity in the same location.
7. Installation or maintenance of communications wiring, devices, appliances, apparatus, or equipment.

(c) Gas Permit Exemptions:

1. Portable heating appliance.

2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

3. Portable fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid

(d) Mechanical Permit Exemptions:

1. Portable heating appliance.

2. Portable ventilation equipment.

3. Portable cooling unit.

4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.

5. Replacement of any part that does not alter its approval or make it unsafe.

6. Portable evaporative cooler.

7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

8. Portable fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

(e) Plumbing Permit Exemptions:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

3. replacement of existing plumbing fixtures for low flow plumbing fixtures in accordance with Section 1101.1 California Civil Code.

(4) Section 1.8.8.3.1 of the California Building Code is added to Chapter 1, Division 1, of the California Building Code, to read:

Section 1.8.8.3.1 Appeals. Appeals to orders, decisions or determinations of the Building Official relative to the requirements of this code shall be made in accordance with Sections 7-3 and 7-4 of the Sonoma County Code.

(5) Section 105.5 of Chapter 1, Division II, of the California Building Code is amended to read:

Section 105.5 Expiration. Unless otherwise authorized, every permit issued by the Permit and Resource Management Department under the provisions of this code shall expire by limitation three (3) years from the date of permit issuance. The chief building official may limit a permit to a lesser time period when necessary to abate dangerous or substandard conditions. The chief building official may extend this time period when such extension is warranted, including (1) to correct an error by the department, (2) when

a legal action prevents the project from being completed within the three year time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

Before any work can be recommenced on any expired permit, or permit to legalize a violation, a new permit shall first be obtained. The new permit shall be obtained for all work necessary to finish the project including work already completed that has not been previously inspected and approved by the department. The building standards for the work authorized by the new permit shall be governed by the codes in force at the time of the new permit application as described in Chapter 1, Division 1, Section 1.8.3.1 of the California Building Code as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced, commenced to legalize a violation, or approved prior to the effective date of this ordinance. The fees for the new permit shall be based on the current fee schedule at full value of the previously permitted work minus the value of the work inspected and approved prior to expiration of the permit plus the full value of any new work not previously permitted per the Permit and Resource Management Department Expired Permit Policy.

(6) Section 109.2 of Chapter 1, Division II, of the California Building Code is amended to read:

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate shown in the Permit and Resource Management Department fee schedule.

When approved by the chief building official a reduction in plan review fees by twenty five percent (25%) of that otherwise required may be granted where a peer review or third party plan review or other process results in substantially reduced plan review effort by the Permit and Resource Management Department.

The chief building official may, in his or her discretion, waive the plan check fee for the second and all subsequent buildings or structures identical to a building or structure for which a plan check has been paid because there is a reduction in the cost of providing the service. This plan check fee waiver for subsequent submittals shall be limited to one (1) year following date of original fee payment. In each case the applicant must be the same for all permits.

(7) Section 105.3.2 of Chapter 1, Division II, "Time limitation of application", of the California Building Code is amended to read:

105.3.2 Expiration of plan review. If no permit is issued within one year following the date of application, the application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the

building official. If, after such expiration, the original plans are resubmitted within 180 days following such expiration, the plan review fee shall be 25% of that otherwise required. No application shall be renewed in this fashion more than once. In order to further renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed year time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

(8) Section 109.7 is added to Chapter 1, Division II, of the California Building Code, to read:

109.7 Re-inspection Fees.

A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection. Re-inspection fees may be assessed when the inspection record card not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which the inspection is requested, or for deviating from plans requiring the approval of the building official. The re-inspection fee shall be established in the jurisdiction fee schedule. When a re-inspection fee has been assessed, no additional inspection of the work shall be performed until the required fees have been paid

(9) Section 112.4 is added to Chapter 1, Division II, of the California Building Code, to read:

112.4 Connection after order to disconnect. Persons shall not make connections from any energy, fuel or power supply nor supply energy or fuel to building service equipment which has been disconnected or ordered to be disconnected by the building official or the use of which has been ordered to be discontinued by the building official until the building official authorizes the reconnection and use of such equipment.

(10) Section 113 Chapter 1, Division II, of the California Building Code, Board of Appeals, is deleted.

(11) Section 114.4 of Chapter 1, Division II, of the California Building Code is amended to read:

114.4 Violation review fee. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law. A review fee equal to the amount of the permit fee, whether or not a permit is then or subsequently issued, shall be assessed. The payment of such review fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

(12) Sections 116.1.1 and 116.1.2 are added to Chapter 1, Division II, of the California Building Code, to read:

116.1.1 Definition of unsafe or dangerous building. Any building or structure which has any or all of the conditions or defects hereinafter described shall be deemed to be an unsafe or dangerous building, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public or its occupants are endangered. The presence of an unsafe or dangerous building shall be considered a public nuisance subject to abatement pursuant to Chapter 1, Sonoma County Code.

1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not arranged as to provide safe and adequate means of exit in case of fire or panic.
2. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
3. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.
4. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.
5. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
6. Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.
7. Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
8. Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration or decay; (ii) faulty construction; (iii) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.
9. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

10. Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.
11. Whenever the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing or outside wall or coverings.
12. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become (i) an attractive nuisance to children; (ii) a harbor for vagrants, criminals or immoral persons; or as to (iii) enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
13. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement including construction without permit or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in this Code or Health and Safety Code section 17920.3 or Uniform Housing Code Chapters 4, 5, 6 and Sections 701.2, 701.3, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.
14. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (i) strength, (ii) fire-resisting qualities or characteristics, or (iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.
15. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation or is such a condition that is likely to cause sickness or disease.
16. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.
17. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or equity jurisprudence.
18. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.
19. Whenever any building or structure has been abandoned and unsecured for a period in excess of six months so as to constitute an attractive nuisance or hazard to the public.

(12.1) 116.1.2 Definition of nuisance. The following shall be defined as a nuisance:

- a. Any public nuisance know at common law or in equity jurisprudence.
- b. Any attractive nuisance that may prove detrimental to children whether in a building, on the premises of a building or on an unoccupied lot. This includes, but is not limited to, any abandoned wells, shafts, basements or excavations; abandoned refrigerators and motor vehicles; any structurally unsound fences or structures; or any lumber, trash, fences, debris, or vegetation that may prove a hazard for inquisitive minors.
- c. Whatever is dangerous to human life or is detrimental to health, as determined by the health officer.
- d. Overcrowding a room with occupants.
- e. Insufficient ventilation or illumination.
- f. Inadequate or unsanitary sewage or plumbing facilities.
- g. Uncleanliness, as determined by the health officer.
- h. Whatever renders air, food or drink unwholesome or detrimental to the health of human beings, as determined by the health officer.

(13) Section 116.3 of Chapter 1, Division II, of the California Building Code is amended to read:

116.3 Notice. If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe per Section 1-7.3 of the Sonoma County Code.

(14) Section 117 is added to Chapter 1, Division II, of the California Building Code, to read:

SECTION 117
NOTICE TO VACATE

117.1 Posting. Every notice to vacate shall, in addition to being served as provided in Section 116.4, be posted at or upon each exit of the building and shall be in substantially the following form:

DO NOT ENTER
UNSAFE TO OCCUPY

It is a misdemeanor to occupy this building, or to remove or deface this notice.

Building Official
.....of.....

117.2 Posting during declared emergencies. During a declared local emergency or State of emergency as defined in Chapter 10 of this Code, each structure or property affected by the declaration and subsequently reviewed shall be evaluated and posted in accordance with the standards established in Applied Technology Council (ATC) 20, ATC 45 or the most recently adopted standard by the California Office of Emergency Services as an emergency response plan.

117.3 Compliance. Whenever such notice is posted, the building official shall include a notification thereof in the notice and order issued under Section 115.3 reciting the emergency and specifying the conditions which necessitate the posting. No person shall remain in or enter any building which has been so posted unless specifically stated on the posting. Entry may be made to repair, demolish or remove such building under permit. No person shall remove or deface any such notice after it is posted until the required repairs, demolition or removal have been completed and a certificate of occupancy issued pursuant to the provisions of the Building Code.

117.4 Appeals. Appeals of any notice and order to abate any violation of this Code shall be heard and decided by a hearing officer pursuant to Section 1-7.3 of the Sonoma County Code.

(15) Section 202 of the California Building Code is amended to revise the definition of "building" to read:

BUILDING. Any structure used or intended for supporting or sheltering any use or occupancy. Building is also any structure as to which state agencies have regulatory power, and housing or enclosure of persons, animals, chattels, equipment or property of any kind. Building is also any structure wherein things may be grown, made, produced, kept, handled, stored or disposed of, and all appendages, accessories, apparatus, appliances and equipment installed as a part thereof. Building shall not include machinery, equipment or appliances installed for manufacture or process purposes only, nor shall it include any construction installations which are not a part of a building, any tunnel, mine shaft, highway or bridge, or include any house trailer or vehicle which conforms to the Vehicle Code.

(16) Section 202 of the California Building Code is amended to revise the definition of "building, existing" to read:

BUILDING, EXISTING. A building legally erected prior to the adoption of this code, or one for which a legal building permit was issued for the construction or legalization thereof prior to the adoption of this code.

(16.1) Section 202 of the California Building Code is amended to delete the definition of "Substantial Improvement." A new definition of "Substantial Improvement", is added as follows:

SUBSTANTIAL IMPROVEMENT: See Sonoma County Code Ch 7B-1.

(17) Section 903.2 of the California Building Code is amended to read:

Section 903.2 Where required. Approved automatic sprinkler systems in buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12

(18) Section 903.2.1 of the California Building Code is amended to read:

903.2.1 Group A.

An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group A occupancies as provided in this section. For Group A-1, A-2, A-3 and A-4 occupancies, the automatic sprinkler system shall be provided throughout the floor area where the Group A-1, A-2, A-3 or A-4 occupancy is located, and in all floors from the Group A occupancy to, and including, the nearest level of exit discharge serving the Group A occupancy. For Group A-5 occupancies, the automatic sprinkler system shall be provided in the spaces indicated in Section 903.2.1.5.

903.2.1.1 Group A-1

An automatic sprinkler system shall be provided for any new Group A-1 occupancies. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by TABLE 903.2
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies; or
4. The fire area contains a multi-theater complex.

903.2.1.2 Group A-2

An automatic sprinkler system shall be provided for any new Group A-2 occupancies. An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by TABLE 903.2
2. The fire area has an occupant load of 100 or more; or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 5,000 square feet, contains more than one fire area containing a Group A-2 occupancy, and is separated into two or more buildings by fire walls of less than four-hour fire resistance rating without openings.

903.2.1.3 Group A-3

An automatic sprinkler system shall be provided for any new Group A-3 occupancies. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by TABLE 903.2.
2. The fire area has an occupant load of 300 or more; or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 12,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by fire walls of less than four hour fire resistance rating without openings.

903.2.1.4 Group A-4

An automatic fire sprinkler system shall be provided for any new Group A-4 occupancies. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by TABLE 903.2
2. The fire area has an occupant load of 300 or more: or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.1.5 Group A-5

An automatic fire sprinkler system shall be provided for any new Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes and other accessory use areas. An automatic sprinkler system shall be provided for Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes, and other accessory use areas where the fire area exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.

(19) Section 903.2.2 of the California Building Code is deleted

(20) New Section 903.2.2 of the California Building Code is added to read:

903.2.2 Group B

An automatic fire sprinkler system shall be provided for any new Group B occupancies. An automatic sprinkler system shall be provided for any Group B occupancy where the area exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.

903.2.2.1 Ambulatory care facilities. An automatic sprinkler system shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exists at any time:

1. Four or more care recipients are incapable of self-preservation, whether rendered incapable by staff or staff has accepted responsibility for care recipients already incapable
2. One or more care recipients that are incapable of self preservation are located at other than the level of exit discharge serving such a facility.

In buildings where ambulatory care is provided on levels other than the level of exit discharge, and automatic sprinkler system shall be installed throughout the entire floor where such care is provided as well as all floors below, and all floors between the level of ambulatory care and the nearest level of exit discharge.

(21) Section 903.2.3 of the California Building Code is amended to read:

903.2.3 Group E. An automatic sprinkler system shall be provided for any new Group E occupancies as follows:

1. Throughout all new Group E occupancies, and where the fire area of an existing Group E occupancy exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.
2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.

Exception: An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has a least one exterior exit door at ground level.\

3. In rooms or areas with special hazards such as laboratories, vocational shops and other such areas where hazardous materials in quantities not exceeding the maximum allowable quantity are used or stored.
4. Throughout any Group E structure greater than 12,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by fire walls of less than four hour fire resistance rating without openings.
5. For public schools state-funded construction projects see Section 903.2.19.

(22) Section 903.2.4 of the California Building Code is amended to read:

903.2.4 Group F-1

An automatic sprinkler system shall be provided throughout all new buildings containing a Group F-1 occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.
2. A Group F-1 fire area is located more than three stories above grade plane.
3. The combined areas of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.
4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet.

Exceptions:

1. Canopied winery crush pads less than 12,000 square feet in area, provided that all of the following conditions are met:
 - a. The canopy and supporting structure are constructed of non-combustible materials.

- b. If attached, the crush pad is separated from other portions of the building by one-hour fire-resistive walls.
 - c. The crush pad is not used for storage of combustible materials.
 - d. The canopy and supporting structure is incapable of trapping heat, smoke or other byproducts of combustion.
2. Dairy milking facilities less than 12,000 feet in area.

903.2.4.1 Existing F-1 Woodworking operations

An automatic sprinkler system shall be provided throughout all Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in area which generate finely divided combustible waste or which use finely divided combustible materials. A fire wall of less than four-hour fire resistance rating without openings, or any fire wall with opening shall not be used to establish separate fire areas.

(23) Section 903.2.5.1 of the California Building Code is amended to read:

903.2.5.1 General. An automatic sprinkler system shall be installed in Group H occupancies where the fire area exceeds the area increases permitted in TABLE 903.2 as a result of an addition or alteration.

(24) Section 903.2.6 of the California Fire Code is added to read:

903.2.6 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I fire area. An automatic sprinkler system shall be installed in Group I occupancies where the fire areas exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.

Exceptions:

- 1. An automatic sprinkler system installed in accordance with Section 903.1.2 shall be permitted in Group I facilities.
- 2. An automatic sprinkler system installed in accordance with Section 903.1.3 shall be allowed in Group I-1 facilities with in compliance with all of the following:
 - 2.1 A hydraulic design information sign is located on the system riser;
 - 2.2 Exception 1 of Section 903.4 is not applied; and
 - 2.3 Systems shall be maintained in accordance with the requirements of Section 903.3.1.2.
- 3. An automatic sprinkler system is not required where day care facilities are at the level of exit discharge and where every room where care is provided has at least one exterior exit door.
- 4. In buildings where Group I-4 day care is provided on levels other than the level of exit discharge, and automatic sprinkler system in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided and all floors between the level of care and the level of exit discharge, all floors below the level of exit discharge, other than areas classified as an open parking garage.

903.2.6.1 Group I-2. An existing, unsprinklered Group I-2 nurses' station open to fire-resistive exit access corridors shall be protected by an automatic sprinkler system located directly above the nurses' station. It shall be permitted to connect the automatic sprinkler system to the domestic water service.

903.2.6.2 Group I-3. Every building, or portion thereof, where inmates are restrained shall be protected by an automatic sprinkler system conforming to NFPA 13. The main sprinkler control valve or valves and all other control valves in the system shall be locked in the open position and electrically supervised so that at least an audible and visual alarm will sound at a constantly attended location when valves are closed. The sprinkler branch piping serving cells may be embedded in the concrete construction.

Exception: Sprinklers are not required in cells housing two or fewer inmates and the building shall be considered sprinklered throughout when all the following criteria are met:

1. Automatic fire sprinklers shall be mounted outside the cell a minimum of 6 feet (1829 mm) on center and 12 inches (305 mm) from the wall with quick response sprinkler heads. Where spacing permits, the head shall be centered over the cell door opening.

2. The maximum amount of combustibles, excluding linen and clothing, shall be maintained at three pounds per inmate.

3. For local detention facilities, each individual housing cell shall be provided with a two-way inmate or sound-actuated audio monitoring system for communication directly to the control station serving the cell(s).

4. The provisions of the exception in Section 804.4.2 shall not apply.

(25) Section 903.2.7 of the California Building Code is deleted

(26) New Section 903.2.7 of the California Building Code is added to read:

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a new Group M occupancy. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds the area increases permitted by TABLE 903.2 as a result of a addition or alteration.

2. A Group M fire area is located more than three stories above grade plane.

3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).

4. A Group M occupancy is used for the display and sale of upholstered furniture exceeds 5000 square feet (464 m²).

5. The structure exceeds 24,000 square feet (465 m²), contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by fire walls of less than 4-hour fire-resistance rating.

903.2.7.1 High-piled storage.

An automatic sprinkler system shall be provided as required in Chapter 23 in all buildings of Group M where storage of merchandise is in high-piled or rack storage arrays.

(27) Section 903.2.8. of the California Building Code is deleted

(28) New Section 903.2.8 of the California Building Code is added to read:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area. An automatic sprinkler system shall be installed in Group R occupancies where the fire area exceeds the area increases permitted by TABLE 903.2 as a result of a addition or alteration.

Exceptions:

- 1. Existing Group R-3 occupancies converted to Group R-3.1 occupancies not housing bedridden clients, not housing nonambulatory clients above the first floor, and not housing clients above the second floor.*
- 2. Existing Group R-3 occupancies converted to Group R-3.1 occupancies housing only one bedridden client and complying with Section 425.8.3.3 of the California Building Code.*
- 3. Pursuant to Health and Safety Code Section 13113 occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and buildings or portions thereof housing such children have an automatic fire alarm system activated by approved smoke detectors.*
- 4. Pursuant to Health and Safety Code Section 13143.6 occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).*
- 5. Detached structures less than 3000 square feet in area accessory to a one- or two family dwelling which do not contain space in the building for sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered space in the building for living, sleeping, eating or cooking.*

When not used in accordance with Section 504.2 or 506.3 of the California Building Code an automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be allowed in Group R-2.1 occupancies.

An automatic sprinkler system designed in accordance with Section 903.3.1.3 shall not be utilized in Group R-2.1 or R-4 occupancies.

903.2.8.1 Group R-3 congregate residences. An automatic sprinkler system installed in accordance with Section 903.1.3 shall be permitted in group R-3 congregate living facilities with 16 or fewer residents.

903.2.8.2 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses.

903.2.8.1.1 Design and installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with the 2013 California Residential Code as adopted and amended by Sonoma County Code.

903.2.8.3 One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system shall be installed in one- and two- family dwellings, and factory built housing, mobile homes and manufactured homes when placed on a permanent foundation.

903.2.8.3.1 Design and installation - one- and two- family dwellings. Automatic residential fire sprinkler systems for one- and two- family dwellings shall be designed and installed in accordance with the 2013 California Residential Code as adopted and amended by Sonoma County Code.

903.2.8.3.2 Design and installation - factory built housing, mobile homes and manufactured homes. Automatic residential fire sprinkler systems installed in: factory built housing, mobile homes and manufactured homes, shall be designed and installed in accordance with California Code of Regulations, Title 25, § 4302.

(29) Section 903.2.9 of the California Building Code is deleted

(30) New Section 903.2.9 of the California Building Code is added to read:

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all new buildings containing a Group S-1 occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds the area increases permitted by TABLE 903.2 as a result of a addition or alteration.
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.
4. A Group S-1 fire area used for the storage of commercial trucks or buses where the fire area exceeds 5,000 square feet
5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406 of the California Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 6,000 square feet
2. Buildings no more than one story above grade plane, with a fire area containing a repair garage exceeding 6,000 square feet
3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 fire area used for the repair of commercial trucks or buses where the fire area exceeds 5,000 square feet

903.2.9.2 Bulk storage of tires. Buildings and structures where the area for the storage of tires exceeds 20,000 cubic feet shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

903.2.10 Group S-2 enclosed parking garages. An automatic sprinkler system shall be provided throughout new buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code as follows:

1. Where the fire area of the enclosed parking garage exceeds the area increases permitted by TABLE 903.2 as a result of a addition or alteration; or
2. Where the enclosed parking garage is located beneath other groups.

903.2.10.1 Commercial parking garages. An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses where the fire area exceeds 5,000 square feet.

(31) Section 903.2.11.7 is added to read:

903.2.11.7 Group U Occupancy special requirements

An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group U occupancies, and when an addition or remodel occurs affecting a Group U Occupancy as provided in this section.

Exceptions:

1. Detached Group U occupancies 3000 square feet or less in area
2. Agricultural exempt buildings and agricultural buildings as approved by the Fire Code Official.

903.2.11.7.1 Group U accessory areas

For a U Occupancy less than 3000 square feet in area: In addition to the occupancy separations of California Building Code Chapter 5, an automatic fire sprinkler system shall be installed throughout all accessory areas of a U Occupancy regardless of the mixed-use ratio.

(32) Table 903.2 is added to the California Building Code, to read:

Table 903.2

Existing Building Area	Allowable Area Increase
0-1000 sq ft:	200% (c)
1001-4000 sq ft:	100% (a)(c)
Greater than 4000 sq ft:	50% (a)(b)(c)

- (a) A 2000 sq ft. maximum increase is allowed
- (b) Maximum cumulative allowable area is 6000 square feet

- (c) Fire sprinklers are required when additions to Limited Density Owner-Built Rural Dwellings (as described in Sonoma County Code Chapter 7-A) exceed 640 square feet in area.

(33) Section 903.2.11.8 is added to read:

903.2.11.8 Changes of Occupancy.

When any change of occupancy occurs where the proposed new occupancy classification is more hazardous as determined by the Fire Code Official including the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.

(34) Section 903.2.11.9 is added to read:

903.2.11.9 Elevation of existing buildings

An automatic fire extinguishing system shall be installed throughout all existing buildings when the building is elevated to: three or more stories, or more than 35 feet in height, from grade to the exposed roof.

Exceptions:

1. An automatic fire-extinguishing system need not be provided when the area above 35 feet is provided for aesthetic purposes only and is a non-habitable space.
2. An automatic fire-extinguishing system need not be provided when existing single-family and two-family dwellings are elevated to comply with the requirements of Chapter 7B of the Sonoma County Code, provided that all of the following conditions are met:
 - (a) The elevation creates a building no more than three stories in height.
 - (b) Two approved exits are provided for the highest floor, including a third story having less than 500 square feet of floor area.
 - (c) Approved interconnected smoke alarms are installed at each floor level and in all sleeping rooms, and hallways adjacent to sleeping rooms.
 - (d) There is no expansion or modification of use other than installation of the exits required by subparagraph (b) above and a utility room less than 100 square feet. The space created at ground level by the elevation shall be used only as a private parking garage or as unused vacant space.
 - (e) Any addition to the building after the elevation shall require installation of an automatic fire-extinguishing system.

(35) Section 903.2.18 of the California Building Code is deleted.

(36) New Section 903.2.18 of the California Building Code is added to read:

903.2.18 Group U private garages and carports accessory to Group R-3 occupancies. Carports with habitable space above and attached garages, accessory to Group R-3 occupancies, and detached accessory structures less than 6000 square feet in area accessory to a one- or two-family dwelling which contain space in the building for living sleeping, eating or cooking, shall be protected by residential fire sprinklers in accordance with this section.

Residential fire sprinklers shall be connected to, and installed in accordance with, an automatic residential fire sprinkler system that complies with Section R313 of the California Residential Code or with NFPA 13D. Fire sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a minimum density of 0.05 gpm/ft² over the area of the garage and/or carport, but not to exceed two sprinklers for hydraulic calculation purposes. Garage doors shall not be considered obstructions with respect to sprinkler placement.

Exception

Detached structures less than 3000 square feet in area accessory to a one- or two-family dwelling which do not contain space in the building for sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered space in the building for, sleeping, eating or cooking.

(37)Section 903.4 of the California Building Code is deleted.

(38) New Section 903.4 of the California Building Code is added to read:

903.4 Sprinkler system supervision and alarms. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Limited area systems serving fewer than 20 sprinklers.
3. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

903.4.1 Monitoring. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved supervising station or, when approved by the fire code official, shall sound an audible signal at a constantly attended location.

Exceptions:

1. Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.

2. Backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.

3. Existing legal non-conforming automatic sprinklers systems shall be monitored for water flow only when the existing building is remodeled or a permit is required for sprinkler alterations and the alarm shall be transmitted to an approved supervising station or, when approved by the fire code official, shall sound an audible signal at a constantly attended location.

903.4.2 Alarms. One exterior approved audible device shall be connected to every automatic sprinkler system in an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. *Visible and audible* alarm notification appliances shall be located in areas as approved by the fire code official and installed in accordance with Sections 907.6.2.3.1, 907.6.2.1.1 and 907.6.2.1.2 unless required by section 907.2 and 907.3.

903.4.3 Floor control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in high-rise buildings *and Group I-2 occupancies having occupied floors located more than 75 feet above the lowest level of fire department vehicle access.*

(39) Section 903.6 is added to the California Building Code as follows:

903.6 Existing buildings. The provisions of this section are intended to provide a reasonable degree of safety in existing structures not complying with the minimum requirements of the California Building Code by requiring installation of an automatic fire-extinguishing system.

903.6.1 Pyroxylin plastics. All structures occupied for the manufacture or storage of articles of cellulose nitrate (pyroxylin) plastic shall be equipped with an approved automatic fire-extinguishing system where required in Chapter 46.

903.6.2 Group I-2. An automatic sprinkler system shall be provided throughout Group I-2 fire areas where required in Chapter 46.

(40) Section 905.3.1 is amended to read as follows:

905.3.1 Height.

In other than R-3 and R-3.1 occupancies, Class III standpipe systems shall be installed throughout at each floor level where any of the following occur:

1. Buildings where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.

2. Buildings that are three or more stories in height.
3. Buildings where the floor level of the lowest story is located more than 30 feet below the highest level of fire department vehicle access.
4. Buildings that are two or more stories below the highest level of fire department vehicle access.
5. On the roof of buildings three or more stories in height.

Exceptions:

1. Class I standpipes are allowed in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Class I manual standpipes are allowed in open parking garages where the highest floor is located not more than 150 feet above the lowest level of fire department vehicle access.
3. Class I manual dry standpipes are allowed in open parking garages that are subject to freezing temperatures, provided that the hose connections are located as required for Class II standpipes in accordance with Section 905.5.
4. Class I standpipes are allowed in basements equipped throughout with an automatic sprinkler system.
5. In determining the lowest level of fire department vehicle access, it shall not be required to consider:
 - 5.1. Recessed loading docks for four vehicles or less; and
 - 5.2. Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.

(41) Section 905.9 is amended to read as follows:

905.9 Valve supervision

Valves controlling water supplies shall be supervised in the open position so that a change in the normal position of the valve will generate a supervisory signal at the supervising station required by Section 903.4. Where a fire alarm system is provided, a signal shall also be transmitted to the control unit.

Exceptions:

1. Valves to underground key or hub valves in roadway boxes provided by the municipality or public utility do not require supervision.

(42) Section 907.2.8.1 is amended to read as follows:

907.2.8.1 Manual fire alarm system for R-1 Occupancies

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-1 occupancies.

Exceptions:

1. Manual fire alarm boxes are not required throughout the building when the following conditions are met.
 - 1.1 The building is equipped throughout with an automatic fire sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.

1.2 Notification devices will activate within each residential unit upon sprinkler water flow.

1.3 At least one manual fire alarm box is installed in an approved location.

(43) Section 1505.1 of the California Building Code is amended to read:

1501.1 Scope.

1. General. Except as otherwise provided in subsection (2), the roof covering assembly on any structure regulated by this code shall be as specified in Table No. 1505.1 and as classified in Section 1505.

2. Roof Covering Assembly on Specified Structures. Notwithstanding any other provision of this code, the roof-covering assembly on the following structures regulated by this code shall be a Class A roof-covering assembly as classified in Section 1505.2.

(a) Any new structure regulated by this code;

(b) Any existing structure regulated by this code when more than fifty percent (50%) of the roof area of the structure is re-roofed;

(c) Any addition regulated by this code when the addition creates a new roof and the floor area of any single floor of the addition exceeds six hundred forty (640) square feet.

3. Roof-covering Assembly. The roof-covering assembly includes the roof deck, underlayment, interlayment, insulation and covering which is assigned to a roof-covering classification.

4. The following types of structures are exempt from this requirement:

(a) Greenhouses.

(b) Patio covers.

(c) Fabric membrane structures when the fabric is certified as "flame retardant" by the State Fire Marshall.

(d) Residential vehicle covers.

(e) Awnings.

(f) Sod roofs.

(44) Section 1701.4 is added to Chapter 17, Section 1701 "General" of the California Building Code to read:

1701.4 Application. The provisions of this chapter shall be applicable to the California Building Code and California Residential Code, current editions.

(45) Section 3405.6 is added to Chapter 34, Section 3405 "Repairs" of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:

3405.6 Seismic Design and Evaluation Procedures. Seismic design and evaluation procedures shall conform to the provisions of this chapter and Chapter 1, Section 101.5.4 of the 2012 International Existing Building Code.

(46) Section 3405.7 is added to Chapter 34, Section 3405 “Repairs” of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:

3405.7 Wind Design. Wind design of existing buildings shall be based on the procedures specified in the building code.

(47) Section 3405.8 is added to Chapter 34, Section 3405 “Repairs” of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:

3405.8 Unsafe Conditions. Regardless of the extent of the structural damage, unsafe conditions shall be eliminated.

(48) Section 3405.9 is added to Chapter 34, Section 3405 “Repairs” of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:

3405.9 Referenced Standards. Referenced standards for evaluation and rehabilitation of existing buildings shall conform with Chapter 15 of the 2012 International Existing Building Code.

(B) The 2013 California Mechanical Code Chapters 1-17 and Appendix B C, D, F and, is adopted and incorporated herein by reference, save and except such portions as are deleted, modified or amended as follows:

(1) Section 1.8.8.3, Appeals, of Chapter 1, Division I, of the California Mechanical Code is amended to read as follows:

1.8.8.3. Appeals. Appeals to orders, decisions or determinations of the Building Official relative to the requirements of this code shall be made in accordance with Sections 7-3 and 7-4 of the Sonoma County Code. Except as otherwise provided in law, any person, firm or corporation adversely affected by a decision, order or determination by a city, county or city and county relating to the application of building standards published in the California Building Standards Code, or any other applicable rule or regulation adopted by the Department of Housing and Community Development, or any lawfully enacted ordinance by a city, county or city and county, may appeal the issue for resolution to the local appeals board or housing appeals board as appropriate. The local appeals board shall hear appeals relating to new building construction and the housing appeals board shall hear appeals relating to existing buildings.

(2) Section 108.0 of the California Mechanical Code Chapter 1, Division II, entitled Board of Appeals, is hereby deleted.

(3) Section 114.4 of the California Mechanical Code Chapter 1, Division II, is amended to read as follows:

Section 114.4 Expiration. Unless otherwise authorized, every permit issued by the Permit and Resource Management Department under the provisions of this code shall expire by limitation three (3) years from the date of permit issuance. The chief building official may limit a permit to a lesser time period when necessary to abate dangerous or substandard conditions. The chief building official may extend this time period when such extension is warranted, including (1) to correct an error by the department, (2) when a legal action prevents entire project from being completed within the three year time

frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

Before any work can be recommenced on any expired permit, a new permit shall first be obtained. The new permit shall be obtained for all work necessary to finish entire project including work already completed that has not been previously inspected and approved by the department. The building standards for the work authorized by the new permit shall be as described in Section 1.8.3.1, Chapter 1, Division I, as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced or approved prior to the effective date of this ordinance.

The fees for the new permit shall be based on the current fee schedule at full value of the previously permitted work minus the value of the work inspected and approved prior to expiration of the permit plus the full value of any new work not previously permitted per PRMD Expired Permit Policy

(4) Section 115.1 of the California Mechanical Code Chapter 1, Division II, is hereby deleted.

(5) Section 114.2 of Chapter 1, Division II, of the California Mechanical Code is amended to read as follows:

114.2 Permit Fees. The fee for each permit shall be set forth by separate fee ordinance of the board of supervisors.

(6) Section 114.4 of the California Mechanical Code, Chapter 1, Division II, is amended to read as follows:

114.4 Expiration of Plan Review. If no permit is issued within one year following the date of application, the application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. If, after such expiration, the original plans are resubmitted within 180 days following such expiration, the plan review fee shall be 25% of that otherwise required. No application shall be renewed in this fashion more than once. In order to further renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

(C) The 2013 California Plumbing Code Chapters 1-16, 17 and Appendices A, B, C, D, G, H, I, J, and K are adopted and incorporated herein by reference, save and except such portions as are deleted, modified or amended as follows:

(1) Section 108.8.3 of the California Plumbing Code is amended to read as follows:

108.8.3 Appeals. Appeals to orders, decisions or determinations of the Building Official relative to the requirements of this code shall be made in accordance with Sections 7-3 and 7-4 of the Sonoma County Code.

(2) Section 203.0 of the California Plumbing Code is amended to add the following definition: Administrative Authority - The chief building official.

(3) Section 320.0 is added to the California Plumbing Code as follows:

320.0 Sewers Required

320.1 Every building in which plumbing fixtures are installed shall have a connection to a public or private sewer except as provided in Section 320.2

320.2 When a public sewer is not available for use, drainage piping from buildings and premises shall be connected to an approved private sewerage disposal system.

320.3 In cities and/or counties where the installation of building sewers is under the jurisdiction of a department other than the Authority Having Jurisdiction, the provisions of this code relating to building sewer need not apply.

320.4 Every dwelling or other building or place where persons congregate, reside or are employed shall be provided with an adequate number of water flush toilets connected to a sewage disposal system which shall consist of a public sewer connection or a septic tank and a system of underground drains for the disposal of the tank effluent, or other systems approved by the chief building official. Such system shall be constructed to meet the requirements of construction and maintenance provided in this chapter and the codes adopted hereby.

Exception: A facility for boarding of horses as defined in Sonoma County Zoning Regulations Definitions § 26-02-140 may have one part time or full time employee without being required to meet this requirement.

320.5 No privy, including vault privies, chemical privies, pit privies, holding tanks or cesspools shall be constructed, maintained or used except upon written approval of the Director of Permit and Resource Management Department unless otherwise specifically permitted by law.

320.6 It is unlawful to discharge from any privy, cesspool, septic tank, container, sewer pipes or conduits not connected to a public sewer system, sewage, polluted or contaminated water or any matter of substance offensive, injurious or dangerous to public health where such water overflows any land whatsoever, including tideland, or where such water empties, flows, seeps or drains into or adversely affects any springs, streams, rivers, lakes, other waters or any public highway within the County of Sonoma.

(4) Section 103.3.3 of the California Plumbing Code is amended to read as follows:

Section 103.3. 3 Expiration. Unless otherwise authorized, every permit issued by the Permit and Resource Management Department under the provisions of this code shall expire by limitation three (3) years from the date of permit issuance. The chief building official may limit a permit to a lesser time period when necessary to abate dangerous or substandard conditions. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

Before any work can be recommenced on any expired permit, a new permit shall first be obtained. The new permit shall be obtained for all work necessary to finish the project including work already completed that has not been previously inspected and approved by the department. The building standards for the work authorized by the new permit shall be as described in Section 1.8.3.1, Chapter 1, Division I as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced or approved prior to the effective date of this ordinance.

The fees for the new permit shall be based on the current fee schedule at full value of the previously permitted work minus the value of the work inspected and approved prior to expiration of the permit plus the full value of any new work not previously permitted per PRMD Expired Permit Policy.

(5) Section 103.4 of the California Plumbing Code Chapter 1, Division II is amended to read as follows:

103.4 Permit Fees. Each applicant shall pay for each permit, at the time of issuance, a fee in accordance with fee schedule adopted by the board of supervisors.

(6) Section 103.4.1 is hereby deleted.

(7) Section 103.4.2 of the California Plumbing Code Chapter 1, Division II is amended to read as follows:

103.4.2 Expiration of Plan Review. If no permit is issued within one year following the date of application, the application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. If, after such expiration, the original plans are resubmitted within 180 days following such expiration, the plan review fee shall be 25% of that otherwise required. No application shall be renewed in this fashion more than once. In order to further renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

(8) The phrase "abutting lot" as used in Section 721.2 and Appendix Chapter H Section H 1.7 of the California Plumbing Code, includes:

(a) An unimproved lot connected to another lot by an easement provided the lots are in common ownership;

(b) An improved lot connected to another lot by an easement. The lots need not be under common ownership so long as the lot owner has an easement over the abutting lot sufficient for private sewage disposal subject to approval of the chief building official.

(9) In Table H 1.7 of the California Plumbing Code, "NOTE" number 8 shall be deleted due to the general topographic nature of Sonoma County. Horizontal distances between

parts of a leaching system shall be determined by the Director of Permit and Resource Management.

(10) Section H 3.0 of Appendix Chapter H of the California Plumbing Code, is amended by deleting Item 3, the exception thereto and Item 5.

(D) The 2013 California Electrical Code, including Annex H is adopted and incorporated herein by reference and amended as follows:

(1) Section 89.108.8.3, Appeals, of the California Electrical Code, is amended as follows:

89.108.8.3 Appeals. Appeals to orders, decisions or determinations of the Building Official relative to the requirements of this code shall be made in accordance with Sections 7-3 and 7-4 of the Sonoma County Code.

(2) Section 80.15 of Annex H of the California Electrical Code is hereby deleted.

(3) Section 80.23(B)(1) of Annex H of the California Electrical Code is amended to read as follows:

80.23(B)(1) Violation review fee. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of the a permit or certificate issued under the provisions of this code, shall be subject to a review fee equal to the amount of the permit fee, whether or not a permit is then or subsequently issued. The payment of such review fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

(4) Section 80.19 of annex H of the California Electrical code is amended by adding the following: Section I: 80.19 (I) Expiration. Unless otherwise authorized, every permit issued by the Permit and Resource Management Department under the provisions of this code shall expire by limitation three (3) years from the date of permit issuance. The chief building official may limit a permit to a lesser time period when necessary to abate dangerous or substandard conditions. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the three year time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

Before any work can be recommenced on any expired permit, a new permit shall first be obtained. The new permit shall be obtained for all work necessary to finish the project including work already completed that has not been previously inspected and approved by the department. The building standards for the work authorized by the new permit shall be as described in the California Building Code, Section 1.8.3.1, Chapter 1, Division I as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced or approved prior to the effective date of this ordinance.

The fees for the new permit shall be based on the current fee schedule at full value of the previously permitted work minus the value of the work inspected and approved prior to

expiration of the permit plus the full value of any new work not previously permitted per PRMD Expired Permit Policy.

(5) Section 80.19 (E) of Annex H of the California Electrical Code is amended to read as follows:

80.19 (E) Permit Fees. The fee for each electrical permit shall be as set forth in a separate fee ordinance of the board of supervisors.

(6) Section 80.19 of Annex H of the California Electrical Code is amended by adding the following to Section J:

80.19(J) Expiration of Plan Review. If no permit is issued within one year following the date of application, the application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. If, after such expiration, the original plans are resubmitted within 180 days following such expiration, the plan review fee shall be 25% of that otherwise required. No application shall be renewed in this fashion more than once. In order to further renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

(7) Section 80.27 of Annex H of the California Electrical Code is hereby deleted.

(E) The 2013 California Residential Code Chapters 1-9 and Appendix H, are adopted and incorporated herein by reference, save and except such portions as are deleted, modified or amended as follows:

(1) Chapter 1, Division II, is hereby deleted. California Building Code Chapter 1, Division II shall be referenced and incorporated herein.

(2) Section 1.1.3.1.2 of the California Residential Code is amended to read as follows:

1.1.3.1.2 Utility and Miscellaneous Group U.

Buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy shall be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy. Group U shall include, but not be limited to the following:

Agricultural buildings

Aircraft hangars accessory to a one or two-family residence (See Section 412.5 of the California Building Code)

Barns

Carports

Fences more than 6 feet high

Grain silos accessory to a residential occupancy

Greenhouses

Livestock shelters

Private garages

Private riding arenas accessory to a one- or two-family residence

Retaining walls
Sheds
Storage building accessory to a one- or two-family residence
Stables
Tanks
Towers

(3) Section R109.1.5.2 of the California Residential Code is amended to read as follows:

R109.1.5.2 Fire sprinkler system inspections

Where a fire sprinkler system is required, the building official shall require: a pressure test and pre-concealment inspection, and flow test. Such inspections and tests shall be completed by the fire code official. The pressure test shall require that the installed piping be pressurized to 200 psig for not less than two-hours. Fire sprinkler piping shall not be concealed from view until inspected, pressure tested and approved.

(4) Section R309.6 of the California Residential Code is amended to read as follows:

R309.6 Fire sprinklers.

Carports with habitable space above and attached garages shall be protected by residential fire sprinkler systems in accordance with this section. Residential fire sprinklers shall be connected to, and installed in accordance with, a fire sprinkler system that complies with Section R313 or NFPA 13D. Fire sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a minimum density of 0.05 gpm/sq ft over the area of the garage and/or carport, but not to exceed four sprinklers for hydraulic calculation purposes. Garage doors shall not be considered obstructions with respect to sprinkler placement.

Exception 1: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing carports and/or garages that do not have an automatic residential fire sprinkler system installed in accordance with this section.

Exception 2: Detached garages and carports without a dwelling unit above.

(5) Section R313.1 of the California Residential Code is amended to read as follows:

R313.1 Townhouses automatic fire sprinkler system

An automatic fire sprinkler system shall be installed in new townhouses. An automatic fire sprinkler system shall be required when additions or alterations are made to existing townhouses in accordance with Sonoma County Code Section 7-13(A)(34) Table 903.2.

(6) Section R313.2 of the California Residential Code is amended to read as follows:

R313.2 One and two-family dwellings automatic fire systems

An automatic residential fire sprinkler system shall be installed in one and two-family dwellings. An automatic fire sprinkler system shall be required when additions or

alterations are made to existing one- and two-family dwellings in accordance with Sonoma County Code Section 7-13(A)(34) Table 903.2.

Exceptions:

1. Single-story detached Group U occupancies 3,000 sq. ft. or less in area.
2. Single-story detached Group S occupancies 3,000 sq. ft. or less in area.
3. A room or area which is used for storage only and that does not contain a bathroom, cooking or refrigeration facilities or connections for such facilities which is constructed above a detached garage, Group U Occupancy, or Group S occupancy.
4. Agricultural exempt buildings and agricultural buildings as approved by the Fire Code Official.

5. Private riding arenas, provided that all of the following conditions are met:
 - a. The building has a minimum of 60 feet of clearance to property lines or other structures on all sides.
 - b. The building has an on-site water supply complying with the requirements of this code.
 - c. The building has an annual fire inspection by the chief.
 - d. The portions of the building that are not part of the private riding arena are equipped with an automatic fire-extinguishing system and are separated from the private riding arena by area separation walls meeting the requirements of the Building Code.

(7) Section R313.3.1.2 of the California Residential Code is added to read as follows:

R313.3.1.2 Water-flow alarm

One exterior approved audible device shall be connected to every automatic sprinkler system in an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

(8) Section R313.3.1.3 of the California Residential Code is added to read as follows:

R313.3.1.3 Spare sprinkler heads

A spare-head cabinet shall be installed in an approved location with a head wrench at least three spare heads of a type similar to those used in the system.

(9) Section R313.3.5.2 of the California Residential Code is added to read as follows:

R313.3.5.2 Required capacity

The water supply shall have the capacity to provide the required design flow rate for sprinklers for a period of 10 minutes. Where a well system, a water supply tank system, a pump, or a combination thereof is used, the water supply shall serve both domestic and

fire sprinkler systems. Any combination of well capacity and tank storage shall be permitted to meet the capacity requirements.

(10) Section R313.3.8.1 of the California Residential Code is amended to read as follows:

R313.3.8.1 Pre-concealment inspection

The following items shall be verified prior to the concealment of any sprinkler system:

1. Sprinklers are installed in all areas as required by Section R313.3.1.1
2. Where sprinkler water spray patterns are obstructed by construction features, luminaries or ceiling fans, additional sprinklers are installed as required by Section R313.3.2.4.2.
3. Sprinklers are the correct temperature rating and are installed at or beyond the required separation distances from heat sources as required by sections R313.3.2.1 and R313.3.2.2.
4. The pipe size equals or exceeds the size used in applying Tables R313.3.6.2(4) through R313.3.6.2(9) or, if the piping system was hydraulically calculated in accordance with Section R313.3.6.1, the size used in the hydraulic calculation.
5. The pipe length does not exceed the length permitted by Tables R313.3.6.2 (4) through R313.3.6.2.(9) or, if the piping system was hydraulically calculated in accordance with Section R313.3.6.1, pipe lengths and fittings do not exceed those used in the hydraulic calculations.
6. Nonmetallic piping that conveys water to sprinklers is listed for use with fire sprinklers.
7. Piping is supported in accordance with the pipe manufacturer's and sprinkler manufacturer's installation instructions.
8. The piping system is hydraulically pressure tested to 200 psig for at least 2 hours.

(11) Section R313.3.8.2 of the California Residential Code is amended to read as follows:

R313.3.8.2 Final inspection

The following items shall be verified upon completion of the system:

1. Sprinklers are not painted, damaged or otherwise hindered from operation.
2. Where a pump is required to provide water to the system, the pump starts automatically upon system water demand.
3. Pressure-reducing valves, water softeners, water filters, or other impairments to water flow that were not part of the original design have not been installed.
4. The sign or valve tag required by Section R313.3.7 is installed and the owner's manual for the system is present.
5. A spare-head cabinet is installed in an approved location with a wrench at least three spare heads of a type similar to those used in the system.

6. A flow tested is conducted to confirm system functions as designed.

(12) Section R322.1.6 and R322.1.7 are hereby deleted, new Section R322.1.6 is added as follows:

R322.1.6 Flood Damage Protection

see Sonoma County Code Chapter 7B-11A for Flood Damage Protection

(13) Section R327.1.3 of the California Residential Code is amended to read as follows:

R327.1.3 Application.

New buildings located in any Fire Hazard Severity Zone or any Wildland-Urban Interface Fire Area designated by the enforcing agency constructed after the application date shall comply with the provisions of this chapter.

Exceptions:

1. Buildings of an accessory character classified as a Group U occupancy and not exceeding 120 square feet in floor area, when located at least 30 feet from property lines or an applicable building.
2. Buildings of an accessory character classified as Group U occupancy less than 1000 square feet in floor area located at least 50 feet from property lines or an applicable building, as determined by the fire official.
3. Buildings less than 3000 square feet in floor area classified as a Group U Agricultural Building, as defined in Section 202 of this code (also see Appendix C – Group U Agricultural Buildings), when located at least 50 feet from an applicable building, as determined by the fire official.

(14) Section R327.1.3.1 is amended to add the following exceptions:

3. Additions to and remodels of buildings located in any Fire Hazard Severity Zone within State Responsibility Areas, for which an application for a building permit is required, shall comply with all sections of this chapter, limited to the added or remodeled areas only.

4. No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this chapter. Subject to the approval of the fire code official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all the requirements of this chapter provided the new or proposed use is less hazardous, based on life and fire risk than the existing use.

(15) Section R327.7.3.2 is added to the California Residential Code as follows:

R327.7.3.2 Replacement of Exterior Wall Covering.

Materials for replacement of existing exterior wall covering shall meet or exceed the standards set forth in this chapter.

Exception: Where less than 50% of any wall surface is being replaced or repaired and the matching of the new plane to the existing plane on that wall is not possible.

(16) Section R327.11 is added to the California Residential Code as follows:

R327.11 Setbacks For Structure Defensible Space

See California Fire Code as amended, Chapter 49, Section 4905.4 “Building Setbacks”, Table 4905.4(a) and Table 4905.4(b), as set forth in Sonoma County Code Chapter 13.

(F) The 2013 California Green Building Standards Code Chapters 1-9 and Appendix A4 (Tier 1) and Appendix A5 (Tier 1) for new construction only, excepting A4.2 and A5.2 respectively, are adopted as mandatory provisions and incorporated herein by reference.

(G) 2013 California Energy Code is adopted and incorporated by reference.

(H) 2013 California Historical Building Code is adopted and incorporated by reference.

(I) 2013 California Referenced Standards Code is adopted and incorporated by reference.

(J) 2013 California Administrative Code is adopted and incorporated by reference.

(K) The 2009 California Existing Building Code Chapter 1, Section 101.5.4 and Chapter 15 is adopted and incorporated herein by reference

(e) Section 7-14.5, Stream setback for structures requiring a building permit, is revised to read:

Sec. 7-14.5. - Stream setback for structures requiring a building permit.

All new or relocated structures requiring a building permit or an agricultural exemption shall be set back from streams, as measured from the toe of the stream bank outward, a distance of 2.5 times the height of the stream bank plus thirty (30) feet, or thirty (30) feet outward from the top of the stream bank, whichever distance is greater, unless a greater distance is established in the general plan, local coastal program, and/or zoning code. If the top of the stream bank cannot be determined by visual analysis, it shall be determined by hydraulic analysis as the water surface elevation for the 100 year event plus 1.5 feet. Stream bank height is the change in elevation from the top of bank and the lowest toe of bank.

- (a) An exception to the entire set back restriction may be allowed for (i) projects sponsored by a public agency or resource conservation district where there is a clear benefit to the community or environment; and (ii) projects related to

elevating existing structures per federal flood regulations which maintain the existing building footprint.

(b) Exceptions. An exception to the 30 feet portion may be approved by the chief building official if one or more of the following criteria apply:

- (1) Constructability. The stream setback makes the lot unbuildable for the primary use of the base planning district.
- (2) Minor Expansion. The proposed development involves a one-time minor expansion of an existing structure. The footprint of a minor expansion shall not exceed 25% of the existing structure by area, and shall not expand in a direction toward, or closer to, any stream.
- (3) Vertical Expansion. The proposed development involves expansion in the vertical direction with the expansion of a second story that is within the existing building footprint and does not exceed zoning requirements for overall height restrictions.
- (4) Existing Structures. The proposed development involves only the maintenance or remodeling of an existing structure or a non-structural use. The rebuild of an existing structure is allowed as long as it is within the existing building footprint, or such that the rebuilt structure is not an expansion of the existing structure and it is constructed further away from the creek.

(c) Stream bank restoration or stabilization. The proposed development involves the restoration or stabilization of a stream bank. Exception provisions. An exception may be approved by the Building Official if the following provisions are met:

- (1) Minimize disturbance. The removal of the natural vegetation is minimized or compensated by planting of natural vegetation within the setback.
- (2) Riparian function. The applicant demonstrates that the encroachment into the setback area will be accomplished with a minimum damage to the riparian functions and no reasonable alternative exists.
- (3) Soils report. The applicant submits a soils report that is acceptable to the Building Official. The soils report shall address the soil stability relative to the foundation of the proposed development and relative to the potential destabilizing effect the stream may or may not have on the proposed development.

(g) Section 7-19, Definitions, is revised to read:

Sec. 7-19. - Definitions.

Whenever any of the following names or terms are used herein or in any codes adopted by reference by this chapter, unless the context directs otherwise, such names or terms so used shall have the meaning ascribed thereto by this section as follows:

- (a) "Building official," "chief building official," "chief electrical inspector," "administrative authority," and similar references to a chief administrative position shall mean the director of the permit and resource management department of the county or his or her designee; provided, however, that where such terms are used in conjunction with those duties imposed upon the public health officer, the terms shall mean the public health officer of the county.
- (b) The "building division," "electrical division," or "plumbing division" shall mean the permit and resource management department of the county.
- (c) "City" shall mean the county when referring to a political entity, or an unincorporated area of the county.
- (d) "City clerk" means "county clerk" and/or "clerk of the board of supervisors."
- (e) "City council" or "mayor" means the board of supervisors.
- (f) "Board of appeals" shall mean the local appeals board and housing appeals board provided for in Section 7-3.
- (g) "California Building Code" or "2013 California Building Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 2, 2013 California Building Code, which incorporates by adoption the 2012 International Building Code, published by the International Code Council, with necessary California amendments.
- (h) "California Building Standards Administrative Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 1, 2013 California Building Standards Administrative Code, which incorporate by adoption the 2013 edition of the California Administrative Code published by the International Code Council.
- (i) "California Electrical Code" or "2013 California Electrical Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 3, California Electrical Code, which incorporate by adoption the 2011 edition of the National Electric Code, with necessary California amendments.
- (j) "California Energy Code" or "2013 California Energy Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 6, 2013 California Energy Code.
- (k) "California Fire Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 9,

2013 California Fire Code, which incorporate by adoption the edition of the International Fire Code, with necessary California amendments.

(l) "California Historical Building Code" or "2013 California Historical Building Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 8, 2013 California Historical Building Code.

(m) "California Mechanical Code" or "2013 California Mechanical Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 4, 2013 California Mechanical Code, which incorporate by adoption the 2012 edition of the Uniform Mechanical Code published by International Association of Plumbing and Mechanical Officials, with necessary California amendments.

(n) "California Plumbing Code" or "2013 California Plumbing Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 5, 2013 California Plumbing Code, which incorporate by adoption the 2012 edition of the Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials, with necessary California amendments.

(o) "California Referenced Standards Code" or "2013 California Referenced Standards Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 12, 2013 California Referenced Standards Code.

(p) "California Residential Code" or "2013 California Residential Code", means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 2.5 California Residential Code, which incorporate by the 2012 International Residential Code, with necessary California amendments.

(q) "California Green Building Standards Code" or 2013 California Green Building Standards Code", means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 11, 2013 California Green Building Standards Code.

(r) "Local coastal program" means the Sonoma County local coastal program.

(s) "General plan" means the Sonoma County general plan.

(t) "Stream" means any natural channel with bed and banks containing flowing water or showing evidence of having contained flowing water (e.g., deposit of rock, sand, gravel, or soil).

(u) "Zoning Code" means Chapters 26 and 26C of this code.

SECTION II. Chapter 7D2 of the Sonoma County Code is hereby amended as follows:

(a) Section 7D2-6, General Compliance Requirements, is revised to read:

7D2-6 General Compliance Requirements.

In addition to the requirements of the 2013 Building Energy Efficiency Standards, the following general compliance requirements shall apply to all permit applications subject to this chapter:

(A) Residential Buildings. When an application for a building permit involves a new residential building, the the TDV Energy of the proposed building meets the requirements of the 2013 California Green Building Standards Code as amended and adopted by Chapter 7, Sonoma County Code.

(B) Documentation. In order to demonstrate compliance with the requirements of this Section, a permit applicant may be required to submit supplementary forms and documentation in addition to the building drawings, specifications, and standard Title 24 report forms, as deemed appropriate by the County's building official.

SECTION III. Findings

Pursuant to Health and Safety Code sections 13143.5 and 17958.7, the Board of Supervisors expressly finds that this ordinance and the changes or modifications made herein to the 2013 edition of the California Building Code including the amendment to the existing fire protection sprinkler and fire safe roofing standards, and the minimum fire safe standards for development within the unincorporated area of the county are reasonably necessary because of local climatic, geological, and topographical conditions. The Board of Supervisors further finds in connection therewith as follows:

1. Climatic Conditions. Sonoma County has unique climatic conditions. The County is subject to year-round coastal winds. Average yearly rainfall for the County is approximately 30 inches. This rainfall generally occurs during October to April. During the summer months (July, August, September), the prevalent Pacific High Cell creates early morning fog, which assists the natural vegetation in growth. During the summer months, dry winds and vegetation mix to create a hazardous fuel condition. This condition causes grassland and brushland fires each year. While normal temperatures do not exceed 85-90 degrees during the summer months, temperatures can exceed 110 degrees in parts of the County. Particularly during times of high temperatures and low humidity, a fire can move quickly through the County.

Several years of drought conditions have previously occurred in the County, thus reducing available water. Groundwater as well as surface supplies have been affected. This condition has created a situation where lowered water tables, water contamination and increased demand on water systems due to population growth have all negatively impacted water availability for fire protection. These impacts degrade the quality of fire protection and fire suppression activities.

2. Geological Conditions. Sonoma County has geological and geographic characteristics which have scenic appeal for residents and visitors. The County is situated in a primarily rural setting with a rugged coastline forming its western boundary and mountainous areas forming its northern and eastern boundaries. Forested areas and grasslands are located throughout the County. These features create barriers to accessibility for emergency fire equipment and personnel.

The forested areas in the County also contribute to potential fire hazards, particularly when decayed trees, branches, needles and leaves drop to the ground. The dry vegetation and low water availability also cause problems for emergency fire equipment and personnel. The grassland areas in the County also are troublesome. These areas are easily ignitable, and create a potential for major conflagrations.

Further compounding the potential fire hazards, the County has active seismic faults within its boundaries (including the San Andreas Fault). Large portions of the County are within the Alquist-Priolo Special Study Zones. While systems have been developed to study and monitor the activity of earthquakes, science has not yet been able to reliably predict fault activity. New construction may be limited by their respective distances to faults, however, existing structures and replacement of those structures could present a serious problem.

Moreover, the mixture of developed and undeveloped areas within the County creates hazardous conditions when fallen trees, landslides or flooding block access by emergency fire equipment and personnel.

3. Topographical Conditions. The sources of water within the County are directly affected by its topographical layout. The water sources consist of on-site water storage tanks, lakes, pools, wells, mutual water systems and the Sonoma County Water Agency distribution network. Water supplies within the County vary from less than ten (10) gallons per minute to flows in excess of four thousand (4000) gallons per minute. This wide variation causes major problems to fire suppression forces. The roadway system through most of the County is designed around the topographical lay of the land and consists in many cases of narrow, winding roads, steep grades and overhanging tree branches. The grades on roadway surfaces sometimes exceed twenty-five (25) percent, and widths of less than twelve (12) feet are not uncommon.

The topographical conditions also make construction more restricted to the level and semi-level portions of the County. The high concentration of commercial, industrial and residential structures in these areas has the potential to become a significant fire hazard. Further compounding the risk, these structures frequently are constructed of wood for economical and practical reasons. Consequently, there is a substantial risk of conflagration due to the high build out of certain areas in the County.

The topographical nature of the County also lends itself to power failures caused when fallen trees and limbs tear out sections of electrical transmission lines which run throughout the County. These power failures cause electrical pumps to become inactive, and thus, water supplies are interrupted. Vehicular accidents also have been known to interrupt this pumping operation. Narrow roads and heavy congestion increase the risk of vehicular accidents that cause such interruptions.

4. The preceding findings identify the local climatic, geological and topographical conditions which this Board has considered in adopting this ordinance. The Board finds that these conditions make the modifications as set forth herein reasonably necessary as

such modifications will assist in mitigating the local climatic, geological and topographical conditions. These findings are intended to support each of the amendments to the building standards made as part of this ordinance based on local conditions.

5. Additional findings as to building standards and administrative changes.

(a) Agricultural building exemption permit- Sonoma County includes many acres of rural, agricultural property. Crops are grown and livestock raised throughout the County, and the preservation of agricultural land, farming, and the right to farm is an important goal of County government. Exemption from building permit requirements saves farmers the unnecessary cost of building permits and the inevitable delays in the construction process which are caused by permits and inspections, and helps to preserve the tradition of family farms, dairies, vineyards, and stables. Agricultural buildings are still required to conform to building standards notwithstanding this administrative exemption.

(b) Floating home standards - Sonoma county is bordered on the south by a region of San Francisco Bay characterized by marshes and mud flats. This area would be an ideal location for low cost housing. In the event that permanent or semi-permanent houseboats are proposed in this area as low cost housing that meet the appropriate environmental regulations, it is important to have building standards in place for such structures. The model codes do not specifically address floating homes.

(c) 10 foot fence permit exemption. Sonoma County is overpopulated with deer due to lack of predators. Deer not only destroy farm crops, but individual gardens and landscaping. A 6 foot fence will not keep deer from entering property, but a 10 foot fence forms a more effective barrier.

(d) Grading . Sonoma County has many areas with unstable soil conditions, including expansive and liquefiable soils. It is prone to long periods of dry weather which shrinks expansive soils, and heavy downpours, which promote landslides. In addition it is in an extremely active seismic area. These conditions not only make for unstable land under proposed structures, but cause pollution into streams and rivers when soil is disturbed. Special grading regulations are needed under these conditions.

(e) Septic requirements and plumbing code modifications. Sonoma county is unique in having many heavily developed areas where hilly and mountainous forested terrain, narrow winding roads, and existing watershed conditions have made the installation of sewer systems difficult. For this reason, most of these areas rely on septic systems, and there is the constant threat of pollution of rivers, streams, and the groundwater from human waste. (More than 85% of the developed parcels are served by septic systems.) These regulations are in place to insure that where human waste is discharged and no sewer is available, that it will be discharged into a properly functioning septic system.

(f) Green Building

(1) The design, construction, and maintenance of buildings and structures within the county can have a significant impact on the county's environmental sustainability,

resource usage, energy efficiency, waste management, and the health and productivity of residents, workers, and visitors.

(2) Green building design, construction, and operation can have a significant, positive effect on resource conservation, energy efficiency, waste and pollution generation, and the health and productivity of a building's occupants over the life of the building.

(3) Green building benefits are spread throughout the systems and features of the building. Green buildings can include, among other things, the use of certified sustainable wood products; extensive use of high recycled content products; recycling of waste that occurs during deconstruction, demolition, and construction; orientation and design of a building to reduce the demand on the heating, ventilating, and air conditioning systems; the use of heating, ventilating, and air conditioning systems that provide energy efficiency and improved indoor air quality. selection and use of construction materials that do not emit chemicals that are toxic or irritating to building occupants; the use of water conserving methods and equipment; and installation of alternative energy methods for supplemental energy production.

(4) Requiring commercial and residential projects to incorporate green building measures is necessary and appropriate to achieve the public health and welfare benefits of green building.

SECTION IV. Except as added, revised, amended or deleted herein, the remaining provisions of Chapters 7, 7D1 and 7D2 as previously adopted shall remain in full force and effect.

SECTION V. The Building Official is directed to file a copy of this Ordinance with the California Building Standards Commission of the State of California.

SECTION VI. The provisions of this Code shall not be construed as imposing upon the County of Sonoma any liability or responsibility for damages to persons or property resulting from defective work, nor shall the County of Sonoma, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this Code of any permits or certifications issued under this Code.

SECTION VII: The Board of Supervisors finds and determines that this ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the State CEQA Guidelines as it can be seen with certainty that there is no possibility that this ordinance may have a significant effect on the environment. This finding and determination is based on the environmental determination of the Permit and Resource Management Department for this ordinance. The Director of Permit and Resource Management Department is directed to file a notice of exemption in accordance with CEQA and the State CEQA Guidelines.

SECTION VIII. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION IX. This ordinance shall take effect on January 1, 2014, after its adoption and pursuant to Ordinance No. _____, published in summary format prior to adoption and within fifteen (15) days after its adoption, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation published and circulated in the County of Sonoma.

In regular session of the Board of Supervisors of the County of Sonoma introduced on the 19th day of October, 2013, and finally passed and adopted this 2nd day of November, 2013, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

GORIN____ ZANE ____ MCGUIRE____ CARRILLO____ RABBITT_____

AYES _____ NOES _____ ABSENT _____ ABSTAIN _____ SUPERVISORS:

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors

ATTEST:

Michelle Arellano, Chief Deputy Clerk
of the Board of Supervisors

Ordinance No.

An Ordinance of the Board of Supervisors, County of Sonoma, State of California, Amending Chapters 7 (Building Regulations), 7D2 (Local Energy Efficiency Standards), of the Sonoma County Code, and Adopting by Reference with Local Amendments, Selected Provisions, Chapters and Appendices of **Title 24 of the California Code Of Regulations, Title 24, 20102013 Editions Of The California Building Standards Code, Including: (1) The California Building Code Volumes 1 and 2; (2) The California Residential Building Code; (3) The California Green Building Standards Code; (4) The California Mechanical Code; (5) The California Plumbing Code; (6) The California Electrical Code; (7) The California Energy Code, (8) The California Referenced Standards Code, and (9) The California Administrative Code; and Adopting Local Findings; and Making Other Technical and Administrative Revisions to Chapters 7, and 7D2.**

The Board of Supervisors of the County of Sonoma, ordains as follows:

SECTION I. Chapter 7, **Building Regulations**, of the Sonoma County Code is hereby amended as follows:

(a) Section 7-5, Building permit required, is revised to read:

Sec. 7-5. - Building permit required.

(a) No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, convert or demolish any building or structure in the unincorporated area of this county, or cause the same to be done, without first obtaining a separate building permit for each such building or structure as required by this chapter. Permits shall be issued and fees shall be collected by the permit and resource management department. The building standards for the work authorized by the new permit shall be governed by the codes in force at the time of the new permit application as described in Chapter 1, Division I, **Section 1.8.2**, of the California Building Code as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced, commenced to legalize a violation, or approved prior to the effective date of this ordinance.

(b) Permits shall not be issued by the permit and resource management department for work which includes any of the following, unless and until written approval has been received:

(1) The construction, alteration or modification of:

(i) Any on-site disposal system (approval required from the well and septic section of permit and resource management department),

(ii) Any water supply system which under state law or county ordinance is required to have a permit to operate (approval required from the health officer or the state health services department),

(iii) Any establishment selling or preparing food or food products, any public or semi-public swimming pool as defined in the ~~2010~~2013 California Administrative Code (approval required from the health officer);

(2) The construction, alteration or modification of any structure which will result in the structure being connected to an on-site wastewater disposal system or water system; (approval required from the well and septic section of permit and resource management department),

(3) The alteration or modification of any existing structure which is connected to an on-site wastewater disposal system or water system requiring a permit, where the alteration or modification may impose additional burdens upon the existing system, such as, but not limited to, the addition of rooms or the modification of floor plans for potential additional occupancy. This section shall not apply to repairs, such as replacement of roofing or siding. Where the permit is for modification or alteration of an existing structure, no permit will be issued where, in the determination of the chief building official, such modification is likely to result in exceeding the capacity of the system;

(4) The construction, alteration or modification of any structure which may result in the property being improved in excess of its capacity to absorb sewage effluent. This section is intended to cover any change in the property which might adversely affect sewage disposal such as, but not limited to grading or the construction of a barn or swimming pool which might infringe on the leach field (approval required from the well and septic section of permit and resource management department);

(5) For the purposes of this section, approval by the well and septic section of permit and resource management department shall mean either an office clearance, field clearance, or issued well and septic permit for on-site wastewater disposal system.

(c) Whenever approval of the on-site wastewater disposal system is required, it shall be based upon the requirements imposed by this chapter and any other state or local law or regulation which may be applicable, including basin plans and other standards promulgated by the North Coast Water Quality Control Board and the San Francisco Bay Regional Water Quality Control Board.

(d) Building permits must be cleared as to zoning considerations in Chapter 26 or 26C, grading and drainage requirements in Chapter 11, and stormwater requirements in Chapter 11A of this code. Building permits for projects regulated by the California Fire Code and Sonoma County fire safe standards may be subject to review and approval by appropriate fire service agencies. Where county road encroachment is necessary, a permit

for same shall be first secured. A water and/or sewer clearance is first required in areas serviced by special districts and cities before building permits can be issued.

(e) Notwithstanding any other provision of this chapter or the codes adopted hereby, emergency maintenance work or repair of buildings and structures requiring a permit hereunder may be commenced before obtaining a permit without violating this chapter provided the permit and resource management department or the public health officer, in the appropriate case, is notified prior to noon of the next following business day and the permit required is obtained within twenty-four (24) hours thereafter, and provided further that no work shall be covered before it has been duly inspected and approved.

Compliance with the State Subdivision Map Act, the Sonoma County subdivision regulations, and the Sonoma County zoning regulations, including compliance with conditional permits issued thereunder, and compliance with all laws, is a condition precedent to the issuance of any permit required by this chapter for work to be done on any particular parcel of real property in the unincorporated area of this county.

(f) As a condition precedent to the issuance of a building permit required by this section for which an application was made on or after November, 1989, the applicant shall pay to the county development fee as specified in Section 26-98-660 of this code. The permit required for Section 105 of Appendix 1 of the California Building Code for structures subject to the requirements of this subsection shall not be issued unless and until the development fee has been paid.

(g) Within flood-prone urban areas as defined in Section 7-13(a)(10), a building permit authorizing excavation for foundations shall not be issued until a disposal location for excavated material has been designated. Acquisition of a building permit does not relieve the permittee of the responsibility for acquiring any other state and local permits required for the activity.

(h) In any unincorporated portion of Sonoma County where stormwater discharges are subject to the requirements of one or more NPDES permits, as referenced in Chapter 11, any construction site for which building permits are approved pursuant to Chapter 7 must be developed and used pursuant to any applicable requirements of said NPDES permit(s). Failure to adhere to applicable NPDES permit requirements at any time will be deemed to be a violation of this section and may subject the permittee to the penalties established by this chapter. Permittees may meet this requirement by filing with the Regional Water Quality Control Board the appropriate notice of intent to comply with the state general construction activity stormwater permit or by obtaining approval of an individual NPDES permit from the Regional Water Quality Control Board.

(b) Section 7-9, Refunds, is revised to read:

Sec. 7-9. - Refunds.

Pursuant to Section 109.6 of Chapter 1, Division II, of the California Building Code, 103.4.54 of Chapter 1, **Division II**, of the California Plumbing Code, Section 1154.6 of Chapter 1, **Division II**, of the California Mechanical Code, and Section 89.108.4.2 of the California Electrical Code, refunds of fees paid may be made, subject to the following:

- (a) One hundred percent (100%) of a fee erroneously paid or collected may be refunded.
- (b) Ninety percent (90%) of the plan review fee may be refunded when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled or expires or becomes void before any plan review effort has been expended. No portion of the plan review fee shall be refunded when any plan review effort has been expended.
- (c) Ninety percent (90%) of the building, plumbing, electrical, and/or mechanical permit fee may be refunded when a permit for which some or all of these permit fees have been paid is withdrawn or cancelled or expires or becomes void before any work was done and before any inspections are performed. No portion of these fees shall be refunded when any work was done and/or any inspections have been performed.
- (d) The chief building official may authorize the refund of all or part of a fee in order to correct an error by the department. The details of such a refund shall be retained in project file.
- (e) Application for refund must be made within one (1) year of the date the fee is paid.

(c) Section 7-12, Building permits in water scarce areas and second dwelling units in marginal water areas, is revised to read:

1. No building permit for new or replacement residential dwelling units shall be issued within the water scarce area four (4) or for new or replacement second dwelling units within the marginal water availability area three (3) where the water supply is from individual wells, **public water wells**, or springs ~~or any other source~~ unless the following requirements are met:

(a) That the well or wells yield a minimum of one (1) gallon per minute per dwelling unit by a sustained yield, metered pump test of the following duration:

(1) Each dwelling unit is a connection to the well. Wells with one (1) to two (2) connections: test of twelve (12) hours or eight (8) hours in accordance with the Sonoma County Permit and Resource Management Department's well pump test guidelines,

(2) Wells with three (3) to four (4) connections: test of twenty-four (24) hours or sixteen (16) hours in accordance with the Sonoma County permit and resource management department's well pump test guidelines,

(3) Wells with five (5) ~~to fourteen (14) or more~~ connections: test of at least seventy-two (72) hours after the dynamic pumping level has been established. A reduction of the seventy-two (72) hour metered pumping test may be granted by the administrative authority if it is indicated that the sustained yield well production is two (2) or more times greater than required. Under no circumstances shall the test be less than forty-eight (48) hours.

(4) Wells with fifteen or more connections and an operating permit from the California Department of Public Health shall comply with the applicable state water yield requirements.

~~NOTE: Also see Section 64563 of the California Code of Regulations for determination of source capacity for systems with five (5) or more connections.~~

(b) That a minimum storage capacity shall be provided as follows:

(1) Single-family dwelling (one (1) connection) — one thousand (1,000) gallons shall be provided ~~either in the well hole or~~ in a storage tank, ~~or both;~~ provided, however, that only five hundred (500) gallon storage shall be required if the yield is three (3) gallons per minute; provided further, however, that no storage is required if the well yield is five (5) gallons per minute, or greater,

(2) Two (2) to fourteen (14) ~~or more~~ connections — one thousand (1,000) gallons shall be provided per connection, ~~either in the well hole or~~ in a storage tank, or ~~both,~~ as required by the county of Sonoma water system standards, whichever is greater,

(3) Wells with fifteen or more connections and an operating permit from the California Department of Public Health shall comply with the applicable state water storage requirements.

~~(34)~~ Note: These volumes are for domestic water storage. Additional storage volume is required for fire control.

(c) The tests shall be conducted from July 15 to October 1st. The test period may be extended by the ~~project review and advisory committee.~~ ~~director of the permit and resource management department~~ . Pump tests shall be performed by or under the direction of a licensed water well drilling contractor (C57), pumping contractor (C61/D21), a registered civil engineer or a registered geologist who shall report test results to the director of permit and resource management department. The director of permit and resource management department shall be notified a minimum of twenty-four (24) hours prior to the pump testing of wells or springs;

(d) That, if spring(s) are to be used as the primary domestic water source, yields and required storage capacity shall meet the same minimum requirements as for wells. Springs shall be perennial;

~~(e) —Repealed. Application may be made to the project review and advisory committee for approval of alternate methods of water supply.~~

2. Notwithstanding Section 1., a building permit for new or replacement residential dwelling units may be issued within the water scarce area four (4) or for new or replacement second dwelling units within the marginal water available area three (3) if the permittee obtains an easement for water supply on a parcel that is entirely within a Groundwater Availability Area 1, major groundwater basin (Zone 1); or Area 2, major natural recharge area (Zone 2), in format approved by the permit and resource management department.

(d) Section 7-13, Codes adopted and modifications, is revised to read:

Sec. 7-13. – Codes adopted and modifications.

(A) ~~2010-2013~~ California Building Code Volumes 1 and 2, Chapters 1-35, including Part 7, “California Elevator Safety Construction Code”, Part 8, “California Historical Building Code”, Part 910, “California Existing Building Code”, Appendix Chapter A1, Appendix C, Appendix H, and Appendix I; are hereby adopted and incorporated herein by reference, save and except such portions as are deleted, modified or revised as follows:

(1) Section 101.4.4 of Chapter 1, Division II, of the California Building Code is amended to read:

101.4.4. **Property maintenance.** The provisions of Sections 116 **Unsafe Structures and Equipment** of the California Building Code as amended by Sonoma County Code by adding Sections 116.1.1 and 116.1.2, shall apply to existing buildings and premises

(2) Intentionally left blank

(3) Section 105.2 of Chapter 1, Division II, of the California Building Code is amended to read:

105.2 Work exempt from permit. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of the jurisdiction. Such exempt structures must meet all other applicable requirements of this jurisdiction, including required minimum distances from property lines. Permits shall not be required for the following:

(a) Building Permit Exemptions:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, ~~when located on a parcel which contains an existing Group R, and/or Group U Occupancy,~~ provided the floor area does not exceed 120 square feet, and the height

above grade does not exceed 12 feet. No more than one structure may be allowed under this exemption unless separated from another permit exempt structure by more than 50 feet.

2. Fences, not over 10 feet high, except that solid wood, concrete, metal, and masonry fences more than 67 feet in height measured from the lowest existing grade to the top of the fence shall require a building permit.

3. Oil derricks.

4. Retaining walls, which retain not more than 3 feet of material unless supporting a surcharge or impounding Class I, II, or IIIA liquids. For the purpose of this section, a retaining wall is considered to be supporting a surcharge if:

a. The wall retains more than one foot of material and the retained material slopes more than two units horizontal to one vertical within a distance equal to twice the height of the wall above the lowest existing grade, or

b. The wall retains more than one foot of material and any road or structure is located on the retained material within a distance equal to twice the height of the wall above the lowest existing grade.

5. Tanks, not containing Class I, II, or IIIA liquids supported directly upon grade, or below grade, if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.

6. Sidewalks, platforms, driveways, non-structural slabs and decks not more than 30 inches above grade, and not over any basement or story below and are not part of an ~~an~~ disabled accessible route.

7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

8. Temporary motion picture, television and theater stage sets and scenery.

9. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy which do not exceed 5,000 gallons, and are installed entirely above ground.

10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems. (Plumbing, electrical or mechanical systems associated with the structure require permits.)

11. Swings, play structures, and other playground equipment, treehouses with a floor area less than 120 square feet, and skateboard ramps, accessory to detached one and two family dwellings, which are not used for commercial purposes, and children's play structures when constructed on a parcel which contains a one or two- family dwelling or a State licensed school or day care center.

12. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support of Group R-3 and U Occupancies.

13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height for office work spaces and cubicles.

14. Minor repair of interior paneling or gypsum wallboard when it does not serve as a fire-resistive assembly or as lateral bracing for a structure. Minor repairs are limited to

100 square feet, on a one time basis. Subsequent minor repairs will require permits. This exemption shall not apply to structures subject to flood damage.

15. Replacement of windows or doors with others of the same size, and in the same location when the structural frame of the opening is not altered.

16. Prefabricated structures no more than 500 square feet in area, constructed of light frame materials and covered with cloth or flexible plastic **which has a thickness no greater than 5/1000 of an inch**, accessory to a single family dwelling, with no associated electrical, plumbing, or mechanical equipment and the height above grade does not exceed 12 feet.

17. **Residential** Arbors, trellises, and gazebos, when the height above grade does not exceed 12 feet. For the purpose of this section, arbors, trellises, and gazebos are considered for detached shade structures accessory to residential occupancies and are defined as follows:

- a. Structures which have a lattice or fabric roof structure, and
- b. 75% of the exterior walls are not less than 75% open, and
- c. Into which a motor vehicle cannot be driven due to the configuration of the structure or placement on the site.

If such a structure contains electrical, plumbing, or mechanical equipment, a permit is required for this work.

18. Removal of up to 25% of exterior and/or interior or roof coverings or other similar work for the purpose of determining the condition of structural members in a structure where work is being planned. Such work may remain exposed for a maximum of 90 days before being repaired. A permit must be obtained for the repairs unless exempted by this section of the Sonoma county code.

19. 2-bin trash enclosure covers with a height not exceeding 12 feet.

(b) Electrical Permit Exemptions:

1. Minor repair work, including the replacement of lamps or the connection of approved portable electric equipment to approved permanently installed receptacles.
2. The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. The installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.
4. Listed cord and plug connected temporary decorative lighting.
5. Reinstallation or replacement of attachment plug receptacles, but not the outlets therefor.
6. Repair or replacement of branch circuit overcurrent devices of the required capacity in the same location.
7. Installation or maintenance of communications wiring, devices, appliances, apparatus, or equipment.

(c) Gas Permit Exemptions:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid

(d) Mechanical Permit Exemptions:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.545 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
8. Portable fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

(e) Plumbing Permit Exemptions:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
3. replacement of existing plumbing fixtures for low flow plumbing fixtures in accordance with Section 1101.1 California Civil Code.

(4) Section 1.8.8.3.1 of the California Building Code is added to Chapter 1, Division 1, of the California Building Code, to read:

Section 1.8.8.3.1 Appeals. Appeals to orders, decisions or determinations of the Building Official relative to the requirements of this code shall be made in accordance with Sections 7-3 and 7-4 of the Sonoma County Code.

(5) Section 105.5 of Chapter 1, Division II, of the California Building Code is amended to read:

Section 105.5 Expiration. Unless otherwise authorized, every permit issued by the Permit and Resource Management Department under the provisions of this code shall expire by limitation three (3) years from the date of permit issuance. The chief building official may limit a permit to a lesser time period when necessary to abate dangerous or

substandard conditions. The chief building official may extend this time period when such extension is warranted, including (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the three year time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

Before any work can be recommenced on any expired permit, or permit to legalize a violation, a new permit shall first be obtained. The new permit shall be obtained for all work necessary to finish the project including work already completed that has not been previously inspected and approved by the department. The building standards for the work authorized by the new permit shall be governed by the codes in force at the time of the new permit application as described in Chapter 1, Division 1, Section 1.8.3.1 of the California Building Code as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced, commenced to legalize a violation, or approved prior to the effective date of this ordinance. The fees for the new permit shall be based on the current fee schedule at full value of the previously permitted work minus the value of the work inspected and approved prior to expiration of the permit plus the full value of any new work not previously permitted per the Permit and Resource Management Department Expired Permit Policy.

(6) Section 109.2 of Chapter 1, Division II, of the California Building Code is amended to read:

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate shown in the Permit and Resource Management Department fee schedule.

When approved by the chief building official a reduction in plan review fees by twenty five percent (25%) of that otherwise required may be granted where a peer review or third party plan review or other process results in substantially reduced plan review effort by the Permit and Resource Management Department.

The chief building official may, in his or her discretion, waive the plan check fee for the second and all subsequent buildings or structures identical to a building or structure for which a plan check has been paid **because there is a reduction in the cost of providing the service**. This plan check fee waiver for subsequent submittals shall be limited to one (1) year following date of original fee payment. In each case the applicant must be the same for all permits.

(7) Section 105.3.2 of Chapter 1, Division II, "Time limitation of application", of the California Building Code is amended to read:

105.3.2 Expiration of plan review. If no permit is issued within one year following the date of application, the application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. If, after such expiration, the original plans are resubmitted within 180 days following such expiration, the plan review fee shall be 25% of that otherwise required. No application shall be renewed in this fashion more than once. In order to further renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed year time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

(8) Section 109.7 is added to Chapter 1, Division II, of the California Building Code, to read:

109.7 Re-inspection Fees.

A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection. Re-inspection fees may be assessed when the inspection record card not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which the inspection is requested, or for deviating from plans requiring the approval of the building official. The re-inspection fee shall be established in the jurisdiction fee schedule. When a re-inspection fee has been assessed, no additional inspection of the work shall be performed until the required fees have been paid

(9) Section 112.4 is added to Chapter 1, Division II, of the California Building Code, to read:

112.4 Connection after order to disconnect. Persons shall not make connections from any energy, fuel or power supply nor supply energy or fuel to building service equipment which has been disconnected or ordered to be disconnected by the building official or the use of which has been ordered to be discontinued by the building official until the building official authorizes the reconnection and use of such equipment.

(10) Section 113 Chapter 1, Division II, of the California Building Code, Board of Appeals, is deleted.

(11) Section 114.4 of Chapter 1, Division II, of the California Building Code is amended to read:

114.4 Violation ~~review fee~~penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law. ~~An investigation-A review~~ fee equal to the amount of the permit fee, whether or not a permit is then or subsequently

issued, **shall be assessed**. The payment of such ~~investigation-review~~ fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

(12) Sections 116.1.1 and 116.1.2 are added to Chapter 1, Division II, of the California Building Code, to read:

116.1.1 Definition of unsafe or dangerous building. Any building or structure which has any or all of the conditions or defects hereinafter described shall be deemed to be an unsafe or dangerous building, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public or its occupants are endangered. **The presence of an unsafe or dangerous building shall be considered a public nuisance subject to abatement pursuant to Chapter 1, Sonoma County Code.**

1. Whenever any door, aisle, passageway, stairway or other means of ~~exist-exit~~ is not of sufficient width or size or is not arranged as to provide safe and adequate means of exit in case of fire or panic.
2. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
3. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.
4. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.
5. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
6. Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.
7. Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
8. Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration or decay; (ii) faulty construction; (iii) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse.

9. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
10. Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.
11. Whenever the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its non-supporting members, enclosing or outside wall or coverings.
12. Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become (i) an attractive nuisance to children; (ii) a harbor for vagrants, criminals or immoral persons; or as to (iii) enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
13. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement including construction without permit or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in this Code or Health and Safety Code section 17920.3 or Uniform Housing Code Chapters 4, 5, 6 and Sections 701.2, 701.3, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings.
14. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (i) strength, (ii) fire-resisting qualities or characteristics, or (iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.
15. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation or is such a condition that is likely to cause sickness or disease.
16. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard.
17. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or equity jurisprudence.
18. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.
19. Whenever any building or structure has been abandoned and unsecured for a period in excess of six months so as to constitute an attractive nuisance or hazard to the public.

(12.1) 116.1.2 Definition of nuisance. The following shall be defined as a nuisance:

- a. Any public nuisance know at common law or in equity jurisprudence.
- b. Any attractive nuisance that may prove detrimental to children whether in a building, on the premises of a building or on an unoccupied lot. This includes, but is not limited to, any abandoned wells, shafts, basements or excavations; abandoned refrigerators and motor vehicles; any structurally unsound fences or structures; or any lumber, trash, fences, debris, or vegetation that may prove a hazard for inquisitive minors.
- c. Whatever is dangerous to human life or is detrimental to health, as determined by the health officer.
- d. Overcrowding a room with occupants.
- e. Insufficient ventilation or illumination.
- f. Inadequate or unsanitary sewage or plumbing facilities.
- g. Uncleanliness, as determined by the health officer.
- h. Whatever renders air, food or drink unwholesome or detrimental to the health of human beings, as determined by the health officer.

(13) Section 116.3 of Chapter 1, Division II, of the California Building Code is amended to read:

116.3 Notice. If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe per Section 1-7.3 of the Sonoma County Code.

(14) Section 117 is added to Chapter 1, Division II, of the California Building Code, to read:

SECTION 117
NOTICE TO VACATE

117.1 Posting. Every notice to vacate shall, in addition to being served as provided in Section 116.4, be posted at or upon each exit of the building and shall be in substantially the following form:

DO NOT ENTER
UNSAFE TO OCCUPY

It is a misdemeanor to occupy this building, or to remove or deface this notice.

Building Official
.....of.....

117.2 Posting during declared emergencies. During a declared local emergency or State of emergency as defined in Chapter 10 of this Code, each structure or property affected by the declaration and subsequently reviewed shall be evaluated and posted in accordance

with the standards established in Applied Technology Council (ATC) 20, ATC 45 or the most recently adopted standard by the California Office of Emergency Services as an emergency response plan.

117.3 Compliance. Whenever such notice is posted, the building official shall include a notification thereof in the notice and order issued under Section 115.3 reciting the emergency and specifying the conditions which necessitate the posting. No person shall remain in or enter any building which has been so posted unless specifically stated on the posting. Entry may be made to repair, demolish or remove such building under permit. No person shall remove or deface any such notice after it is posted until the required repairs, demolition or removal have been completed and a certificate of occupancy issued pursuant to the provisions of the Building Code.

117.4 Appeals. Appeals of any notice and order to abate any violation of this Code shall be heard and decided by a hearing officer pursuant to Section 1-7.3 of the Sonoma County Code.

(15) Section 202 of the California Building Code is amended to revise the definition of "building" to read:

BUILDING. Any structure used or intended for supporting or sheltering any use or occupancy. Building is also any structure as to which state agencies have regulatory power, and housing or enclosure of persons, animals, chattels, equipment or property of any kind. Building is also any structure wherein things may be grown, made, produced, kept, handled, stored or disposed of, and all appendages, accessories, apparatus, appliances and equipment installed as a part thereof. Building shall not include machinery, equipment or appliances installed for manufacture or process purposes only, nor shall it include any construction installations which are not a part of a building, any tunnel, mine shaft, highway or bridge, or include any house trailer or vehicle which conforms to the Vehicle Code.

(16) Section 202 of the California Building Code is amended to revise the definition of "building, existing" to read:

BUILDING, EXISTING. A building legally erected prior to the adoption of this code, or one for which a legal building permit was issued for the construction or legalization thereof prior to the adoption of this code.

(16.1) Section 202 of the California Building Code is amended to delete the definition of "Substantial Improvement." A new definition of "Substantial Improvement", is added as follows:

SUBSTANTIAL IMPROVEMENT: See Sonoma County Code Ch 7B-1.

~~(17) Section 903.2 of the California Building Code is amended to read:~~

~~Section 903.2 Where required. An approved automatic sprinkler system shall be provided in new buildings and structures, and when additions are made to buildings or structures, as described in Sections 903.2.1 through 903.2.18~~

~~(18) Section 903.2.1 of the California Building Code is amended to read:~~

~~903.2.1 Group A.~~

~~An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group A occupancies.~~

~~903.2.1.1 Group A-1~~

~~An automatic fire sprinkler system shall be provided throughout Group A-1 occupancies.~~

~~An automatic fire sprinkler system shall be provided throughout Group A-1 occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. The fire area exceeds 12,000 square feet.~~
- ~~2. The fire area has an occupant load of 300 or more.~~
- ~~3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.~~
- ~~4. The fire area contains a multi-theater complex.~~
- ~~5. The fire area is increased beyond the areas specified in Table 903.2~~

~~903.2.1.2 Group A-2~~

~~An automatic fire sprinkler system shall be provided throughout Group A-2 occupancies.~~

~~An automatic fire sprinkler system shall be provided throughout Group A-2 occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. The fire area exceeds 5,000 square feet.~~
- ~~2. The fire area has an occupant load of 100 or more.~~
- ~~3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.~~
- ~~4. The fire area is increased beyond the areas specified in Table 903.2~~

~~903.2.1.3 Group A-3~~

~~An automatic fire sprinkler system shall be provided throughout Group A-3 occupancies.~~

~~An automatic fire sprinkler system shall be provided throughout Group A-3 occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. The fire area exceeds 12,000 square feet.~~
- ~~2. The fire area has an occupant load of 300 or more; or~~
- ~~3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.~~
- ~~4. The fire area is increased beyond the areas specified in Table 903.2~~

~~903.2.1.4 Group A-4~~

~~An automatic fire sprinkler system shall be provided throughout Group A-4 occupancies.~~

~~An automatic fire sprinkler system shall be provided throughout Group A-4 occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. The fire area exceeds 12,000 square feet.~~
- ~~2. The fire area has an occupant load of 300 or more; or~~
- ~~3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.~~
- ~~4. The fire area is increased beyond the areas specified in Table 903.2~~

~~903.2.1.5 Group A-5~~

~~An automatic fire sprinkler system shall be provided for Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes and other accessory use areas in excess of 1,000 square feet.~~

~~(19) Section 903.2.2 of the California Building Code is deleted~~

~~(20) New Section 903.2.2 of the California Building Code is added to read:~~

~~903.2.2 Group B~~

~~An automatic fire sprinkler system shall be provided throughout new buildings and portions thereof used as Group B occupancies. An automatic fire sprinkler system shall be provided throughout Group B occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. The fire area exceeds 12,000 square feet.~~
- ~~2. The fire area has an occupant load of 300 or more.~~
- ~~3. The fire area is increased beyond the areas specified in Table 903.2~~

~~903.2.2.1 Remodel or addition – Group B ambulatory health care~~

~~An automatic sprinkler system shall be provided when a Group B ambulatory health care occupancy is created and any of the following conditions result.~~

- ~~1. Four or more care recipients are incapable of self-preservation.~~
- ~~2. One or more care recipients who are incapable of self-preservation are located at other than the level of exit discharge serving such occupancy.~~

~~(21) Section 903.2.3 of the California Building Code is deleted~~

~~(22) New Section 903.2.3 of the California Building Code is added to read:~~

~~903.2.3 Group E~~

~~An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group E occupancies an automatic fire sprinkler system shall be provided throughout Group E occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. The fire area exceeds 12,000 square feet.~~
- ~~2. The fire area has an occupant load of 300 or more.~~
- ~~3. The fire area is increased beyond the areas specified in Table 903.2~~

~~903.2.3.1 Public Schools—Automatic Sprinkler Requirements~~

~~903.2.3.1.1 New Public School Campus:~~

~~An approved automatic sprinkler system shall be provided in all buildings of a new public school campus as defined in Section 202 regardless of occupancy classification.~~

~~Exceptions:~~

- ~~1. Exempted portable buildings.~~
- ~~2. Ticket booths and athletic field storage buildings that are less than 500 square feet in floor area and located a minimum of 100 feet from all other buildings.~~
- ~~3. Shade or lunch shelters that are incapable of trapping heat, smoke or other by-products of combustion and located a minimum of 20 feet from all other buildings.~~
- ~~4. Shade or lunch shelters that are constructed of non-combustible materials and located a minimum of 20 feet from all other buildings.~~

~~903.2.3.1.1.1 Sprinklers shall be installed in spaces where the ceiling creates a “ceiling-plenum” or space above the ceiling is utilized for environmental air.~~

~~(23) Section 903.2.4 of the California Building Code is deleted~~

~~(24) New Section 903.2.4 of the California Building Code is added to read:~~

~~903.2.4 Group F~~

~~An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group F occupancies~~

~~Exceptions:~~

- ~~1. — Canopied winery crush pads less than 12,000 square feet in area, provided that all of the following conditions are met:
 - ~~a. — The canopy and supporting structure are constructed of non-combustible materials.~~
 - ~~b. — If attached, the crush pad is separated from other portions of the building by one-hour fire-resistive walls.~~
 - ~~c. — The crush pad is not used for storage of combustible materials.~~
 - ~~d. — The canopy and supporting structure is incapable of trapping heat, smoke or other byproducts of combustion.~~~~
- ~~2. — Dairy milking facilities less than 12,000 feet in area.~~

~~903.2.4.1 Existing F-1 Woodworking operations~~

~~An automatic sprinkler system shall be provided throughout all Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in area which generate finely divided combustible waste or which use finely divided combustible materials. A fire wall of less than four-hour fire resistance rating without openings, or any fire wall with opening shall not be used to establish separate fire areas.~~

~~903.2.4.2 Additions or remodels — F Occupancy~~

~~An automatic sprinkler system shall be provided throughout all buildings containing a Group F occupancy where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. — The fire area is increased beyond the areas specified in Table 903.2~~
- ~~2. — The fire area exceeds 12,000 square feet.~~
- ~~3. — The fire area is located more than three stories, or more than 30 feet, above grade plane.~~
- ~~4. — The combined area of all fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.~~
- ~~5. — The fire area contains woodworking operations in excess of 2,500 square feet in area which generate finely divided combustible waste or which use finely divided combustible materials.~~

~~(25) Section 903.2.5.5 of the California Building Code is added to read:~~

~~903.2.5.2 Additions or remodels—H Occupancy~~

~~An automatic sprinkler system shall be provided throughout all buildings containing a Group H occupancy, and where an H Occupancy is created as a result of a remodel or addition.~~

~~(26) Section 903.2.6.3 of the California Fire Code is added to read:~~

~~903.2.6.3 Additions or remodels—I Occupancy~~

~~An automatic sprinkler system shall be provided throughout all buildings containing a Group I occupancy, and where an I Occupancy is created as a result of a remodel or addition.~~

~~(27) Section 903.2.7 of the California Building Code is deleted~~

~~(28) New Section 903.2.7 of the California Building Code is added to read:~~

~~903.2.7 Group M~~

~~An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group M occupancies, and when an addition or remodel occurs affecting a Group M Occupancy as provided in this section.~~

~~Exception: Detached non-combustible motor fuel dispensing facility canopies classified as a Group M occupancy where the canopy and supporting structure is incapable of trapping heat, smoke or other byproducts of combustion.~~

~~903.2.7.1 High-piled storage.~~

~~An automatic sprinkler system shall be provided as required in Chapter 23 in all buildings where storage of merchandise is in high-piled or rack storage arrays.~~

~~903.2.7.2 Additions or remodels—M Occupancies~~

~~An automatic sprinkler system shall be provided for Group M occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. — A Group M fire area exceeds 12,000 square feet.~~
- ~~2. — A Group M fire area is located more than three stories above grade plane.~~
- ~~3. — The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.~~

- ~~4. — A Group M occupancy is used for the display and sale of upholstered furniture.~~
- ~~5. — The structure exceeds 24,000 square feet in area, contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by fire walls of less than 4-hour fire-resistance rating.~~
- ~~6. — The fire area is increased beyond the areas specified in Table 903.2~~

~~(29) Section 903.2.8. of the California Building Code is amended to add Section 903.2.8.1 to read:~~

~~903.2.8.1 Additions or remodels — R Occupancies:~~

~~An automatic sprinkler system shall be provided for Group R occupancies where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. — The fire area is increased beyond the areas specified in Table 903.2~~
- ~~2. — The fire area exceeds 12,000 square feet.~~

~~Exception: Attached carports of non-combustible construction classified as a Group-U Occupancy where there is no habitable space above, and which are accessory uses to a one- or two-family residential dwelling.~~

~~(30) Section 903.2.9 of the California Building Code is deleted~~

~~(31) New Section 903.2.9 of the California Building Code is added to read:~~

~~903.2.9 Group S~~

~~An automatic fire sprinkler system shall be provided throughout new buildings and portions thereof used as Group S occupancies, and when an addition or remodel occurs affecting a Group S Occupancy as provided in this section.~~

~~903.2.9.1 Repair garages~~

~~An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406 of the California Building Code.~~

~~903.2.9.2 Bulk storage of tires~~

~~Building, structures used for the storage of tires shall be equipped throughout with an automatic sprinkler system.~~

~~903.2.9.3 Additions or remodels — Group S Occupancies~~

~~An automatic fire sprinkler system shall be provided throughout all buildings containing a Group S occupancy where any of the following conditions is created as a result of a remodel or addition:~~

- ~~1. — The fire area is increased beyond the areas specified in Table 903.2.~~
- ~~2. — A Group S-1 fire area exceeds 12,000 square feet.~~
- ~~3. — A Group S-1 fire area is located more than three stories above-grade plane.~~
- ~~4. — The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.~~
- ~~5. — A Group S-1 fire area used for the storage of commercial trucks or buses where the fire area exceeds 5,000 square feet.~~

~~(32) Section 903.2.11.7 is added to read:~~

~~903.2.11.7 Group U Occupancy special requirements~~

~~An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group U occupancies, and when an addition or remodel occurs affecting a Group U Occupancy as provided in this section.~~

~~Exceptions:~~

- ~~1. — Detached Group U occupancies 3000 square feet or less in area~~
- ~~2. — Agricultural exempt buildings and agricultural buildings as approved by the Fire Code Official.~~

~~903.2.11.7.1 Group U accessory areas~~

~~For a U Occupancy less than 3000 square feet in area: In addition to the occupancy separations of California Building Code Chapter 5, an automatic fire sprinkler system shall be installed throughout all accessory areas of a U Occupancy regardless of the mixed-use ratio.~~

~~(33) Table 903.2 is added to the California Building Code, to read:~~

~~Table 903.2~~

Existing Building Area	Allowable Area Increase
0-1000 sq ft:	200% (c)
1001-4000 sq ft:	100% (a)(c)
Greater than 4000 sq ft:	50% (a)(b)(c)

~~(a) — A 2000 sq ft. maximum increase is allowed~~

~~(b) — Maximum cumulative allowable area is 6000 square feet~~

~~(c) — Fire sprinklers are required when additions to Limited Density Owner-Built Rural Dwellings (as described in Sonoma County Code Chapter 7-A) exceed 640 square feet in area.~~

~~(34) Section 903.2.11.8 is added to read:~~

~~903.2.11.8 Changes of Occupancy.~~

~~When any change of occupancy occurs where the proposed new occupancy classification is more hazardous as determined by the Fire Code Official including the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.~~

~~(35) Section 903.2.11.9 is added to read:~~

~~903.2.11.9 Elevation of existing buildings~~

~~An automatic fire extinguishing system shall be installed throughout all existing buildings when the building is elevated to: three or more stories, or more than 35 feet in height, from grade to the exposed roof.~~

~~Exceptions:~~

- ~~1. — An automatic fire extinguishing system need not be provided when the area above 35 feet is provided for aesthetic purposes only and is a non-habitable space.~~
- ~~2. — An automatic fire extinguishing system need not be provided when existing single family and two family dwellings are elevated to comply with the requirements of Chapter 7B of the Sonoma County Code, provided that all of the following conditions are met:
 - ~~(a) — The elevation creates a building no more than three stories in height.~~
 - ~~(b) — Two approved exits are provided for the highest floor, including a third story having less than 500 square feet of floor area.~~
 - ~~(c) — Approved interconnected smoke alarms are installed at each floor level and in all sleeping rooms, and hallways adjacent to sleeping rooms.~~
 - ~~(d) — There is no expansion or modification of use other than installation of the exits required by subparagraph (b) above and a utility room less than 100 square feet. The space created at ground level by the elevation shall be used only as a private parking garage or as unused vacant space.~~
 - ~~(e) — Any addition to the building after the elevation shall require installation of an automatic fire extinguishing system.~~~~

~~(36) Section 903.2.18 of the California Building Code is deleted.~~

~~(37) New Section 903.2.18 of the California Building Code is added to read:~~

~~903.2.18 Group U private garages and carports accessory to Group R-3 occupancies.~~

~~Carports with habitable space above, attached garages, and detached Group U structures greater than 3000 square feet in area containing a use similar to a: B Occupancy, S Occupancy, or M Occupancy which is accessory to Group R-3 occupancies, shall be protected by residential fire sprinklers in accordance with this section. Residential fire sprinklers shall be connected to, and installed in accordance with, an automatic residential fire sprinkler system that complies with Section R313 of the California Residential Code or with NFPA 13D. Fire sprinklers shall be residential sprinklers or quick response sprinklers, designed to provide a minimum density of 0.05 gpm per square foot over the area of the garage and/or carport, but not to exceed two sprinklers for hydraulic calculation purposes. Garage doors shall not be considered obstructions to sprinkler placement.~~

~~(38) Section 903.4.2 of the California Building Code is deleted.~~

~~(39) New Section of the California Building Code is added to read:~~

~~903.4.2 Alarms.~~

~~At least one exterior approved audible device activated by the water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system shall be~~

~~connected to every automatic fire alarm system in an approved location, and approved audible devices shall be connected to every automatic sprinkler system for the purpose of occupant notification. Every new fire alarm system installed for the purpose of evacuation, including those systems activated solely by fire sprinkler systems shall be designed so that all occupants of the building shall be notified audibly and visually.~~

~~(40) Section 905.3.1 is amended to read as follows:~~

~~905.3.1 Height.~~

~~In other than R-3 and R-3.1 occupancies, Class III standpipe systems shall be installed throughout at each floor level where any of the following occur:~~

- ~~1. Buildings where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.~~
- ~~2. Buildings that are three or more stories in height.~~
- ~~3. Buildings where the floor level of the lowest story is located more than 30 feet below the highest level of fire department vehicle access.~~
- ~~4. Buildings that are two or more stories below the highest level of fire department vehicle access.~~
- ~~5. On the roof of buildings three or more stories in height.~~

~~Exceptions:~~

- ~~1. Class I standpipes are allowed in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.~~
- ~~2. Class I manual standpipes are allowed in open parking garages where the highest floor is located not more than 150 feet above the lowest level of fire department vehicle access.~~
- ~~3. Class I manual dry standpipes are allowed in open parking garages that are subject to freezing temperatures, provided that the hose connections are located as required for Class II standpipes in accordance with Section 905.5.~~
- ~~4. Class I standpipes are allowed in basements equipped throughout with an automatic sprinkler system.~~
- ~~5. In determining the lowest level of fire department vehicle access, it shall not be required to consider:
 - ~~5.1. Recessed loading docks for four vehicles or less; and~~
 - ~~5.2. Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.~~~~

~~(41) Section 905.9 is amended to read as follows:~~

~~905.9 Valve supervision~~

~~Valves controlling water supplies shall be supervised in the open position so that a change in the normal position of the valve will generate a supervisory signal at the supervising station required by Section 903.4. Where a fire alarm system is provided, a signal shall also be transmitted to the control unit.~~

~~Exceptions:~~

- ~~1. Valves to underground key or hub valves in roadway boxes provided by the municipality or public utility do not require supervision.~~

~~(42) Section 907.2.8.1 is amended to read as follows:~~

~~907.2.8.1 Manual fire alarm system for R-1 Occupancies~~

~~A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-1 occupancies.~~

Exceptions:

- ~~1. Manual fire alarm boxes are not required throughout the building when the following conditions are met:
 - ~~1.1 The building is equipped throughout with an automatic fire sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.~~
 - ~~1.2 Notification devices will activate within each residential unit upon sprinkler water flow.~~
 - ~~1.3 At least one manual fire alarm box is installed in an approved location.~~~~

~~(43) Section 1505.1 of the California Building Code is amended to read:~~

~~1501.1 Scope.~~

- ~~1. General. Except as otherwise provided in subsection (2), the roof covering assembly on any structure regulated by this code shall be as specified in Table No. 1505.1 and as classified in Section 1505.~~
- ~~2. Roof Covering Assembly on Specified Structures. Notwithstanding any other provision of this code, the roof covering assembly on the following structures regulated by this code shall be a Class A roof covering assembly as classified in Section 1505.2.
 - ~~(a) Any new structure regulated by this code;~~
 - ~~(b) Any existing structure regulated by this code when more than fifty percent (50%) of the roof area of the structure is re-roofed;~~
 - ~~(c) Any addition regulated by this code when the addition creates a new roof and the floor area of any single floor of the addition exceeds six hundred forty (640) square feet.~~~~
- ~~3. Roof covering Assembly. The roof covering assembly includes the roof deck, underlayment, interlayment, insulation and covering which is assigned to a roof covering classification.~~
- ~~4. The following types of structures are exempt from this requirement:
 - ~~(a) Greenhouses.~~
 - ~~(b) Patio covers.~~
 - ~~(c) Fabric membrane structures when the fabric is certified as "flame retardant" by the State Fire Marshall.~~
 - ~~(d) Residential vehicle covers.~~
 - ~~(e) Awnings.~~
 - ~~(f) Sod roofs.~~~~

~~(44) Section 3405.6 is added to Chapter 34, Section 3405 “Repairs” of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:~~

~~3405.6 Seismic Design and Evaluation Procedures. Seismic design and evaluation procedures shall conform to the provisions of this chapter and Chapter 1, Section 101.5.4 of the 2010 International Existing Building Code.~~

~~(45) Section 3405.7 is added to Chapter 34, Section 3405 “Repairs” of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:~~

~~3405.7 Wind Design. Wind design of existing buildings shall be based on the procedures specified in the building code.~~

~~(46) Section 3405.8 is added to Chapter 34, Section 3405 “Repairs” of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:~~

~~3405.8 Unsafe Conditions. Regardless of the extent of the structural damage, unsafe conditions shall be eliminated.~~

~~(47) Section 3405.9 is added to Chapter 34, Section 3405 “Repairs” of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:~~

~~3405.9 Referenced Standards. Referenced standards for evaluation and rehabilitation of existing buildings shall conform with Chapter 15 of the 2010 International Existing Building Code.~~

(17) Section 903.2 of the California Building Code is amended to read:

Section 903.2 Where required. Approved automatic sprinkler systems in buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12

(18) Section 903.2.1 of the California Building Code is amended to read:

903.2.1 Group A.

An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group A occupancies as provided in this section. For Group A-1, A-2, A-3 and A-4 occupancies, the automatic sprinkler system shall be provided throughout the floor area where the Group A-1, A-2, A-3 or A-4 occupancy is located, and in all floors from the Group A occupancy to, and including, the nearest level of exit discharge serving the Group A occupancy. For Group A-5 occupancies, the automatic sprinkler system shall be provided in the spaces indicated in Section 903.2.1.5.

903.2.1.1 Group A-1

An automatic sprinkler system shall be provided for any new Group A-1 occupancies. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by TABLE 903.2
2. The fire area has an occupant load of 300 or more.

3. The fire area is located on a floor other than a level of exit discharge serving such occupancies; or
4. The fire area contains a multi-theater complex.

903.2.1.2 Group A-2

An automatic sprinkler system shall be provided for any new Group A-2 occupancies. An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by TABLE 903.2
2. The fire area has an occupant load of 100 or more; or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 5,000 square feet, contains more than one fire area containing a Group A-2 occupancy, and is separated into two or more buildings by fire walls of less than four-hour fire resistance rating without openings.

903.2.1.3 Group A-3

An automatic sprinkler system shall be provided for any new Group A-3 occupancies. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by TABLE 903.2.
2. The fire area has an occupant load of 300 or more; or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The structure exceeds 12,000 square feet, contains more than one fire area containing exhibition and display rooms, and is separated into two or more buildings by fire walls of less than four hour fire resistance rating without openings.

903.2.1.4 Group A-4

An automatic fire sprinkler system shall be provided for any new Group A-4 occupancies. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists as a result of an addition or alteration:

1. The fire area exceeds the area increases permitted by TABLE 903.2
2. The fire area has an occupant load of 300 or more: or
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.1.5 Group A-5

An automatic fire sprinkler system shall be provided for any new Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes and other accessory use areas. An automatic sprinkler system shall be provided for Group A-5 occupancies in the following areas: concession stands, retail areas, press boxes, and other accessory use

areas where the fire area exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.

(19) Section 903.2.2 of the California Building Code is deleted

(20) New Section 903.2.2 of the California Building Code is added to read:

903.2.2 Group B

An automatic fire sprinkler system shall be provided for any new Group B occupancies. An automatic sprinkler system shall be provided for any Group B occupancy where the area exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.

903.2.2.1 Ambulatory care facilities. An automatic sprinkler system shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exists at any time:

1. Four or more care recipients are incapable of self-preservation, whether rendered incapable by staff or staff has accepted responsibility for care recipients already incapable
2. One or more care recipients that are incapable of self preservation are located at other than the level of exit discharge serving such a facility.

In buildings where ambulatory care is provided on levels other than the level of exit discharge, and automatic sprinkler system shall be installed throughout the entire floor where such care is provided as well as all floors below, and all floors between the level of ambulatory care and the nearest level of exit discharge.

(21) Section 903.2.3 of the California Building Code is amended to read:

903.2.3 Group E. An automatic sprinkler system shall be provided for any new Group E occupancies as follows:

1. Throughout all new Group E occupancies, and where the fire area of an existing Group E occupancy exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.
2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.

Exception: An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has a least one exterior exit door at ground level.\

3. In rooms or areas with special hazards such as laboratories, vocational shops and other such areas where hazardous materials in quantities not exceeding the maximum allowable quantity are used or stored.
4. Throughout any Group E structure greater than 12,000 square feet in area, which contains more than one fire area, and which is separated into two or more buildings by fire walls of less than four hour fire resistance rating without openings.
5. For public schools state-funded construction projects see Section 903.2.19.

(22) Section 903.2.4 of the California Building Code is amended to read:

903.2.4 Group F-1

An automatic sprinkler system shall be provided throughout all new buildings containing a Group F-1 occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.
2. A Group F-1 fire area is located more than three stories above grade plane.
3. The combined areas of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.
4. A Group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet.

Exceptions:

1. Canopied winery crush pads less than 12,000 square feet in area, provided that all of the following conditions are met:
 - a. The canopy and supporting structure are constructed of non-combustible materials.
 - b. If attached, the crush pad is separated from other portions of the building by one-hour fire-resistive walls.
 - c. The crush pad is not used for storage of combustible materials.
 - d. The canopy and supporting structure is incapable of trapping heat, smoke or other byproducts of combustion.
2. Dairy milking facilities less than 12,000 feet in area.

903.2.4.1 Existing F-1 Woodworking operations

An automatic sprinkler system shall be provided throughout all Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in area which generate finely divided combustible waste or which use finely divided combustible materials. A fire wall of less than four-hour fire resistance rating without openings, or any fire wall with opening shall not be used to establish separate fire areas.

(23) Section 903.2.5.1 of the California Building Code is amended to read:

903.2.5.1 General. An automatic sprinkler system shall be installed in Group H occupancies where the fire area exceeds the area increases permitted in TABLE 903.2 as a result of an addition or alteration.

(24) Section 903.2.6 of the California Fire Code is added to read:

903.2.6 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I fire area. An automatic sprinkler system shall be installed in Group I occupancies where the fire areas exceeds the area increases permitted by TABLE 903.2 as a result of an addition or alteration.

Exceptions:

1. An automatic sprinkler system installed in accordance with Section 903.1.2 shall be permitted in Group I facilities.
2. An automatic sprinkler system installed in accordance with Section 903.1.3 shall be allowed in Group I-1 facilities with in compliance with all of the following:
 - 2.1 A hydraulic design information sign is located on the system riser;
 - 2.2 Exception 1 of Section 903.4 is not applied; and
 - 2.3 Systems shall be maintained in accordance with the requirements of Section 903.3.1.2.
3. An automatic sprinkler system is not required where day care facilities are at the level of exit discharge and where every room where care is provided has at least one exterior exit door.
4. In buildings where Group I-4 day care is provided on levels other than the level of exit discharge, and automatic sprinkler system in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided and all floors between the level of care and the level of exit discharge, all floors below the level of exit discharge, other than areas classified as an open parking garage.

903.2.6.1 Group I-2. An existing, unsprinklered Group I-2 nurses' station open to fire-resistive exit access corridors shall be protected by an automatic sprinkler system located directly above the nurses' station. It shall be permitted to connect the automatic sprinkler system to the domestic water service.

903.2.6.2 Group I-3. Every building, or portion thereof, where inmates are restrained shall be protected by an automatic sprinkler system conforming to NFPA 13. The main sprinkler control valve or valves and all other control valves in the system shall be locked in the open position and electrically supervised so that at least an audible and visual alarm will sound at a constantly attended location when valves are closed. The sprinkler branch piping serving cells may be embedded in the concrete construction.

Exception: Sprinklers are not required in cells housing two or fewer inmates and the building shall be considered sprinklered throughout when all the following criteria are met:

- 1. Automatic fire sprinklers shall be mounted outside the cell a minimum of 6 feet (1829 mm) on center and 12 inches (305 mm) from the wall with quick response sprinkler heads. Where spacing permits, the head shall be centered over the cell door opening.*
 - 2. The maximum amount of combustibles, excluding linen and clothing, shall be maintained at three pounds per inmate.*
 - 3. For local detention facilities, each individual housing cell shall be provided with a two-way inmate or sound-actuated audio monitoring system for communication directly to the control station serving the cell(s).*
 - 4. The provisions of the exception in Section 804.4.2 shall not apply.*
- (25) Section 903.2.7 of the California Building Code is deleted
- (26) New Section 903.2.7 of the California Building Code is added to read:

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a new Group M occupancy. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

- 1. A Group M fire area exceeds the area increases permitted by TABLE 903.2 as a result of a addition or alteration.*
- 2. A Group M fire area is located more than three stories above grade plane.*
- 3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).*
- 4. A Group M occupancy is used for the display and sale of upholstered furniture exceeds 5000 square feet (464 m²).*
- 5. The structure exceeds 24,000 square feet (465 m²), contains more than one fire area containing a Group M occupancy, and is separated into two or more buildings by fire walls of less than 4-hour fire-resistance rating.*

903.2.7.1 High-piled storage.

An automatic sprinkler system shall be provided as required in Chapter 23 in all buildings of Group M where storage of merchandise is in high-piled or rack storage arrays.

(27) Section 903.2.8. of the California Building Code is deleted

(28) New Section 903.2.8 of the California Building Code is added to read:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area. An automatic sprinkler system shall be installed in Group R occupancies where the fire area exceeds the area increases permitted by TABLE 903.2 as a result of a addition or alteration.

Exceptions:

- 1. Existing Group R-3 occupancies converted to Group R-3.1 occupancies not housing bedridden clients, not housing nonambulatory clients above the first floor, and not housing clients above the second floor.*

2. Existing Group R-3 occupancies converted to Group R-3.1 occupancies housing only one bedridden client and complying with Section 425.8.3.3 of the California Building Code.

3. Pursuant to Health and Safety Code Section 13113 occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and buildings or portions thereof housing such children have an automatic fire alarm system activated by approved smoke detectors.

4. Pursuant to Health and Safety Code Section 13143.6 occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).

5. Detached structures less than 3000 square feet in area accessory to a one- or two family dwelling which do not contain space in the building for sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered space in the building for living, sleeping, eating or cooking.

When not used in accordance with Section 504.2 or 506.3 of the California Building Code an automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be allowed in Group R-2.1 occupancies.

An automatic sprinkler system designed in accordance with Section 903.3.1.3 shall not be utilized in Group R-2.1 or R-4 occupancies.

903.2.8.1 Group R-3 congregate residences. An automatic sprinkler system installed in accordance with Section 903.1.3 shall be permitted in group R-3 congregate living facilities with 16 or fewer residents.

903.2.8.2 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses.

903.2.8.1.1 Design and installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with the 2013 California Residential Code as adopted and amended by Sonoma County Code.

903.2.8.3 One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system shall be installed in one- and two- family dwellings, and factory built housing, mobile homes and manufactured homes when placed on a permanent foundation.

903.2.8.3.1 Design and installation - one- and two- family dwellings. Automatic residential fire sprinkler systems for one- and two- family dwellings shall be designed and installed in accordance with the 2013 California Residential Code as adopted and amended by Sonoma County Code.

903.2.8.3.2 Design and installation - factory built housing, mobile homes and manufactured homes. Automatic residential fire sprinkler systems installed in:

factory built housing, mobile homes and manufactured homes, shall be designed and installed in accordance with California Code of Regulations, Title 25, § 4302.

(29) Section 903.2.9 of the California Building Code is deleted

(30) New Section 903.2.9 of the California Building Code is added to read:

903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all new buildings containing a Group S-1 occupancy. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds the area increases permitted by TABLE 903.2 as a result of a addition or alteration.
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.
4. A Group S-1 fire area used for the storage of commercial trucks or buses where the fire area exceeds 5,000 square feet
5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet

903.2.9.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with Section 406 of the California Building Code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 6,000 square feet
2. Buildings no more than one story above grade plane, with a fire area containing a repair garage exceeding 6,000 square feet
3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 fire area used for the repair of commercial trucks or buses where the fire area exceeds 5,000 square feet

903.2.9.2 Bulk storage of tires. Buildings and structures where the area for the storage of tires exceeds 20,000 cubic feet shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

903.2.10 Group S-2 enclosed parking garages. An automatic sprinkler system shall be provided throughout new buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code. An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with Section 406.4 of the California Building Code as follows:

1. Where the fire area of the enclosed parking garage exceeds the area increases permitted by TABLE 903.2 as a result of a addition or alteration; or
2. Where the enclosed parking garage is located beneath other groups.

903.2.10.1 Commercial parking garages. An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses where the fire area exceeds 5,000 square feet.

(31) Section 903.2.11.7 is added to read:

903.2.11.7 Group U Occupancy special requirements

An automatic sprinkler system shall be provided throughout new buildings and portions thereof used as Group U occupancies, and when an addition or remodel occurs affecting a Group U Occupancy as provided in this section.

Exceptions:

1. Detached Group U occupancies 3000 square feet or less in area
2. Agricultural exempt buildings and agricultural buildings as approved by the Fire Code Official.

903.2.11.7.1 Group U accessory areas

For a U Occupancy less than 3000 square feet in area: In addition to the occupancy separations of California Building Code Chapter 5, an automatic fire sprinkler system shall be installed throughout all accessory areas of a U Occupancy regardless of the mixed-use ratio.

(32) Table 903.2 is added to the California Building Code, to read:

Table 903.2

Existing Building Area	Allowable Area Increase
0-1000 sq ft:	200% (c)
1001-4000 sq ft:	100% (a)(c)
Greater than 4000 sq ft:	50% (a)(b)(c)

- (a) A 2000 sq ft. maximum increase is allowed
- (b) Maximum cumulative allowable area is 6000 square feet
- (c) Fire sprinklers are required when additions to Limited Density Owner-Built Rural Dwellings (as described in Sonoma County Code Chapter 7-A) exceed 640 square feet in area.

(33) Section 903.2.11.8 is added to read:

903.2.11.8 Changes of Occupancy.

When any change of occupancy occurs where the proposed new occupancy classification is more hazardous as determined by the Fire Code Official including the conversion of residential buildings to condominiums, the building shall meet the fire sprinkler requirements for a newly constructed building.

(34) Section 903.2.11.9 is added to read:

903.2.11.9 Elevation of existing buildings

An automatic fire extinguishing system shall be installed throughout all existing buildings when the building is elevated to: three or more stories, or more than 35 feet in height, from grade to the exposed roof.

Exceptions:

1. An automatic fire-extinguishing system need not be provided when the area above 35 feet is provided for aesthetic purposes only and is a non-habitable space.
 2. An automatic fire-extinguishing system need not be provided when existing single-family and two-family dwellings are elevated to comply with the requirements of Chapter 7B of the Sonoma County Code, provided that all of the following conditions are met:
 - (a) The elevation creates a building no more than three stories in height.
 - (b) Two approved exits are provided for the highest floor, including a third story having less than 500 square feet of floor area.
 - (c) Approved interconnected smoke alarms are installed at each floor level and in all sleeping rooms, and hallways adjacent to sleeping rooms.
 - (d) There is no expansion or modification of use other than installation of the exits required by subparagraph (b) above and a utility room less than 100 square feet. The space created at ground level by the elevation shall be used only as a private parking garage or as unused vacant space.
 - (e) Any addition to the building after the elevation shall require installation of an automatic fire-extinguishing system.
- (35) Section 903.2.18 of the California Building Code is deleted.
- (36) New Section 903.2.18 of the California Building Code is added to read:

903.2.18 Group U private garages and carports accessory to Group R-3 occupancies. Carports with habitable space above and attached garages, accessory to Group R-3 occupancies, and detached accessory structures less than 6000 square feet in area accessory to a one- or two-family dwelling which contain space in the building for living sleeping, eating or cooking, shall be protected by residential fire sprinklers in accordance with this section. Residential fire sprinklers shall be connected to, and installed in accordance with, an automatic residential fire sprinkler system that complies with Section R313 of the California Residential Code or with NFPA 13D. Fire sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a minimum density of 0.05 gpm/ft² over the area of the garage and/or carport, but not to exceed two sprinklers for hydraulic calculation purposes. Garage doors shall not be considered obstructions with respect to sprinkler placement.

Exception

Detached structures less than 3000 square feet in area accessory to a one- or two-family dwelling which do not contain space in the building for sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered space in the building for, sleeping, eating or cooking.

(37)Section 903.4 of the California Building Code is deleted.

(38) New Section 903.4 of the California Building Code is added to read:

903.4 Sprinkler system supervision and alarms. All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Limited area systems serving fewer than 20 sprinklers.
3. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

903.4.1 Monitoring. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved supervising station or, when approved by the fire code official, shall sound an audible signal at a constantly attended location.

Exceptions:

1. Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.
2. Backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.
3. Existing legal non-conforming automatic sprinklers systems shall be monitored for water flow only when the existing building is remodeled or a permit is required for sprinkler alterations and the alarm shall be transmitted to an approved supervising station or, when approved by the fire code official, shall sound an audible signal at a constantly attended location.

903.4.2 Alarms. One exterior approved audible device shall be connected to every automatic sprinkler system in an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single

sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. *Visible and audible* alarm notification appliances shall be located in areas as approved by the fire code official and installed in accordance with Sections 907.6.2.3.1, 907.6.2.1.1 and 907.6.2.1.2 unless required by section 907.2 and 907.3.

903.4.3 Floor control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in high-rise buildings *and Group I-2 occupancies having occupied floors located more than 75 feet above the lowest level of fire department vehicle access.*

(39) Section 903.6 is added to the California Building Code as follows:

903.6 Existing buildings. The provisions of this section are intended to provide a reasonable degree of safety in existing structures not complying with the minimum requirements of the California Building Code by requiring installation of an automatic fire-extinguishing system.

903.6.1 Pyroxylin plastics. All structures occupied for the manufacture or storage of articles of cellulose nitrate (pyroxylin) plastic shall be equipped with an approved automatic fire-extinguishing system where required in Chapter 46.

903.6.2 Group I-2. An automatic sprinkler system shall be provided throughout Group I-2 fire areas where required in Chapter 46.

(40) Section 905.3.1 is amended to read as follows:

905.3.1 Height.

In other than R-3 and R-3.1 occupancies, Class III standpipe systems shall be installed throughout at each floor level where any of the following occur:

1. Buildings where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.
2. Buildings that are three or more stories in height.
3. Buildings where the floor level of the lowest story is located more than 30 feet below the highest level of fire department vehicle access.
4. Buildings that are two or more stories below the highest level of fire department vehicle access.
5. On the roof of buildings three or more stories in height.

Exceptions:

1. Class I standpipes are allowed in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.
2. Class I manual standpipes are allowed in open parking garages where the highest floor is located not more than 150 feet above the lowest level of fire department vehicle access.

3. Class I manual dry standpipes are allowed in open parking garages that are subject to freezing temperatures, provided that the hose connections are located as required for Class II standpipes in accordance with Section 905.5.
4. Class I standpipes are allowed in basements equipped throughout with an automatic sprinkler system.
5. In determining the lowest level of fire department vehicle access, it shall not be required to consider:
 - 5.1. Recessed loading docks for four vehicles or less; and
 - 5.2. Conditions where topography makes access from the fire department vehicle to the building impractical or impossible.

(41) Section 905.9 is amended to read as follows:

905.9 Valve supervision

Valves controlling water supplies shall be supervised in the open position so that a change in the normal position of the valve will generate a supervisory signal at the supervising station required by Section 903.4. Where a fire alarm system is provided, a signal shall also be transmitted to the control unit.

Exceptions:

1. Valves to underground key or hub valves in roadway boxes provided by the municipality or public utility do not require supervision.

(42) Section 907.2.8.1 is amended to read as follows:

907.2.8.1 Manual fire alarm system for R-1 Occupancies

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-1 occupancies.

Exceptions:

1. Manual fire alarm boxes are not required throughout the building when the following conditions are met.
 - 1.1 The building is equipped throughout with an automatic fire sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.
 - 1.2 Notification devices will activate within each residential unit upon sprinkler water flow.
 - 1.3 At least one manual fire alarm box is installed in an approved location.

(43) Section 1505.1 of the California Building Code is amended to read:

1501.1 Scope.

1. General. Except as otherwise provided in subsection (2), the roof covering assembly on any structure regulated by this code shall be as specified in Table No. 1505.1 and as classified in Section 1505.

2. Roof Covering Assembly on Specified Structures. Notwithstanding any other provision of this code, the roof-covering assembly on the following structures regulated by this code shall be a Class A roof-covering assembly as classified in Section 1505.2.

- (a) Any new structure regulated by this code;
- (b) Any existing structure regulated by this code when more than fifty percent (50%) of the roof area of the structure is re-roofed;
- (c) Any addition regulated by this code when the addition creates a new roof and the floor area of any single floor of the addition exceeds six hundred forty (640) square feet.

3. Roof-covering Assembly. The roof-covering assembly includes the roof deck, underlayment, interlayment, insulation and covering which is assigned to a roof-covering classification.

4. The following types of structures are exempt from this requirement:

- (a) Greenhouses.
- (b) Patio covers.
- (c) Fabric membrane structures when the fabric is certified as "flame retardant" by the State Fire Marshall.
- (d) Residential vehicle covers.
- (e) Awnings.
- (f) Sod roofs.

(44) Section 1701.4 is added to Chapter 17, Section 1701 "General" of the California Building Code to read:

1701.4 Application. The provisions of this chapter shall be applicable to the California Building Code and California Residential Code, current editions.

(45) Section 3405.6 is added to Chapter 34, Section 3405 "Repairs" of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:

3405.6 Seismic Design and Evaluation Procedures. Seismic design and evaluation procedures shall conform to the provisions of this chapter and Chapter 1, Section 101.5.4 of the 2012 International Existing Building Code.

(46) Section 3405.7 is added to Chapter 34, Section 3405 "Repairs" of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:

3405.7 Wind Design. Wind design of existing buildings shall be based on the procedures specified in the building code.

(47) Section 3405.8 is added to Chapter 34, Section 3405 "Repairs" of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:

3405.8 Unsafe Conditions. Regardless of the extent of the structural damage, unsafe conditions shall be eliminated.

(48) Section 3405.9 is added to Chapter 34, Section 3405 "Repairs" of the California Building Code, for Repair and Reconstruction of Existing Buildings to read:

3405.9 Referenced Standards. Referenced standards for evaluation and rehabilitation of existing buildings shall conform with Chapter 15 of the 2012 International Existing Building Code.

(B) The ~~2010~~2013 California Mechanical Code Chapters 1-17 and Appendix ~~A, B C, D, F and D~~, is adopted and incorporated herein by reference, save and except such portions as are deleted, modified or amended as follows:

(1) Section 1.8.8.3, Appeals, of Chapter 1, Division I, of the California Mechanical Code is amended to read as follows:

1.8.8.3. Appeals. Appeals to orders, decisions or determinations of the Building Official relative to the requirements of this code shall be made in accordance with Sections 7-3 and 7-4 of the Sonoma County Code. Except as otherwise provided in law, any person, firm or corporation adversely affected by a decision, order or determination by a city, county or city and county relating to the application of building standards published in the California Building Standards Code, or any other applicable rule or regulation adopted by the Department of Housing and Community Development, or any lawfully enacted ordinance by a city, county or city and county, may appeal the issue for resolution to the local appeals board or housing appeals board as appropriate. The local appeals board shall hear appeals relating to new building construction and the housing appeals board shall hear appeals relating to existing buildings.

(2) Section ~~110.0~~108.0 of the California Mechanical Code Chapter 1, Division II, entitled Board of Appeals, is hereby deleted.

(3) Section 114.4 of the California Mechanical Code Chapter 1, Division II, is amended to read as follows:

Section 114.4 Expiration. Unless otherwise authorized, every permit issued by the Permit and Resource Management Department under the provisions of this code shall expire by limitation three (3) years from the date of permit issuance. The chief building official may limit a permit to a lesser time period when necessary to abate dangerous or substandard conditions. The chief building official may extend this time period when such extension is warranted, including (1) to correct an error by the department, (2) when a legal action prevents entire project from being completed within the three year time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

Before any work can be recommenced on any expired permit, a new permit shall first be obtained. The new permit shall be obtained for all work necessary to finish entire project including work already completed that has not been previously inspected and approved by the department. The building standards for the work authorized by the new permit shall be as described in Section 1.8.3.1, Chapter 1, Division I, as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced or approved prior to the effective date of this ordinance.

The fees for the new permit shall be based on the current fee schedule at full value of the previously permitted work minus the value of the work inspected and approved prior to expiration of the permit plus the full value of any new work not previously permitted per PRMD Expired Permit Policy

(4) Section 115.1 of the California Mechanical Code Chapter 1, Division II, is hereby deleted.

(5) Section ~~115.2~~114.2 of Chapter 1, Division II, of the California Mechanical Code is amended to read as follows:

~~115.2~~114.2 Permit Fees. The fee for each permit shall be set forth by separate fee ordinance of the board of supervisors.

(6) Section ~~115.4~~114.4 of the California Mechanical Code, Chapter 1, Division II, is amended to read as follows:

~~115.4~~114.4 Expiration of Plan Review. If no permit is issued within one year following the date of application, the application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. If, after such expiration, the original plans are resubmitted within 180 days following such expiration, the plan review fee shall be 25% of that otherwise required. No application shall be renewed in this fashion more than once. In order to further renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

(C)The ~~2010~~2013 California Plumbing Code Chapters 1-16, ~~17A~~ and Appendices A, B, C, D, G, H, I, J, and K, ~~and L~~ are adopted and incorporated herein by reference, save and except such portions as are deleted, modified or amended as follows:

(1) Section 108.8.3 of the California Plumbing Code is amended to read as follows:

108.8.3 Appeals. Appeals to orders, decisions or determinations of the Building Official relative to the requirements of this code shall be made in accordance with Sections 7-3 and 7-4 of the Sonoma County Code.

(2) Section 203.0 of the California Plumbing Code is amended to add the following definition: Administrative Authority - The chief building official.

(3) Section ~~305.0~~320.0 is added to ~~of~~ the California Plumbing Code ~~is amended to add the following sections~~ as follows:

320.0 Sewers Required

320.1 Every building in which plumbing fixtures are installed shall have a connection to a public or private sewer except as provided in Section 320.2

320.2 When a public sewer is not available for use, drainage piping from buildings and premises shall be connected to an approved private sewerage disposal system.

320.3 In cities and/or counties where the installation of building sewers is under the jurisdiction of a department other than the Authority Having Jurisdiction, the provisions of this code relating to building sewer need not apply.

~~305320~~.4 Every dwelling or other building or place where persons congregate, reside or are employed shall be provided with an adequate number of water flush toilets connected to a sewage disposal system which shall consist of a public sewer connection or a septic tank and a system of underground ~~drains~~ drains for the disposal of the tank effluent, or other systems approved by the chief building official. Such system shall be constructed to meet the requirements of construction and maintenance provided in ~~this~~ this chapter and the codes adopted hereby.

Exception: A facility for boarding of horses as defined in Sonoma County Zoning Regulations Definitions § 26-02-140 may have one part time or full time employee without being required to meet this requirement.

~~305320~~.5 No privy, including vault privies, chemical privies, pit privies, holding tanks or cesspools shall be constructed, maintained or used except upon written approval of the Director of Permit and Resource Management Department unless otherwise specifically permitted by law.

~~305320~~.6 It is unlawful to discharge from any privy, cesspool, septic tank, container, sewer pipes or conduits not connected to a public sewer system, sewage, polluted or contaminated water or any matter of substance offensive, injurious or dangerous to public health where such water overflows any land whatsoever, including tideland, or where such water empties, flows, seeps or drains into or adversely affects any springs, streams, rivers, lakes, other waters or any public highway within the County of Sonoma.

(4) Section 103.3.43 of the California Plumbing Code ~~Appendix 1~~ is amended to read as follows:

Section 103.3. 43 Expiration. Unless otherwise authorized, every permit issued by the Permit and Resource Management Department under the provisions of this code shall expire by limitation three (3) years from the date of permit issuance. The chief building official may limit a permit to a lesser time period when necessary to abate dangerous or substandard conditions. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

Before any work can be recommenced on any expired permit, a new permit shall first be obtained. The new permit shall be obtained for all work necessary to finish the project including work already completed that has not been previously inspected and approved by the department. The building standards for the work authorized by the new permit shall be as described in ~~Section 108.3.1~~ Section 1.8.3.1, Chapter 1, Division I as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced or approved prior to the effective date of this ordinance.

The fees for the new permit shall be based on the current fee schedule at full value of the previously permitted work minus the value of the work inspected and approved prior to expiration of the permit plus the full value of any new work not previously permitted per PRMD Expired Permit Policy.

(5) Section 103.4.1 of the California Plumbing Code Chapter 1, Division II is amended to read as follows:

103.4.1 Permit Fees. Each applicant shall pay for each permit, at the time of issuance, a fee in accordance with fee schedule adopted by the board of supervisors.

(6) Section 103.4.21 is hereby deleted.

(7) Section 103.4.32 of the California Plumbing Code Chapter 1, Division II is amended to read as follows:

103.4.32 Expiration of Plan Review. If no permit is issued within one year following the date of application, the application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. If, after such expiration, the original plans are resubmitted within 180 days following such expiration, the plan review fee shall be 25% of that otherwise required. No application shall be renewed in this fashion more than once. In order to further renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

(8) The phrase "abutting lot" as used in Section 721.2 and Appendix Chapter ~~K-H~~Section ~~K-G-H~~ 1.7 of the California Plumbing Code, includes:

(a) An unimproved lot connected to another lot by an easement provided the lots are in common ownership;

(b) An improved lot connected to another lot by an easement. The lots need not be under common ownership so long as the lot owner has an easement over the abutting lot sufficient for private sewage disposal subject to approval of the chief building official.

(9) In Table ~~K-1-H~~ 1.7 of the California Plumbing Code, ~~the first sentence under~~ "NOTE" number 8 shall be deleted due to the general topographic nature of Sonoma County. Horizontal distances between parts of a leaching system shall be determined by the Director of Permit and Resource Management.

(10) Section ~~K-3-H~~ 3.0 of Appendix Chapter ~~HK~~ of the California Plumbing Code, ~~1998 Edition~~ is amended by deleting Item 3, the exception thereto and Item 5.

(D) The ~~2010~~2013 California Electrical Code, ~~Articles 89.101, 89.108, 90,~~ including Annex H is adopted and incorporated herein by reference and amended as follows:

(1) Section 89.108.8.3, Appeals, of the California Electrical Code, is amended as follows:

89.108.8.3 Appeals. Appeals to orders, decisions or determinations of the Building Official relative to the requirements of this code shall be made in accordance with Sections 7-3 and 7-4 of the Sonoma County Code.

(2) Section 80.15 of Annex H of the California Electrical Code is hereby deleted.

(3) Section 80.23(B)(1) of Annex H of the California Electrical Code is amended to read as follows:

80.23(B)(1) Violation ~~review fees~~**penalties**. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of the a permit or certificate issued under the provisions of this code, shall be subject to an ~~investigation-review~~ fee equal to the amount of the permit fee, whether or not a permit is then or subsequently issued. The payment of such ~~investigation-review~~ fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

(4) Section 80.19 of annex H of the California Electrical code is amended by adding the following: Section I: 80.19 (I) Expiration. Unless otherwise authorized, every permit issued by the Permit and Resource Management Department under the provisions of this code shall expire by limitation three (3) years from the date of permit issuance. The chief building official may limit a permit to a lesser time period when necessary to abate dangerous or substandard conditions. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the three year time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

Before any work can be recommenced on any expired permit, a new permit shall first be obtained. The new permit shall be obtained for all work necessary to finish the project including work already completed that has not been previously inspected and approved by the department. The building standards for the work authorized by the new permit shall be as described in **the California Building Code, Section ~~408.3.1-1.8.3.1, Chapter 1, Division I~~** as to the erection and construction of dwellings and appurtenant structures for which construction was lawfully commenced or approved prior to the effective date of this ordinance.

The fees for the new permit shall be based on the current fee schedule at full value of the previously permitted work minus the value of the work inspected and approved prior to expiration of the permit plus the full value of any new work not previously permitted per PRMD Expired Permit Policy.

(5) Section 80.19 (E) of Annex H of the California Electrical Code is amended to read as follows:

80.19 (E) Permit Fees. The fee for each electrical permit shall be as set forth in a separate fee ordinance of the board of supervisors.

(6) Section 80.19 of Annex H of the California Electrical Code is amended by adding the following to Section J:

80.19(J) Expiration of Plan Review. If no permit is issued within one year following the date of application, the application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. If, after such expiration, the original plans are resubmitted within 180 days following such expiration, the plan review fee shall be 25% of that otherwise

required. No application shall be renewed in this fashion more than once. In order to further renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. The chief building official may extend this time period when such extension is warranted, including but not limited to (1) to correct an error by the department, (2) when a legal action prevents the project from being completed within the allowed time frame, or (3) in the interest of public health and safety. The chief building official's decision regarding the limitation period shall be final.

(7) Section 80.27 of Annex H of the California Electrical Code is hereby deleted.

(E) The ~~2010~~2013 California Residential Code Chapters 1-9 and Appendix H, are adopted and incorporated herein by reference, save and except such portions as are deleted, modified or amended as follows:

(1) Chapter 1, Division II, is here by deleted. California Building Code Chapter 1, Division II shall be referenced and incorporated herein.

(2) Section 1.1.3.1.2 of the California Residential Code is amended to read as follows:

1.1.3.1.2 Utility and Miscellaneous Group U.

Buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy shall be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy. Group U shall include, but not be limited to the following:

Agricultural buildings

Aircraft hangars accessory to a one or two-family residence (See Section 412.5 of the California Building Code)

Barns

Carports

Fences more than 6 feet high

Grain silos accessory to a residential occupancy

Greenhouses

Livestock shelters

Private garages

~~Pool houses accessory to a one- or two-family residence~~

Private riding arenas accessory to a one- or two-family residence

~~Private home studios accessory to a one- or two-family residence~~

Retaining walls

Sheds

Storage building accessory to a one- or two-family residence

Stables

Tanks

Towers

(3) Section R109.1.5.2 of the California Residential Code is amended to read as follows:

R109.1.5.2 Fire sprinkler system inspections

Where a fire sprinkler system is required, the building official shall require: a pressure test and pre-concealment inspection, and flow test. Such inspections and tests shall be

completed by the fire code official. The pressure test shall require that the installed piping be pressurized to 200 psig for not less than two-hours. Fire sprinkler piping shall not be concealed from view until inspected, pressure tested and approved.

(4) Section R309.6 of the California Residential Code is amended to read as follows:

R309.6 Fire sprinklers.

Carports with habitable space above and attached garages shall be protected by residential fire sprinkler systems in accordance with this section. Residential fire sprinklers shall be connected to, and installed in accordance with, a fire sprinkler system that complies with Section R313 or NFPA 13D. Fire sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a minimum density of 0.05 gpm/sq ft over the area of the garage and/or carport, but not to exceed four sprinklers for hydraulic calculation purposes. Garage doors shall not be considered obstructions with respect to sprinkler placement.

Exception 1: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing carports and/or garages that do not have an automatic residential fire sprinkler system installed in accordance with this section.

Exception 2: Detached garages and carports without a dwelling unit above.

(5) Section R313.1 of the California Residential Code is amended to read as follows:

R313.1 Townhouses automatic fire sprinkler system

An automatic fire sprinkler system shall be installed in new townhouses. An automatic fire sprinkler system shall be required when additions or alterations are made to existing townhouses in accordance with Sonoma County Code Section 7-13(A)(34) Table 903.2.

(6) Section R313.2 of the California Residential Code is amended to read as follows:

R313.2 One and two-family dwellings automatic fire systems

An automatic residential fire sprinkler system shall be installed in one and two-family dwellings. An automatic fire sprinkler system shall be required when additions or alterations are made to existing one- and two-family dwellings in accordance with Sonoma County Code Section 7-13(A)(34) Table 903.2.

Exceptions:

1. Single-story detached Group U occupancies 3,000 sq. ft. or less in area.
2. Single-story detached Group S occupancies 3,000 sq. ft. or less in area.
3. A room or area which is used for storage only and that does not contain a bathroom, cooking or refrigeration facilities or connections for such facilities which is constructed above a detached garage, Group U Occupancy, or Group S occupancy.
4. Agricultural exempt buildings and agricultural buildings as approved by the Fire Code Official.

5. Private riding arenas, provided that all of the following conditions are met:
 - a. The building has a minimum of 60 feet of clearance to property lines or other structures on all sides.
 - b. The building has an on-site water supply complying with the requirements of this code.
 - c. The building has an annual fire inspection by the chief.
 - d. The portions of the building that are not part of the private riding arena are equipped with an automatic fire-extinguishing system and are separated from the private riding arena by area separation walls meeting the requirements of the Building Code.

(7) Section R313.3.1.2 of the California Residential Code is added to read as follows:

R313.3.1.2 Water-flow alarm

One exterior approved audible device shall be connected to every automatic sprinkler system in an approved location. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

(8) Section R313.3.1.3 of the California Residential Code is added to read as follows:

R313.3.1.3 Spare sprinkler heads

A spare-head cabinet shall be installed in an approved location with a head wrench at least three spare heads of a type similar to those used in the system.

(9) Section ~~R313.3.1.3~~ **R313.3.5.2** of the California Residential Code is added to read as follows:

R313.3.5.2 Required capacity

The water supply shall have the capacity to provide the required design flow rate for sprinklers for a period of 10 minutes. Where a well system, a water supply tank system, a pump, or a combination thereof is used, the water supply shall serve both domestic and fire sprinkler systems. Any combination of well capacity and tank storage shall be permitted to meet the capacity requirements.

(10) Section R313.3.8.1 of the California Residential Code is amended to read as follows:

R313.3.8.1 Pre-concealment inspection

The following items shall be verified prior to the concealment of any sprinkler system:

1. Sprinklers are installed in all areas as required by Section R313.3.1.1

2. Where sprinkler water spray patterns are obstructed by construction features, luminaries or ceiling fans, additional sprinklers are installed as required by Section R313.3.2.4.2.
3. Sprinklers are the correct temperature rating and are installed at or beyond the required separation distances from heat sources as required by sections R313.3.2.1 and R313.3.2.2.
4. The pipe size equals or exceeds the size used in applying Tables R313.3.6.2(4) through R313.3.6.2(9) or, if the piping system was hydraulically calculated in accordance with Section R313.3.6.1, the size used in the hydraulic calculation.
5. The pipe length does not exceed the length permitted by Tables R313.3.6.2 (4) through R313.3.6.2.(9) or, if the piping system was hydraulically calculated in accordance with Section R313.3.6.1, pipe lengths and fittings do not exceed those used in the hydraulic calculations.
6. Nonmetallic piping that conveys water to sprinklers is listed for use with fire sprinklers.
7. Piping is supported in accordance with the pipe manufacturer's and sprinkler manufacturer's installation instructions.
8. The piping system is hydraulically pressure tested to 200 psig for at least 2 hours.

(11) Section R313.3.8.2 of the California Residential Code is amended to read as follows:

R313.3.8.2 Final inspection

The following items shall be verified upon completion of the system:

1. Sprinklers are not painted, damaged or otherwise hindered from operation.
2. Where a pump is required to provide water to the system, the pump starts automatically upon system water demand.
3. Pressure-reducing valves, water softeners, water filters, or other impairments to water flow that were not part of the original design have not been installed.
4. The sign or valve tag required by Section R313.3.7 is installed and the owner's manual for the system is present.
5. A spare-head cabinet is installed in an approved location with a wrench at least three spare heads of a type similar to those used in the system.
6. A flow tested is conducted to confirm system functions as designed.

(12) Section R322.1.6 and R322.1.7 are hereby deleted, new Section R322.1.6 is added as follows:

R322.1.6 Flood Damage Protection

see Sonoma County Code Chapter 7B-11A for Flood Damage Protection

(13) Section R327.1.3 of the California Residential Code is amended to read as follows:

R327.1.3 Application.

New buildings located in any Fire Hazard Severity Zone or any Wildland-Urban Interface Fire Area designated by the enforcing agency constructed after the application date shall comply with the provisions of this chapter.

Exceptions:

1. Buildings of an accessory character classified as a Group U occupancy and not exceeding 120 square feet in floor area, when located at least 30 feet from property lines or an applicable building.
2. Buildings of an accessory character classified as Group U occupancy less than 1000 square feet in floor area located at least 50 feet from property lines or an applicable building, **as determined by the fire official.**
3. Buildings less than 3000 square feet in floor area classified as a Group U Agricultural Building, as defined in Section 202 of this code (also see Appendix C – Group U Agricultural Buildings), when located at least 50 feet from an applicable building, **as determined by the fire official.**
- ~~4. Additions to and remodels of buildings originally constructed prior to the application date.~~

(14) Section R327.1.3.1 is amended to add the following exceptions:

- ~~3. Additions to and remodels of buildings located in any Fire Hazard Severity Zone within State Responsibility Areas, for which an application for a building permit is required, shall comply with all sections of this chapter, limited to the added or remodeled areas only.~~
- ~~4. No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this chapter. Subject to the approval of the fire code official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all the requirements of this chapter provided the new or proposed use is less hazardous, based on life and fire risk than the existing use.~~

(15) Section R327.7.3.2 is added to the California Residential Code as follows:

R327.7.3.2 Replacement of Exterior Wall Covering.

Materials for replacement of existing exterior wall covering shall meet or exceed the standards set forth in this chapter.

Exception: Where less than 50% of any wall surface is being replaced or repaired and the matching of the new plane to the existing plane on that wall is not possible.

(16) Section R327.11 is added to the California Residential Code as follows:

R327.11 Setbacks For Structure Defensible Space

See California Fire Code as amended, Chapter 49, Section 4905.4 “Building Setbacks”, Table 4905.4(a) and Table 4905.4(b), as set forth in Sonoma County Code Chapter 13.

(F) The ~~2010~~2013 California Green Building Standards Code Chapters 1-9 and Appendix A4 (Tier 1) and Appendix A5 (Tier 1) **for new construction only, excepting A4.2 and A5.2 respectively**, are adopted as mandatory provisions and incorporated herein by reference.

(G) ~~2010-2013~~California Energy Code is adopted and incorporated by reference.

(H) ~~2010-2013~~California Historical Building Code is adopted and incorporated by reference.

(I) ~~2010-2013~~California Referenced Standards Code is adopted and incorporated by reference.

(J) ~~2010-2013~~California Administrative Code is adopted and incorporated by reference.

(K) The ~~2009~~40 California Existing Building Code Chapter 1, Section 101.5.4 and Chapter 15 is adopted and incorporated herein by reference

(e) Section 7-14.5, Stream setback for structures requiring a building permit, is revised to read:

Sec. 7-14.5. - Stream setback for structures requiring a building permit.

All **new or relocated** structures requiring a building permit or an agricultural exemption shall be set back from streams, as measured from the toe of the stream bank outward, - a distance of 2.5 times the height of the stream bank plus thirty (30) feet, or thirty (30) feet outward from the top of the stream bank, whichever distance is greater, unless a greater distance is established in the general plan, local coastal program, and/or zoning code. If the top of the stream bank cannot be determined by visual analysis, it shall be determined by hydraulic analysis as the water surface elevation for the 100 year event plus 1.5 feet. Stream bank height is the change in elevation from the top of bank and the lowest toe of bank.

(a) **An exception to the entire set back restriction may be allowed for (i) projects sponsored by a public agency or resource conservation district where there is a clear benefit to the community or environment; and (ii) projects related to elevating existing structures per federal flood regulations which maintain the existing building footprint.**

(b) **Exceptions.** An exception to the 30 feet portion may be approved by the chief building official if one or more of the following criteria apply:

- (1) Constructability. The stream setback ~~in~~ makes the lot unbuildable for the primary use of the base planning district.
 - (2) Minor Expansion. The proposed development involves a **one-time** minor expansion of an existing structure. **The footprint of a** minor expansion shall not exceed 25% of the existing structure by area, and shall not expand in a direction toward, or closer to, any stream.
 - ~~(2)~~(3) **Vertical Expansion. The proposed development involves expansion in the vertical direction with the expansion of a second story that is within the existing building footprint and does not exceed zoning requirements for overall height restrictions.**
 - ~~(3)~~(4) Existing Structures. The proposed development involves only the maintenance or ~~restoration~~**remodeling** of an existing structure or a non-structural use. **The rebuild of an existing structure is allowed as long as it is within the existing building footprint, or such that the rebuilt structure is not an expansion of the existing structure and it is constructed further away from the creek.**
 - ~~(4)~~ Stream bank restoration or stabilization. The proposed development involves the restoration or stabilization of a stream bank.
- (c) ~~Exception provisions.~~ An exception may be approved by the ~~chief B~~**building O**fficial if the following provisions are met:
- (1) Minimize disturbance. The removal of the natural vegetation is minimized or compensated by planting of natural vegetation within the setback.
 - (2) Riparian function. The applicant demonstrates that the encroachment into the setback area will be accomplished with a minimum damage to the riparian functions and no reasonable alternative exists.
 - (3) Soils report. The applicant submits a soils report that is acceptable to the ~~chief B~~**building O**fficial. The soils report shall address the soil stability relative to the foundation of the proposed development and relative to the potential destabilizing effect the stream may or may not have on the proposed development.

(g) Section 7-19, Definitions, is revised to read:

Sec. 7-19. - Definitions.

Whenever any of the following names or terms are used herein or in any codes adopted by reference by this chapter, unless the context directs otherwise, such names or terms so used shall have the meaning ascribed thereto by this section as follows:

- (a) "Building official," "chief building official," "chief electrical inspector," "administrative authority," and similar references to a chief administrative position shall mean the director of the permit and resource management department of the county or his or her designee; provided, however, that where such terms are used in conjunction with those duties imposed upon the public health officer, the terms shall mean the public health officer of the county.
- (b) The "building division," "electrical division," or "plumbing division" shall mean the permit and resource management department of the county.
- (c) "City" shall mean the county when referring to a political entity, or an unincorporated area of the county.
- (d) "City clerk" means "county clerk" and/or "clerk of the board of supervisors."
- (e) "City council" or "mayor" means the board of supervisors.
- (f) "Board of appeals" shall mean the local appeals board and housing appeals board provided for in Section 7-3.
- (g) "California Building Code" or "~~2010~~2013 California Building Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 2, ~~2010~~2013 California Building Code, which incorporates by adoption the ~~2009~~2012 International Building Code, published by the International Code Council, with necessary California amendments.
- (h) "California Building Standards Administrative Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 1, ~~2010~~2013 California Building Standards Administrative Code, which incorporate by adoption the ~~2010~~2013 edition of the California Administrative Code published by the International Code Council.
- (i) "California Electrical Code" or "~~2010~~2013 California Electrical Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 3, California Electrical Code, which incorporate by adoption the ~~2008~~2011 edition of the National Electric Code, with necessary California amendments.
- (j) "California Energy Code" or "~~2010~~2013 California Energy Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 6, ~~2010~~2013 California Energy Code.
- (k) "California Fire Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 9, ~~2010~~2013 California Fire Code, which incorporate by adoption the edition of the International Fire Code, with necessary California amendments.
- (l) "California Historical Building Code" or "~~2010~~2013 California Historical Building Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 8, ~~2010~~2013 California Historical Building Code.

(m) "California Mechanical Code" or "~~2010~~2013 California Mechanical Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 4, ~~2010-2013~~ California Mechanical Code, which incorporate by adoption the ~~2009~~2012 edition of the Uniform Mechanical Code published by International Association of Plumbing and Mechanical Officials, with necessary California amendments.

(n) "California Plumbing Code" or "~~2010~~2013 California Plumbing Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 5, ~~2010-2013~~ California Plumbing Code, which incorporate by adoption the ~~2006~~2012 edition of the Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials, with necessary California amendments.

(o) "California Referenced Standards Code" or "~~2010~~2013 California Referenced Standards Code" means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 12, ~~2010-2013~~ California Referenced Standards Code.

(p) "California Residential Code" or "~~2010-2013~~ California Residential Code", means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 2.5 California Residential Code, which incorporate by the ~~2009~~2012 International Residential Code, with necessary California amendments.

(q) "California Green Building Standards Code" or ~~2010~~2013 California Green Building Standards Code", means the regulations adopted by the California Building Standards Commission in California Code of Regulations, Title 24, Part 11, ~~2010-2013~~ California Green Building Standards Code.

(r) "Local coastal program" means the Sonoma County local coastal program.

(s) "General plan" means the Sonoma County general plan.

(t) "Stream" means any natural channel with bed and banks containing flowing water or showing evidence of having contained flowing water (e.g., deposit of rock, sand, gravel, or soil).

(u) "Zoning Code" means Chapters 26 and 26C of this code.

SECTION II. Chapter 7D2 of the Sonoma County Code is hereby amended as follows:

(a) Section 7D2-6, General Compliance Requirements, is revised to read:

7D2-6 General Compliance Requirements.

In addition to the requirements of the ~~2008~~2013 Building Energy Efficiency Standards, the following general compliance requirements shall apply to all permit applications subject to this chapter:

(A) Residential Buildings. When an application for a building permit involves a new residential building, the ~~performance approach specified in Section 151 of the 2008 Building Energy Efficiency Standards must be used to demonstrate that~~ the TDV Energy of the proposed building ~~is less than the TDV Energy of the standard building per-~~ meets

the requirements of the ~~2010~~2013 California Green Building Standards Code as amended and adopted by Chapter 7, Sonoma County Code.

(B) Documentation. In order to demonstrate compliance with the requirements of this Section, a permit applicant may be required to submit supplementary forms and documentation in addition to the building drawings, specifications, and standard Title 24 report forms, as deemed appropriate by the County's building official.

SECTION III. Findings

Pursuant to Health and Safety Code sections 13143.5 and 17958.7, the Board of Supervisors expressly finds that this ordinance and the changes or modifications made herein to the ~~2010~~2013 edition of the California Building Code including the amendment to the existing fire protection sprinkler and fire safe roofing standards, and the minimum fire safe standards for development within the unincorporated area of the county are reasonably necessary because of local climatic, geological, and topographical conditions. The Board of Supervisors further finds in connection therewith as follows:

1. Climatic Conditions. Sonoma County has unique climatic conditions. The County is subject to year-round coastal winds. Average yearly rainfall for the County is approximately 30 inches. This rainfall generally occurs during October to April. During the summer months (July, August, September), the prevalent Pacific High Cell creates early morning fog, which assists the natural vegetation in growth. During the summer months, dry winds and vegetation mix to create a hazardous fuel condition. This condition causes grassland and brushland fires each year. While normal temperatures do not exceed 85-90 degrees during the summer months, temperatures can exceed 110 degrees in parts of the County. Particularly during times of high temperatures and low humidity, a fire can move quickly through the County.

Several years of drought conditions have previously occurred in the County, thus reducing available water. Groundwater as well as surface supplies have been affected. This condition has created a situation where lowered water tables, water contamination and increased demand on water systems due to population growth have all negatively impacted water availability for fire protection. These impacts degrade the quality of fire protection and fire suppression activities.

2. Geological Conditions. Sonoma County has geological and geographic characteristics which have scenic appeal for residents and visitors. The County is situated in a primarily rural setting with a rugged coastline forming its western boundary and mountainous areas forming its northern and eastern boundaries. Forested areas and grasslands are located throughout the County. These features create barriers to accessibility for emergency fire equipment and personnel.

The forested areas in the County also contribute to potential fire hazards, particularly when decayed trees, branches, needles and leaves drop to the ground. The dry vegetation and low water availability also cause problems for emergency fire

equipment and personnel. The grassland areas in the County also are troublesome. These areas are easily ignitable, and create a potential for major conflagrations.

Further compounding the potential fire hazards, the County has active seismic faults within its boundaries (including the San Andreas Fault). Large portions of the County are within the Alquist-Priolo Special Study Zones. While systems have been developed to study and monitor the activity of earthquakes, science has not yet been able to reliably predict fault activity. New construction may be limited by their respective distances to faults, however, existing structures and replacement of those structures could present a serious problem.

Moreover, the mixture of developed and undeveloped areas within the County creates hazardous conditions when fallen trees, landslides or flooding block access by emergency fire equipment and personnel.

3. Topographical Conditions. The sources of water within the County are directly affected by its topographical layout. The water sources consist of on-site water storage tanks, lakes, pools, wells, mutual water systems and the Sonoma County Water Agency distribution network. Water supplies within the County vary from less than ten (10) gallons per minute to flows in excess of four thousand (4000) gallons per minute. This wide variation causes major problems to fire suppression forces. The roadway system through most of the County is designed around the topographical lay of the land and consists in many cases of narrow, winding roads, steep grades and overhanging tree branches. The grades on roadway surfaces sometimes exceed twenty-five (25) percent, and widths of less than twelve (12) feet are not uncommon.

The topographical conditions also make construction more restricted to the level and semi-level portions of the County. The high concentration of commercial, industrial and residential structures in these areas has the potential to become a significant fire hazard. Further compounding the risk, these structures frequently are constructed of wood for economical and practical reasons. Consequently, there is a substantial risk of conflagration due to the high build out of certain areas in the County.

The topographical nature of the County also lends itself to power failures caused when fallen trees and limbs tear out sections of electrical transmission lines which run throughout the County. These power failures cause electrical pumps to become inactive, and thus, water supplies are interrupted. Vehicular accidents also have been known to interrupt this pumping operation. Narrow roads and heavy congestion increase the risk of vehicular accidents that cause such interruptions.

4. The preceding findings identify the local climatic, geological and topographical conditions which this Board has considered in adopting this ordinance. The Board finds that these conditions make the modifications as set forth herein reasonably necessary as such modifications will assist in mitigating the local climatic, geological and topographical conditions. These findings are intended to support each of the amendments to the building standards made as part of this ordinance based on local conditions.

5. Additional findings as to building standards and administrative changes.

(a) Agricultural building exemption permit- Sonoma County includes many acres of rural, agricultural property. Crops are grown and livestock raised throughout the County, and the preservation of agricultural land, farming, and the right to farm is an important goal of County government. Exemption from building permit requirements saves farmers the unnecessary cost of building permits and the inevitable delays in the construction process which are caused by permits and inspections, and helps to preserve the tradition of family farms, dairies, vineyards, and stables. Agricultural buildings are still required to conform to building standards notwithstanding this administrative exemption.

(b) Floating home standards - Sonoma county is bordered on the south by a region of San Francisco Bay characterized by marshes and mud flats. This area would be an ideal location for low cost housing. In the event that permanent or semi-permanent houseboats are proposed in this area as low cost housing that meet the appropriate environmental regulations, it is important to have building standards in place for such structures. The model codes do not specifically address floating homes.

(c) 10 foot fence permit exemption. Sonoma County is overpopulated with deer due to lack of predators. Deer not only destroy farm crops, but individual gardens and landscaping. A 6 foot fence will not keep deer from entering property, but a 10 foot fence forms a more effective barrier.

(d) Grading . Sonoma County has many areas with unstable soil conditions, including expansive and liquefiable soils. It is prone to long periods of dry weather which shrinks expansive soils, and heavy downpours, which promote landslides. In addition it is in an extremely active seismic area. These conditions not only make for unstable land under proposed structures, but cause pollution into streams and rivers when soil is disturbed. Special grading regulations are needed under these conditions.

(e) Septic requirements and plumbing code modifications. Sonoma county is unique in having many heavily developed areas where hilly and mountainous forested terrain, narrow winding roads, and existing watershed conditions have made the installation of sewer systems difficult. For this reason, most of these areas rely on septic systems, and there is the constant threat of pollution of rivers, streams, and the groundwater from human waste. (More than 85% of the developed parcels are served by septic systems.) These regulations are in place to insure that where human waste is discharged and no sewer is available, that it will be discharged into a properly functioning septic system.

(f) Green Building

(1) The design, construction, and maintenance of buildings and structures within the county can have a significant impact on the county's environmental sustainability, resource usage, energy efficiency, waste management, and the health and productivity of residents, workers, and visitors.

(2) Green building design, construction, and operation can have a significant, positive effect on resource conservation, energy efficiency, waste and pollution generation, and the health and productivity of a building's occupants over the life of the building.

(3) Green building benefits are spread throughout the systems and features of the building. Green buildings can include, among other things, the use of certified sustainable wood products; extensive use of high recycled content products; recycling of waste that occurs during deconstruction, demolition, and construction; orientation and design of a building to reduce the demand on the heating, ventilating, and air conditioning systems; the use of heating, ventilating, and air conditioning systems that provide energy efficiency and improved indoor air quality. selection and use of construction materials that do not emit chemicals that are toxic or irritating to building occupants; the use of water conserving methods and equipment; and installation of alternative energy methods for supplemental energy production.

(4) Requiring commercial and residential projects to incorporate green building measures is necessary and appropriate to achieve the public health and welfare benefits of green building.

SECTION IV. Except as added, revised, amended or deleted herein, the remaining provisions of Chapters 7, 7D1 and 7D2 as previously adopted shall remain in full force and effect.

SECTION V. The Building Official is directed to file a copy of this Ordinance with the California Building Standards Commission of the State of California.

SECTION VI. The provisions of this Code shall not be construed as imposing upon the County of Sonoma any liability or responsibility for damages to persons or property resulting from defective work, nor shall the County of Sonoma, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this Code of any permits or certifications issued under this Code.

SECTION VII: The Board of Supervisors finds and determines that this ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the State CEQA Guidelines as it can be seen with certainty that there is no possibility that this ordinance may have a significant effect on the environment. This finding and determination is based on the environmental determination of the Permit and Resource Management Department for this ordinance. The Director of Permit and Resource Management Department is directed to file a notice of exemption in accordance with CEQA and the State CEQA Guidelines.

SECTION VIII. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence,

clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION IX. This ordinance shall take effect on January 1, ~~2011~~2014, after its adoption and pursuant to Ordinance No. _____, published in summary format prior to adoption and within fifteen (15) days after its adoption, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation published and circulated in the County of Sonoma.

In regular session of the Board of Supervisors of the County of Sonoma introduced on the 19th day of October, ~~2010~~2013, and finally passed and adopted this 2nd day of November, ~~2010~~2013, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

GORIN____ ZANE ____ MCGUIRE____ CARRILLO____ RABBITT_____

AYES____ NOES____ ABSENT____ ABSTAIN____ SUPERVISORS:

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors

ATTEST:

Michelle Arellano, Chief Deputy Clerk
of the Board of Supervisors

Summary Of Ordinance No.

An Ordinance of the Board of Supervisors, County of Sonoma, State of California, Amending Chapters 7 (Building Regulations), and 7D2 (Local Energy Efficiency Standards), of the Sonoma County Code, and Adopting by Reference with Local Amendments, Selected Provisions, Chapters and Appendices of Title 24 the California Code Of Regulations , 2013 Editions Of The California Building Standards Code, Including: (1) The California Building Code Volumes 1 and 2; (2) The California Residential Building Code; (3) The California Green Building Standards Code; (4) The California Mechanical Code; (5) The California Plumbing Code; (6) The California Electrical Code; (7) The California Energy Code, (8) The California Referenced Standards Code, and (9) The California Administrative Code; and Adopting Local Findings; and Making Other Technical and Administrative Revisions to Chapters 7, and 7D2.

On October 22, 2013, the Board of Supervisors of the County of Sonoma directed the setting and on November 5, 2013, the Board of Supervisors held a public hearing after which it adopted an ordinance entitled, “An Ordinance of the Board of Supervisors, County of Sonoma, State of California, Amending Chapters 7 (Building Regulations), and 7D2 (Local Energy Efficiency Standards), of the Sonoma County Code, and Adopting by Reference with Local Amendments, Selected Provisions, Chapters and Appendices of Title 24 of the California Code Of Regulations, 2013 Editions Of The California Building Standards Code, Including: (1) The California Building Code Volumes 1 and 2; (2) The California Residential Building Code; (3) The California Green Building Standards Code; (4) The California Mechanical Code; (5) The California Plumbing Code; (6) The California Electrical Code; (7) The California Energy Code, (8) The California Referenced Standards Code, and (9) The California Administrative Code; and Adopting Local Findings; and Making Other Technical and Administrative Revisions to Chapters 7, and 7D2.

The Ordinance makes the following changes to Chapter 7 of the Sonoma County Code:

1. It amends Chapter 7, Section 7-13, to adopt by reference with local amendments the 2013 Editions of The California Building Standards Code, including: (1) The California Building Code Volumes 1 and 2; (2) The California Residential Code; (3) The California Green Building Standards Code; (4) The California Mechanical Code; (5) The California Plumbing Code; (6) The California Electrical Code; (7) The California Energy Code; (8) The California Referenced Standards Code, and (9) The California Administrative Code.

2. It revises other Sections of Chapter 7, Building Regulations, to make technical and administrative updates to the Sonoma County Code, including 7-5, Building permit required, 7-9, Refunds, 7-12, Building permits in water scarce areas and second dwelling units in

marginal water areas; 7-14.5, Stream setback for structures requiring a building permit, 7-18, Local conditions, 7-19, Definitions.

3. It revises Sections of Chapter 7D2, Local Energy Efficiency Standards, to make technical and administrative updates to the Sonoma County Code.

4. It finds pursuant to Health and Safety Code sections 17958.7, 18941.5 and 13143.5 that the changes or modifications made therein are reasonably necessary because of local climatic, geological and topographical conditions. The ordinance adopts findings in connection with the local amendments.

Copies of the ordinance, which shall become effective on **January 1, 2014**, are available for public inspection during regular business hours in the office of the Clerk of the Board of Supervisors, 575 Administration Drive, Room 100A, Santa Rosa, California, as are copies of the 2013 Editions of The California Building Standards Code, including: (1) The California Building Code Volumes 1 and 2; (2) The California Residential Code; (3) The California Green Building Standards Code; (4) The California Mechanical Code; (5) The California Plumbing Code; (6) The California Electrical Code; (7) The California Energy Code; (8) The California Referenced Standards Code; and (9) The California Administrative Code.

SUPERVISORS:

GORIN_____ ZANE _____ MCGUIRE_____CARRILLO_____RABBITT_____

AYES_____NOES_____ABSENT_____ABSTAIN_____SUPERVISORS:

Michelle Arellano, Clerk of the Board of Supervisors

**Summary Of
Ordinance No.**

An Ordinance of the Board of Supervisors, County of Sonoma, State of California, Amending Chapters 7 (Building Regulations), and 7D2 (Local Energy Efficiency Standards) of the Sonoma County Code, and Adopting by Reference with Local Amendments, Selected Provisions, Chapters and Appendices of Title 24 of the California Code Of Regulations, 2013 Editions Of The California Building Standards Code, Including: (1) The California Building Code Volumes 1 and 2; (2) The California Residential Building Code; (3) The California Green Building Standards Code; (4) The California Mechanical Code; (5) The California Plumbing Code; (6) The California Electrical Code; (7) The California Energy Code, (8) The California Referenced Standards Code, and (9) The California Administrative Code; and Adopting Local Findings; and Making Other Technical and Administrative Revisions to Chapters 7, and 7D2.

On October 22, 2013, the Board of Supervisors of the County of Sonoma introduced, waived reading and directed the Clerk of the Board of Supervisors to set a public hearing for November 5, 2013 at 10:00 a.m. to consider the adoption of a proposed ordinance entitled, "An Ordinance of the Board of Supervisors, County of Sonoma, State of California, Amending Chapters 7 (Building Regulations), and 7D2 (Local Energy Efficiency Standards), of the Sonoma County Code, and Adopting by Reference with Local Amendments, Selected Provisions, Chapters and Appendices of Title 24 the California Code Of Regulations, 2013 Editions Of The California Building Standards Code, Including: (1) The California Building Code Volumes 1 and 2; (2) The California Residential Building Code; (3) The California Green Building Standards Code; (4) The California Mechanical Code; (5) The California Plumbing Code; (6) The California Electrical Code; (7) The California Energy Code, (8) The California Referenced Standards Code, and (9) The California Administrative Code; and Adopting Local Findings; and Making Other Technical and Administrative Revisions to Chapters 7, and 7D2." The Board of Supervisors will conduct the public hearing at 10:00 a.m. on Tuesday, November 5, 2013, to consider the ordinance. The public hearing will be held in the Board of Supervisors Chambers, Sonoma County Administration Building, 575 Administration Drive, Room 102A, Santa Rosa, California.

The Ordinance makes the following changes to Chapter 7 of the Sonoma County Code:

1. It amends Chapter 7, Section 7-13, to adopt by reference with local amendments the 2013 Editions of The California Building Standards Code, including: (1) The California Building Code Volumes 1 and 2; (2) The California Residential Code; (3) The California Green Building Standards Code; (4) The California Mechanical Code; (5) The California Plumbing Code; (6) The California Electrical Code; (7) The California Energy Code; (8) The California Referenced Standards Code, and (9) The California Administrative Code.

2. It revises other Sections of Chapter 7, Building Regulations, to make technical and administrative updates to the Sonoma County Code, including Sections 7-5, Building permit required, 7-9, Refunds, 7-12, Building permits in water scarce areas and second dwelling units in marginal water areas; 7-14.5, Stream setback for structures requiring a building permit, 7-18, Local conditions, 7-19, Definitions

3. It revises Sections of Chapter 7D2, Local Energy Efficiency Standards, to make technical and administrative updates to the Sonoma County Code.

4. It finds pursuant to Health and Safety Code sections 17958.7, 18941.5 and 13143.5 that the changes or modifications made therein are reasonably necessary because of local climatic, geological and topographical conditions. The ordinance adopts findings in connection with the local amendments.

Copies of the proposed ordinance, are available for public inspection during regular business hours in the office of the Clerk of the Board of Supervisors, 575 Administration Drive, Room 100A, Santa Rosa, California, as are copies of the 2013 Editions of The California Building Standards Code, including: (1) The California Building Code Volumes 1 and 2; (2) The California Residential Code; (3) The California Green Building Standards Code; (4) The California Mechanical Code; (5) The California Plumbing Code; (6) The California Electrical Code; (7) The California Energy Code; (8) The California Referenced Standards Code; and (9) The California Administrative Code.

Michelle Arellano, Clerk of the Board of Supervisors



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: October 22, 2013

Vote Requirement: Majority

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

Staff Name and Phone Number:

Susan Klassen 707-565-2331

Supervisorial District(s):

Fourth District

Title: Agreement with East Austin LLC

Recommended Actions:

Authorize the Director of Transportation and Public Works to execute an agreement with East Austin LLC, totaling \$360,038.25 and any other documents required for purchase of conservation credit for mitigation related to Charles M. Schulz – Sonoma County Airport Runway Safety Improvement Project.

Executive Summary:

The Department of Transportation and Public Works Airport Division requests the Board to authorize the Director of Transportation and Public Works to execute an agreement with East Austin LLC, in the amount of \$360,038.25 and any other documents required for riverine and riparian habitat mitigation to fulfill a portion of the mitigation requirements for the Charles M. Schulz – Sonoma County Airport Runway Safety Improvement Project.

The County is obligated to mitigate for the loss of 1,506 linear feet of stream and riparian woodland habitat along Airport Creek to compensate for the impacts of the Runway Safety Improvement Project (Project). Under state wetland permits, this mitigation requirement will be met by enhancing, restoring and re-establishing stream and riparian habitat at an on-site location (along the 617 linear foot re-located portion of Airport Creek) and at other off-site locations, such as the East Austin LLC's Devil Creek Mitigation Site. The wetlands mitigation provided for in this agreement will meet the conditions required by the California Department of Fish and Wildlife Section 1602 Streambed Alteration Permit, and the North Coast Regional Water Quality Control Board's Section 401 Water Quality Certification Permit. This mitigation provides 1,119 linear feet of restored riverine/riparian habitat consisting of restored riverine (stream), restored riparian (stream and upland), adjacent preserved upland and upland watershed habitats.

For the Project's mitigation needs as whole, the Airport conducted a request for proposals in February 2012 to provide mitigation credits or mitigation acreage for wetlands, endangered plants, and CTS impacts associated with the Project. 11 proposals were received covering 16 mitigation sites, turn-key

sites and other potential mitigation sites. The selection of mitigation proposals was based on cost as well as issues raised by the permitting agencies with respect to the appropriateness of certain sites.

This agreement accounts for only a portion of the mitigation requirements associated with the Project. The mitigation ratios are subject to change during the permitting process with the resource agencies. The estimated cost for all mitigation requirements is approximately \$21,800,000.

Prior Board Actions:

9/10/13: Board approved four Agreements and two Amendments for purchase of conservation acreage and approved three Grant Anticipation Notes, all related to the Runway Safety Project; 12/11/12: Board approved two Agreements for purchase of conservation acreage; 10/23/12: Board approved the third amendment for RS&H; 10/23/12 Board approved the second amendment for Mead and Hunt; 3/27/12 Board approved Airport Development Loan; 1/24/12 Board approved Airport Development Loan; 1/24/12 Board approved amendment number one with Mead and Hunt: 1/24/12 Board certified the Final Environmental Impact Report, amended the General Plan and adopted the Airport Master Plan.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

This agreement supports the County’s Strategic Plan focus area of Economic and Environmental Stewardship.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 360,038.25		\$
Add Appropriations Req'd.	\$	State/Federal	\$ 324,034.00
	\$	Fees/Other	\$ 36,004.25
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 360,038.25	Total Sources	\$ 360,038.25

Narrative Explanation of Fiscal Impacts (If Required):

Funds are budget within the Airport Enterprise FY 13-14 Budget. The Airport has received a Federal Aviation Administration grant award for 90% of the funding for the mitigations. Airport operating revenues will be used as the local match to the federal grant.

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):
None.
Attachments:
None
Related Items "On File" with the Clerk of the Board:
Agreement with East Austin LLC



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: October 22, 2013

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisorial District(s):

Board of Supervisors (707) 565-2241

Title: Minutes of October 8, 2013

Recommended Actions:

Approval.

Executive Summary:

Approval of Minutes of the Meeting of October 8, 2013 for the following: Agricultural Preservation and Open Space District, Community Development Commission, Northern Sonoma County Air Pollution Control District, Sonoma County Water Agency, and Board of Supervisors

Prior Board Actions:

None.

Strategic Plan Alignment Not Applicable

Fiscal Summary - FY 13-14

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

Narrative Explanation of Fiscal Impacts (If Required):			
N/A			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
None			
Attachments:			
Minutes			
Related Items "On File" with the Clerk of the Board:			
None			

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

TUESDAY

OCTOBER 8, 2013

8:30 A.M.

Susan Gorin	First District	Veronica A. Ferguson	County Administrator
David Rabbitt	Second District	Bruce Goldstein	County Counsel
Shirlee Zane	Third District		
Mike McGuire	Fourth District		
Efren Carrillo	Fifth District		

This is a simultaneous meeting of the Board of Supervisors of Sonoma County, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District, the Board of Directors of the Northern Sonoma County Air Pollution Control District, and as the governing board of all special districts having business on the agenda to be heard this date.

The Board welcomes you to attend its meetings which are regularly scheduled each Tuesday at 8:30 a.m. Your interest is encouraged and appreciated.

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, 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. Closed session items may be added prior to the Board adjourning to closed session. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the subject under discussion. Each person is usually granted 3 minutes to speak; time limitations are at the discretion of the Chair.

8:32 A.M. CALL TO ORDER

8:32 A.M. Chairman Rabbitt called the meeting to order.

Supervisors Present: Susan Gorin, David Rabbitt, Shirlee Zane, Mike McGuire; Efren Carrillo

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

Chairman Rabbitt presiding.

PLEDGE OF ALLEGIANCE

I. APPROVAL OF THE AGENDA (Items may be added or withdrawn from the agenda consistent with State law)

Chairman Rabbitt announced that Closed Session item #33 had been withdrawn from the agenda and that he had received a request from Supervisor Carrillo to pull Consent item #8 for discussion.

II. BOARD MEMBER ANNOUNCEMENTS

Supervisor Carrillo announced that he had reviewed proposals for the Department of Fish and Wildlife Fishery Restoration grant program and attended the North Coast Resource Partnership conference.

Supervisor Gorin announced that she attended a human trafficking forum sponsored by the Commission on Human Rights and will attend a Road Summit in the city of Sonoma and a Town Hall meeting in Boyes Hot Springs. She made a request to have an item come before the Board regarding the Sonoma Developmental Center and have the Chair send a letter in support of keeping the Sonoma Developmental Center open to the Task Force for State Developmental Centers. A position of the use of the land will also be included in the County's Legislative Platform. The Board agreed to the request.

Supervisor Zane reported that she had participated on a White House conference call with the President and Health and Human Secretary Kathleen Sebelius to discuss the launch of the health insurance market place and the Affordable Health Care Act. She attended the California Commission on Aging Elder Justice Institute Symposium; the Sonoma County Water Agency Emergency Preparedness Training; the Sonoma Clean Power Authority Board and Ad hoc Committee meetings; and the Grand Fondo event. She shared a few words regarding the late Jesse Love.

Supervisor McGuire announced that he will be attending the Mayors and Council members Association meeting to discuss the draft amended Joint Powers Authority Agreement for the Sonoma County Library. He mentioned that representatives from Cloverdale, Windsor, Healdsburg and the Sonoma County Fourth District office sent a formal letter to CalTrans District 4 regarding the dire road conditions between Geyserville and Windsor; notified the

BOARD ANNOUNCEMENTS (Continued)

Board about forthcoming recommendations from the Sonoma County Transportation Authority Tree Ad hoc Committee; and announced that he will be attending a Roads Ad hoc meeting in a week.

Chairman Rabbitt announced that he attended a Sonoma County Employees Retirement Association two day planning session; chaired the Golden Gate Bridge Highway Transportation District Building and Operating Committee meeting; attended the Polly Klass commemoration ceremony; attended the human trafficking forum sponsored by the Commission on Human Rights; the Groundbreaking for a New Home for Habitat event; and the Building Economic Success Together Board of Directors meeting.

III. CONSENT CALENDAR

(Items 1 through 24)

PRESENTATIONS/GOLD RESOLUTIONS

(Items 1 through 7)

PRESENTATIONS AT BOARD MEETING

1. Adopt a Gold Resolution recognizing October 2013 as National Disability Employment Awareness Month. (Third District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

Approved by Resolution No. 13-0387

2. Adopt a Gold Resolution recognizing October 6 through 12, 2013 as Mental Illness Awareness Week in Sonoma County. (Third District/Health Services)

Board Action: Approved as Recommended
UNANIMOUS VOTE

Approved by Resolution No. 13-0388

3. Adopt a Gold Resolution proclaiming October 6 through 12, 2013 as Fire Prevention "Prevent Kitchen Fires" Week for Sonoma County. (Fire and Emergency Services)

Board Action: Approved as Recommended
UNANIMOUS VOTE

Approved by Resolution No. 13-0389

PRESENTATIONS AT DIFFERENT DATE

4. Adopt a Gold Resolution commemorating the 500th Anniversary of Vasco Nuñez de Balboa naming the Pacific Ocean, and recognizing the Organizing Committee Worldwide of Golden State History for the learning initiative of Pacific geography, trade and history. (First District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

Approved by Resolution No. 13-0390

CONSENT CALENDAR (Continued)

5. Adopt a Gold Resolution honoring and commending Sue Sloat for her many years of dedicated public service to the Mark West Union School District. (Fourth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0391

6. Adopt a Gold Resolution recognizing October 1 through October 21, 2013 as Binational Health Week in Sonoma County. (Health Services)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0392

7. Adopt a Gold Resolution honoring and acknowledging the American Veterans Traveling Tribute, a Replica of the Vietnam Veterans Memorial Wall. (Second District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0393

AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

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

8. Adopt a Resolution of the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District accepting a Deed and Agreement conveying an Open Space Easement and assigning development rights on property owned by the Paul Hobbs Trust, dba Hillick Ranch, and authorizing the President to execute, on behalf of the District, the Deed and Agreement and a Certificate of Acceptance pursuant to Government Code Section 27281. (Fifth District)

Supervisor Carrillo pulled item #8 for discussion on the Consent Calendar.

Speakers:

Bill Keene, General Manager, Agricultural Preservation and Open Space District

David Hurst, Deputy County Counsel

Kimberly Burr

John Holdredge

John Roberts

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0394

CONSENT CALENDAR (Continued)

COMMUNITY DEVELOPMENT COMMISSION

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

AND

BOARD OF SUPERVISORS

9. Fiscal Year 2014-15 Community Development Block Grant, HOME Investment Partnerships, Emergency Solutions Grants, and Community Services Funding Policies and Projects -
 - (A) Board of Supervisors and Board of Commissioners: Approve the Fiscal Year 2014-15 Funding Policies: Federal Community Development Block Grant, HOME and Emergency Solutions Grant Funding Programs and Community Services Funding Program.
 - (B) Board of Supervisors: Authorize submittal of Community Development Block Grant (CDBG) project funding requests to the Sonoma County Community Development Commission (CDC) by the Department of General Services, Regional Parks Department, and the Economic Development Board, and approve submittal of a CDBG project funding request by the Sonoma County Fairgrounds as a County-Owned Public Facilities project, for consideration during the CDC-administered Consolidated Plan funding process.
 - (C) Board of Commissioners: Authorize submittal of a CDBG project funding request by the Sonoma County Community Development Commission for consideration during the Fiscal Year 2014-15 CDC-administered Consolidated Plan funding process.

Speaker:

Elizabeth McCarthy

Board Action: Approved as Recommended
UNANIMOUS VOTE

SONOMA COUNTY WATER AGENCY

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

10. Authorize the General Manager to execute an agreement with the University of Washington for Russian River Estuary Management project invertebrate research and monitoring, to comply with the Russian River Biological Opinion; (\$420,000; agreement terminates on June 30, 2016). (Fifth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

11. Authorize the Chair to execute an agreement with ESA PWA to provide watershed engineering services related to the City Watersheds of Sonoma Valley Project for the amount of \$364,000; agreement terminates on December 31, 2015; and Authorize the

CONSENT CALENDAR (Continued)

Item #11 Continued

General Manager to execute license agreements for Geotechnical and Hydrogeologic Investigations. (First District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR

12. Adopt a Resolution approving the sale Tax-Defaulted Property by Sealed Bid pursuant to Chapter 7 of Part 6 of Division 1 of the California Revenue and Taxation Code.

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0395

BOARD OF SUPERVISORS

13. Disbursement of Fiscal Year 2013-14 Advertising Funds (Fourth District) - Approve Advertising Program grant awards and authorize the County Administrator to execute contracts with the following entities for advertising and promotions activities for Fiscal Year 2013-14: Cloverdale Rotary Club, \$500; Geyserville Chamber of Commerce, \$750; Community Action Partnership, \$500.

Board Action: Approved as Recommended

UNANIMOUS VOTE

COUNTY COUNSEL

14. Adopt a Resolution approving conflict of interest code for Credo High School.

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0396

15. Adopt a Resolution approving conflict of interest code for Schell-Vista Fire Protection District.

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0397

COUNTY COUNSEL / COUNTY ADMINISTRATOR

16. Authorize the Chair to execute an amendment to the existing legal services agreement with Nixon Peabody LLP for legal services related to the litigation entitled Mishewal Wappo Tribe of Alexander Valley v. Ken Salazar, U.S. District Court (N.D. Cal.), Case No. 5:09-cv-02502-JW, to increase the contract amount by \$20,000 for a new total of \$270,000

Board Action: Approved as Recommended

UNANIMOUS VOTE

CONSENT CALENDAR (Continued)

FIRE AND EMERGENCY SERVICES

17. Adopt a Resolution authorizing the Fire and Emergency Services Department Director/Fire Chief to enter into an agreement with the State of California, Department of Forestry and Fire Protection for the loan of Federal Excess Personal Property for the purposes of increasing emergency response capabilities.

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0398

GENERAL SERVICES / HEALTH SERVICES

18. Authorize the Clerk to publish a notice, declaring the Board's intention to execute a lease with 490 Mendocino T.I.C. (Landlord), comprised of approximately 9,605 sq. ft. of office space in Suites 101, 102, 103, at 490 Mendocino Avenue, Santa Rosa, California, for the Department of Health Services for an initial rate of \$1.87 per sq. ft. per month (approximately \$17,961 per month, or \$215,536 per year), which is subject to adjustment as more particularly described in said lease, for an initial five-year term, with three, 3-year extension options.

Board Action: Approved as Recommended

UNANIMOUS VOTE

HEALTH SERVICES

19. Authorize the Director of Health Services to execute the first amendment to an agreement with Ann Hamilton, for technical assistance in implementing an online animal licensing program and implementing process and workflow improvements within the environmental health data management system, increasing the contract by \$24,750 resulting in a new total not to exceed amount of \$49,750, and extending the term from December 31, 2013 to June 30, 2014.

Board Action: Approved as Recommended

UNANIMOUS VOTE

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)

20. Adopt a Concurrent Resolution amending the Salary Resolution No. 95-0926 to reflect the salary reduction for Real Estate Manager; to reflect the re-titling of the classifications of Assistant Auditor/Controller to Assistant Auditor-Controller, Assistant Treasurer to Assistant Treasurer-Tax Collector, and Revenue and Debt Manager to Investment and Debt Officer; and to abolish the classification of Assistant Tax Collector-Auditor, effective

CONSENT CALENDAR (Continued)

Item #20 Continued

October 8, 2013; and adopt a Resolution amending the Department Allocation List for the General Services Department to delete 1.0 Full-Time Equivalent (F.T.E.) Legal Secretary II and to add 1.0 F.T.E. Department Analyst, effective October 8, 2013.

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution Nos. 13-0399, 13-0400

HUMAN SERVICES

21. Authorize the Director of the Human Services Department to execute an amendment to the contract with Community Child Care Council (4Cs) for Workforce Investment Act Child Care Support Services to increase the contract amount by \$92,789, for a new total not to exceed \$117,789 for the term July 1, 2013 through June 30, 2014.

Board Action: Approved as Recommended

UNANIMOUS VOTE

PERMIT AND RESOURCE MANAGEMENT

22. Adopt a Resolution upholding the appeal of the Board of Zoning Adjustments decision to partially deny a request to modify an existing Use Permit thus approving the original request to increase capacity, programs, and hours of operation for the Redwood Gospel Mission, a residential care facility located at 1048 Wild Rose Drive, Santa Rosa; APN 037-021-054 (File No. UPE11-0102). (Fifth District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

Approved by Resolution No. 13-0401

MISCELLANEOUS

23. Approval of Minutes - (A) Minutes of the Meeting of September 17, 2013 for the following: Community Development Commission, Occidental County Sanitation District, Russian River County Sanitation District, South Park County Sanitation District, Sonoma County Water Agency, and Board of Supervisors; and (B) Minutes of the Meeting of September 17, 2013 of the Sonoma Valley County Sanitation District.

Board Action: Approved as Recommended

UNANIMOUS VOTE

APPOINTMENTS/REAPPOINTMENTS

(Item 24)

24. Appoint Marcia Kunde Mickelson to the Fair and Exposition Board to serve at the pleasure of the Board of Supervisors beginning October 9, 2013. (First District)

Board Action: Approved as Recommended

UNANIMOUS VOTE

10:16 A.M. The Board recessed

10:31 A.M. The Board reconvened

IV. REGULAR CALENDAR (Items 25 through 28)

Chairman Rabbitt announced the Board would hear Regular Item #27 first.

HEALTH SERVICES

25. Accept a report on the Community Health Needs Assessment for 2013-2016, a joint project of Sutter Medical Center of Santa Rosa, St. Joseph Health System - Sonoma County, Kaiser Permanente Medical Center - Santa Rosa, and the Department of Health Services.

11:37 A.M.

Present: Jen Lewis, Department of Health Services; Penny Vanderwolk, Sutter Medical Center of Santa Rosa; Jeannie Dulberg, Kaiser Permanente Medical Center, Santa Rosa; Jo Sandersfeld, St. Joseph's Health System – Sonoma County

Board Action: Approved as Recommended
UNANIMOUS VOTE

HUMAN RESOURCES

26. Approve the 2013-2015 Biennial Work Plan for the Commission on the Status of Women.

12:25 P.M.

Present: Daniela Pavone, Chair of the Commission on the Status of Women; Cindy Williams, Commission on the Status of Women; and Linda Hale, Commission on the Status of Women

Board Action: Approved as Recommended
UNANIMOUS VOTE

COUNTY ADMINISTRATOR / FAIRGROUNDS

27. Accept report on the status of temporary employees of the Sonoma County Fair & Exposition, Inc., a non-profit corporation.

10:31 A.M.

Present: Lisa Carreño, Fair Board President; Doug Beretta, Fair Board Past President; Tawny Tesconi, Fair Manager; and Kati Young, Deputy Fair Manager

Speakers:

Stephen Gale
Dorothy Henderson
Lisa Maldonado

Board Action: Approved as Recommended
UNANIMOUS VOTE

REGULAR CALENDAR (Continued)

COUNTY ADMINISTRATOR / FIRE AND EMERGENCY SERVICES/HEALTH SERVICES

28. Receive a presentation on the opening of the Federated Indians of the Graton Rancheria Casino and Authorize the Chair to execute agreements with Sonoma County Central Fire Authority, Rancho Adobe Fire Protection District, City of Rohnert Park, and American Medical Response for the provision of fire and emergency medical services for the period of November 1, 2013 to June 30, 2014.

12:42 P.M.

Present: Chris Thomas, Assistant County Administrative Officer

Speaker:

Tim Aboudara

Board Action: Receive a presentation on the opening of the Federated Indians of the Graton Rancheria Casino; Authorize the Chair to execute agreements with Sonoma County Central Fire Authority, Rancho Adobe Fire Protection District, City of Rohnert Park, and American Medical Response for the provision of fire and emergency medical services for the period of November 1, 2013 to June 30, 2014; and direct staff to return to the Board after the first 30 days of the Casino opening with a fiscal analysis.

UNANIMOUS VOTE

The Chair announced that the Board would reconvene from closed session at 2:15 p.m.

1:14 P.M. The Board recessed to closed session.

V. CLOSED SESSION CALENDAR (Items 29 through 36)

5:24 P.M. Counsel Goldstein reported on Closed Session Items #29-36.

29. The Board of Supervisors will consider the following in closed session: Conference with Real Property Negotiator - Jose Obregon, General Services Department Director, for the lease of County property located at 1350 Bennett Valley Road, Santa Rosa, CA 95404, to the Sonoma County Riding and Driving Club (Govt. Code Section 54956.8).

Item continued.

30. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - Name of Case: Peter Justin Lang v. County of Sonoma. USDC Case No. CV 12-0983 (Govt. Code Section 54956.9(d)(1)).

Direction was given to Counsel and staff.

31. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Anticipated Litigation or Significant Exposure to Litigation - Name of Case: Ronald Lisher (Govt. Code Section 54956.9(d)(2)).

Board Action: Approve the compromise and settlement of the claim filed by Ronald Lisher, in the amount of \$50,000. Direction was also given to Risk Management and County Counsel to execute all documents necessary to effectuate the settlement.

UNANIMOUS VOTE

32. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Anticipated Litigation or Significant Exposure to Litigation (Govt. Code Section 54956.9(d)(2)).

Board Action: Direction was given to Counsel and delegated County Counsel the authority to enter into a legal contract for up to \$75,000 with outside Counsel.

UNANIMOUS VOTE

33. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Anticipated Litigation or Significant Exposure to Litigation (Govt. Code Section 54956.9(d)(2)).

Withdrawn.

34. 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)).

Board Action: Authorized Counsel to initiate administrative dispute procedures.

UNANIMOUS VOTE

CLOSED SESSION (Continued)

35. The Board of Supervisors, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, and the Board of Directors of the Agricultural Preservation and Open Space District will consider the following in closed session: Conference with Labor Negotiator, Agency Negotiators: Wendy Macy/Carol Allen/ Janae Novotny, Burke & Associates, Carol Stevens, Burke & Associates, and Janet Cory Sommer, Burke & Associates. Employee organization: All. Unrepresented employees: All, including retired employees (Govt. Code Section 54957.6 (b)).

Direction was given to labor negotiators.

36. The Board of Supervisors will consider the following in closed session: Public Employee Performance Evaluation - Title: Regional Parks Department Director (Govt. Code Section 54957(b)(1)).

Direction was given to staff and delegation to County Administrator regarding salary adjustments.

VI. REGULAR AFTERNOON CALENDAR (Items 37 through 40)

2:20 P.M. - RECONVENE FROM CLOSED SESSION

Supervisors Present: Susan Gorin, David Rabbitt, Shirlee Zane, Mike McGuire, Efren Carrillo

Present: Veronica Ferguson, County Administrator and Bruce Goldstein, County Counsel

37. Report on Closed Session.

2:20 P.M. Chairman Rabbitt reported that Closed Session on Items #29-36 will reconvene after Item 39.

38. 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.)

2:20 P.M. Public Comment Opened

Karen C. Fraser

Zac Britton on behalf of Neahle "Nell" Madden

Free _____

Bob Williamson

Rachel Lamm

Maureen De Voe

Richard Hannan

Mary Morrison

John Jenkel

Colleen Fernald

2:39 P.M. Supervisor Zane left the meeting

2:51 P.M. Public Comment Closed

39. Permit and Resource Management Department: Review and possible action on the following:
- a) Acts and Determinations of Planning Commission/Board of Zoning Adjustments
 - b) Acts and Determinations of Project Review and Advisory Committee
 - c) Acts and Determinations of Design Review Committee
 - d) Acts and Determinations of Landmarks Commission
 - e) Administrative Determinations of the Director of Permit and Resource Management

2:51 P.M. No Acts and Determinations were acted on or reviewed.

2:52 P.M. The Board recessed to continued Closed Session

REGULAR AFTERNOON CALENDAR (Continued)

5:24 P.M. The Board reconvened from continued Closed Session. Counsel Goldstein reported on Closed Session Items #29-36.

40. ADJOURNMENTS

5:25 P.M. The Board adjourned the meeting in memory of David Benson, Robert Hunter, Vallena Dyson Harris, Joshua Maresca, Jesse Love, and Dale Goode. The meeting was adjourned to October 15, 2013 at 8:30 A.M.

Respectfully submitted,

Michelle Arellano, Chief Deputy Clerk of the Board



County of Sonoma Agenda Item Summary Report

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

Agenda Item Number: 25
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors of Sonoma County

Board Agenda Date: October 22, 2013

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: Emergency Medical Care Council Appointments

Recommended Actions:

Approve the appointment of Dr. Mark Lagrave and Malissa Opulencia to the Sonoma County Emergency Medical Care Council for the term of October 22, 2013 through October 21, 2015.

Approve the appointment of Mike Duvall to the Sonoma County Emergency Medical Care Council for the term of October 22, 2013 until a replacement is appointed by the Board of Supervisors.

Approve the reappointment of Dean Anderson, Bob Norrbom, Randy Lyman, Jim Levy, Phil Garcia, Mark McCormick, and John Marty to the Sonoma County Emergency Medical Care Council for the term of October 22, 2013 through October 21, 2015.

Executive Summary:

This item requests that the Board of Supervisors appoint three new members and reappoint seven existing members to the Emergency Medical Care Council (EMCC).

In accordance with California Health and Safety Code Section 1797.270, each county may establish an emergency medical care committee to review the operations of ambulance services, emergency medical care, and first aid practices in the county. In 1968, the Sonoma County Board of Supervisors created the Emergency Medical Care Council (EMCC) to serve as an advisory committee on emergency medical services for Sonoma County. Bylaws to outline the purpose, membership, structure, and function of the committee were created and approved by the Board in 1990. The EMCC has served in an advisory capacity to the Sonoma County Board of Supervisors and Coastal Valleys Emergency Medical Services (EMS) Agency since that time.

EMCC activities include the following: 1) reviewing all aspects of emergency medical services in Sonoma County, 2) providing system oversight and maintenance, 3) engaging in long-term planning and coordinating public education and injury prevention activities as they relate to emergency medical services, and 4) reporting annually to the Board of Supervisors.

The EMCC consists of 17 voting members, including both consumers and providers of health services.

Nominations of qualified applicants must be submitted to the Board of Supervisors within ninety days for selection and appointment.

The seven consumer members consist of a representative from each of the five supervisorial districts and two at-large representatives. Consumer representatives serve on the EMCC until a replacement is appointed by the Board of Supervisors.

The ten provider members consist of the following: 1) two representatives from hospitals providing basic emergency medical services (one emergency department physician and one emergency department nurse); 2) two representatives from ambulance provider agencies in Sonoma County (one must be from the franchise); 3) one representative from the authorized EMS Dispatch (REDCOM); 4) two representatives from field EMS personnel (at least one of whom must be a currently accredited paramedic); 5) two representatives from first responder agencies; and 6) one representative from a Sonoma County law agency. Provider members of the EMCC serve for two-year terms.

In accordance with the EMCC bylaws, the applicants below are being submitted to the Board of Supervisors for selection and appointment to fill vacant positions. As a consumer representative, the term of this member is effective upon approval and in effect until a replacement is appointed by the Board of Supervisors.

Candidate	Affiliation	Representation
Mike Duvall	N/A	At-Large

In accordance with the EMCC bylaws, the applicants below are being submitted to the Board of Supervisors for selection and appointment to fill vacant positions. As provider representatives, the term of these members is effective upon approval and in effect for a period of two years.

Candidate	Affiliation	Representation
Mark Lagrave, MD	Kaiser Hospital	Hospital - Emergency Dept Physician
Malissa Opulencia	Santa Rosa Memorial Hospital	Hospital - Emergency Dept Nurse

All currently serving provider representatives have been members of the EMCC for a period greater than two years. As such, in accordance with the EMCC bylaws, the applicants below are being submitted to the Board of Supervisors for selection and re-appointment. As provider representatives, the term of these members is effective upon approval and in effect for a period of two years.

Candidate	Affiliation	Representation
Dean Anderson	American Medical Response/ Sonoma Life Support	Ambulance Provider Agency
Bob Norrbom	Sonoma Valley Fire	Ambulance Provider Agency
Randy Lyman	REACH	Field EMS Personnel
Jim Levy	Bodega Bay Fire	Field EMS Personnel
Phil Garcia	Sonoma Valley Fire	First Responder Agency
Mark McCormick	Santa Rosa Fire	First Responder Agency
John Marty	Rohnert Park Public Safety	Law Enforcement Agency

The above-listed persons were selected by the EMCC and the respective groups that they represent and have completed the membership process according to the bylaws. Coastal Valleys EMS Agency is requesting the Board's approval and appointment of these persons to the EMCC.

Prior Board Actions:			
6/28/68 – Established the Citizens Advisory Committee on Emergency Medical Services (EMS); 8/8/90 – Approved by-laws for Citizens Advisory Committee on EMS; 9/20/05 - Appointed new members to EMCC.			
Strategic Plan Alignment		Goal 1: Safe, Healthy, and Caring Community	
The EMCC is an advisory council for Emergency Medical Care and Response within Sonoma County. The EMCC helps to improve emergency services by advising the Board of Supervisors on emergency medical care, providing system oversight and maintenance, and engaging in long-term planning and coordination of public education and injury prevention.			
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):			
There are no Fiscal Impacts associated with 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):			
N/A			
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: 26
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: October 22, 2013

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Susan Gorin, 565-3752

Supervisorial District(s):

First District

Title: Appointment

Recommended Actions:

Appoint Caroline Banuelos to the 939 Task Force for a 3-year term beginning 10/23/13 and expiring 10/22/16. (First District)

Executive Summary:

Prior Board Actions:

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 12-13

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
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: October 22, 2013

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:

Supervisor Susan Gorin, 565-3752

Supervisorial District(s):

First District

Title: Appointment

Recommended Actions:

Appoint Gary Saperstein to the Sonoma County Tourism Board effective 10/22/2013 and expiring on 12/31/15. (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: October 22, 2013

Vote Requirement: Majority

Department or Agency Name(s): BOS

Staff Name and Phone Number:

Supervisor Efren Carrillo 565-2241

Supervisorial District(s):

Fifth

Title: Appointment

Recommended Actions:

Approve appointment of Karissa Kruse to the Sonoma County Tourism Board from October 1, 2013 through December 31, 2013. (Fifth District)

Executive Summary:

None.

Prior Board Actions:

Ms. Kruse replaces Nick Frey on the occasion of his retirement.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

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

To: Sonoma County Board of Supervisors

Board Agenda Date: October 22, 2013

Vote Requirement: Majority

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

Staff Name and Phone Number:

DeWayne Starnes 565-1146

Supervisorial District(s):

Title: Building Inspection Services Contract

Recommended Actions: Authorize the Chairman to execute Second Amendment to Agreement for Professional Services with Phillips Seabrook Associates

Executive Summary: Since FY 95-96, pursuant to Government Code Section 31000, PRMD has contracted with various firms to provide supplemental inspection services for our customers. These contracts have proven to be an effective tool for meeting the department's established inspection turn-around time of 24 hours. Turn-around times are impacted by vacancies and/or workload. Activity for construction typically increases during the spring and summer months creating a peak in building plan check and inspection workload. Historically PRMD maintains staffing levels below peak activity and utilizes contract help during times of peak activity when workload exceeds the ability for staff to maintain turn-around times of 24 hours. Contracts have also been used for large special projects that cannot be absorbed with the current staffing levels. The Sutter Hospital is such a project. The 1st amendment to the contract with Phillips Seabrook Associates was approved by the Board on August 6, 2013. This new amendment is needed to mitigate the impacts of two recent vacancies in the Building & Safety Division. These unexpected vacancies have created an urgent situation with respect to the current contract, which will run out of money this month, and our ability to maintain our established turn-around times. As a result, there was not time to issue a Request For Proposals (RFP) for additional inspection services. It is anticipated that both of these vacancies will be filled sometime in January 2014; however, projected building activity with Sutter Hospital will also exceed PRMD's staffing capabilities and including this project within the scope of the contract will allow additional flexibility to either contract directly with the consultant or with Sutter for 3rd Party inspection services. The current contract with Phillips Seabrook Associates is for \$77,450. In order to accommodate for the unexpected vacancies and Sutter Project, it is necessary to increase the contract limit to a maximum amount of \$277,450.00 with the balance paid for by salary savings caused by the unexpected vacancies and anticipated building inspection payments from Sutter Hospital. This amendment will also extend the contract term to October 30, 2014.

Prior Board Actions:

Strategic Plan Alignment		Goal 1: Safe, Healthy, and Caring Community	
Fiscal Summary - FY 13-14			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 50,000		\$
Add Appropriations Req'd.	\$ 150,000	State/Federal	\$
	\$	Fees/Other	\$ 200,000
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 200,000	Total Sources	\$ 200,000
Narrative Explanation of Fiscal Impacts (If Required):			
<p>The addition of \$150,000 in appropriations reflects those funds that will be collected from Sutter Hospital in support for the projected building activity. The additional \$50,000 will be covered by salary savings therefore no appropriations need to add for this part of the contract increase. Additional appropriations will be included in the 2nd quarter consolidated board action.</p>			
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:			
<p>Copy of Original Contract, and Copy of First Amendment to Original Contract 4 Copies Original 2nd Amendment Contract for signature</p>			



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: October 22, 2013

Vote Requirement: Majority

Department or Agency Name(s): County Administrator

Staff Name and Phone Number:

Peter Rumble, 565-3771

Supervisorial District(s):

All

Title: California State Association of Counties 2013 Challenge Award Presentation

Recommended Actions:

Accept presentation on California State Association of Counties 2013 Challenge Award

Executive Summary:

The California State Association of Counties (CSAC) hosts an annual program to honor innovative county programs and projects. This year, CSAC is honoring 18 counties with Challenge and Merit Awards. The annual Challenge Awards program was created by CSAC in the mid-1990s to recognize new, impactful programs that exemplified the creativity and innovation of local government. The award-winning programs are just a sampling of the creativity and leadership demonstrated each day by California counties. All 220 Challenge Award entries were evaluated by an independent panel of judges closely affiliated with California counties and the programs and services they deliver.

This year, CSAC has awarded Sonoma County's Probation Department, in partnership with the Boys' and Girls' Club of Central Sonoma County, with a Challenge Award for The Club at Juvenile Hall. The Club was created in an empty detention unit and was built on core tenets that included making participation a privilege and therefore a compelling incentive for positive behavior. The Club's daily curriculum focuses on themes including Character and Leadership Development, Health and Life Skills, and Academic Success/Career Development. These services address the primary risk factors for the detention population. A second phase of the program, titled REACH, (Re-entering our community to Establish Academic & career success, Character & Healthy lifestyles), was launched in January 2013 to case-manage youth released from the Juvenile Hall. The focus of this program is to build on the relationships formed in The Club to provide connections and assist at-risk youth with their reintegration back into the community. Club caseworkers serve as mentors to the youth and assist them with school enrollment, tutoring, and employment assistance.

In addition to the CSAC 2013 Challenge Award, The Club program was recently recognized by the National Association of Counties at the 2013 legislative conference held in Fort Worth, Texas.

Prior Board Actions:			
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):			
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: Sonoma County Board of Supervisors

Board Agenda Date: October 22, 2013

Vote Requirement: No Vote Required

Department or Agency Name(s): Human Services Department
Economic Development Board

Staff Name and Phone Number:

Diane Kaljian – 707-565-5950
Oscar Chavez – 707-565-3812

Supervisorial District(s):

All

Title: Update on Senior Needs and Long Range Demographic Trends

Recommended Actions:

Accept presentation and the 2013 Report on Senior Needs in Sonoma County and the EDB 2013 Long-range Demographic Trends Report.

Authorize the Human Services Department and the Economic Development Board to convene a task force in 2014 to review trends and develop an action plan to address needs reflected in senior and youth demographic trends.

Executive Summary:

This item summarizes two reports on demographic trends and needs, and proposes formation of a task force to develop an action plan to address these findings.

During the 2013-2014 budget hearings, the Board of Supervisors requested an update on local planning related to the Sonoma County senior community. The attached Senior Needs report provides this update and demonstrates the Sonoma County Human Services Department's commitment to continually adapting and expanding policies and services to meet the needs of older adults, their families, and their caregivers. This report supplements and updates *Aging and Living Well in Sonoma County*, the 2012-2015 Area Agency on Aging Community Report.
<http://www.socoaaa.org/pdf/AreaPlan2012.pdf>.

On September 19, the United States Census Bureau issued their 2012 initial population estimates. From 2007 to 2012, the Sonoma County population increased by 6% from 464,435 to 491,829. As expected the senior population (age 60 and over) is the largest growing segment of the population and has increased by 28% from 85,829 in 2007 to 109,668 in 2012. This older adult age group now comprises

22% of the County population. In order to determine future trends, the report also looks at those younger than 60 years old.

It is clear that, as a nation, we are no longer planning for the aging of the baby boom generation; we are living it.

The Human Services Department is deeply committed to supporting the Sonoma County older adult community with a variety of strategies ranging from advocacy to action. The report describes the issues which are emerging, and to which the Department will respond, over the next 12-24 months. The report is divided into five sections including Emerging Issues; Federal, State, Local Advocacy and Community Awareness; Local Policy Development; Backbone support for collective impact; Action through direct services.

On May 15, 2012, the Board asked the Economic Development Board (EDB) to prepare an overview of long-range demographic trends, particularly those involving seniors and youth, and to spotlight the business opportunities related to those trends.

Accordingly, the Economic Development Board has prepared a separate overview of the demographic changes in Sonoma County. The report addresses both youth and senior demographic trends over the next 35 years, and includes recommendations to address the impact of the changing population. The report found that the fastest-growing demographic sectors will be seniors and young Hispanics, with Hispanics becoming the largest ethnic group here by 2043. These changes offer new business and employment opportunities, several of which are summarized in the report.

It's proposed that the next step be the formation of a task force staffed by HSD and the EDB to accelerate the strategic planning necessary to prepare for a larger, more diverse, and longer-living population. The EDB and HSD will work with local business and other stakeholders by taking proactive steps to tackle the challenges of the demographic changes. The result will be to stimulate economic activity by encouraging growth of local aging sector products and services as well as creating jobs, and to integrate these actions with those transpiring for youth through Cradle to Career, Upstream, and Health Action. Many of the steps taken will improve the quality of life and overall livability of Sonoma County for all ages.

These efforts will also align with other efforts around seniors in the county, such as the Committee for Healthcare Improvement, a subcommittee of Health Action, a diverse group of hospital, clinic, care provider and community representatives committed to health system improvement, specifically focused on end-of-life issues. Additionally, healthy aging is highlighted as one of the top 4 priorities in the recent Community Health Needs Assessment (2013-16), a report conducted jointly by Sutter Medical Center of Santa Rosa, St. Joseph Health System – Sonoma County, Kaiser Permanente Medical Center – Santa Rosa, and the Department of Health Services that will be used to direct community benefit investments to initiatives aimed at creating healthy communities.

In 2014, the Department of Health Services will be launching the Portrait of Sonoma County, a complementary health assessment that will yield census tract level data to support Health Action's efforts to target resources to address health disparity. The Report on Senior Needs in Sonoma County and the Long-range Demographic Trends Report will further direct our interventions to address current

gaps specific to the needs of our growing senior population as well as anticipate and respond to future demographic trends. Altogether, these data and analysis efforts will continue to provide robust, place-based and long-term analysis, important for us to achieve our 2020 vision of becoming the healthiest county in California.

Current actions and strategic planning will support older adults in achieving and maintaining healthy, safe and vibrant lives while aging in Sonoma County, as well as spotlighting business opportunities for them; and integrating these plans with strategic planning efforts already underway with youth. The Task Force would be broad-based in composition, begin in early 2014 and conclude with a major conference and presentation of an action plan by November 2014.

Prior Board Actions:

On May 15, 2012 the Board approved the Area Agency on Aging FY 2012-2016 Area Plan, and asked the EDB to prepare a long-range report on demographic changes and business opportunities.

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

Highlights the growing needs and potential solutions for the senior population in Sonoma County.

Fiscal Summary - FY 13-14

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

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:
Human Services Department "Senior Needs Report 2013" Economic Development Board "Overview of Demographic Projections 2010-2050"
Related Items "On File" with the Clerk of the Board:



Human Services Department
COUNTY OF SONOMA



From Advocacy to Action

A Focus on Seniors

Presented to

Sonoma County Board of Supervisors

Presented by

Jerry Dunn, Director
Sonoma County Human Services Department

Diane Kaljian, Division Director
Sonoma County Human Services Department
Adult and Aging Services Division

October 22, 2013

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**The following Department staff provided invaluable assistance
in the preparation of this report.**

Gary Fontenot, Section Manager
Lori Holaday, Program Development Manager
George Malachowski, Program Planning and Evaluation Analyst
Tracy Repp, Program Planning and Evaluation Analyst
Joy Thomas, Communications and Outreach Manager
Fermin Espinoza, Administrative Aide

Report Written by
Marla Stuart, Consultant

From Advocacy to Action: Executive Summary

Report Purpose

During the 2013-2014 budget hearings, Supervisor Shirlee Zane requested an update about planning related to the older adult community. This focus on seniors provides that update.

The Role of County Aging Services

The Human Services Department partners with nearly 50¹ organizations throughout the community to engage in strategies ranging **from advocacy to action**. These strategies include Federal, State and Local Advocacy and Community Awareness, Local Policy Development, Backbone Support for Collective Impact, and Action through Direct Services.

Brief Description of the Changing Senior Community

From 2007 to 2012, the Sonoma County population increased by 6%. As expected, the senior population is the fastest growing segment of the population and has increased by 28% – compared to a 2% increase for children and a 3% increase for non-senior adults. The Latino senior population has increased by 47%. It is clear that as a nation we are no longer planning for the aging of the baby boom generation; we are living it. Throughout the country, the vitality of, and services for, older Americans have evolved as the new needs of this generation have emerged.

Emerging Issues

With nearly 50 partners¹ throughout the community, the Department is doing a lot, and yet needs to do more. The Department continually evolves as the composition and needs of the senior community evolve. The final section, starting on page 11, of this focus on seniors describes 11 emerging issues to which the Department and its partners will respond over the next 12 to 24 months.

1. A Mandate to Protect Seniors
2. Funding for Senior Services
3. Adult Protective Services Caseload Study
4. Responding to the Dementia Epidemic
5. Living Longer with HIV
6. Planning for the Future
7. Health Care Reform Education
8. Available Care Management
9. Adequate Low-Income Housing
10. Supported Independent Living
11. Community Planning

This focus on seniors identifies a wide range of needs within the Sonoma County older adult community. The Human Services Department, along with many partners, is deeply committed to meeting these needs with strategies ranging **from advocacy to action**.

Report Purpose

During the 2013-2014 budget hearings, Supervisor Shirlee Zane requested an update about local planning and trends related to the Sonoma County senior community. This focus on seniors provides that update and demonstrates the Sonoma County Human Services Department's commitment to continually adapting and expanding policies and services to meet the needs of older adults, their families, and their caregivers. It supplements and updates *Aging and Living Well in Sonoma County*, the 2012-2015 Area Agency on Aging Community Report.²

The Role of County Aging Services

The Sonoma County Human Services Department Adult and Aging Services Division empowers all people who seek self-determination, care, protection and advocacy by assisting older adults, people with disabilities, veterans, and their families and caregivers to maximize self-sufficiency, safety, health, and independence. The Department partners with nearly 50¹ organizations throughout the community to engage in strategies ranging **from advocacy to action**. These strategies include:

- Federal, State, and Local Advocacy and Community Awareness
- Local Policy Development
- Backbone Support for Collective Impact
- Action through Direct Services

This focus on seniors describes each strategy, summarizes work over the past year, and articulates emerging needs and next steps.

Recently, the Department received an independent review of its Adult and Aging Services. The 2012-2013 Grand Jury reviewed the Division Area Agency on Aging for the first time in 15 years. The Grand Jury interviewed staff, and visited senior centers, care facilities, hospitals, and various other locations throughout the County to ascertain the availability of Agency on Aging printed materials. The Grand Jury report concludes, "During the Grand Jury's investigation, we found the staff at the Agency on Aging to be knowledgeable, enthusiastic in their support of seniors, accommodating, and responsive to our inquiries and requests for documents. There is a variety of services and support resources available for seniors by phone, in person, in printed materials, and on the Internet. There are a number of County-run, non-profit, and private senior centers throughout the County." **The Grand Jury commended the Department and made no recommendations.**³

Brief Description of the Changing Senior Community

To provide context, this section summarizes the trends evident in the Sonoma County senior community. By now, the national and local trends about the growing senior community are well known. *Aging and Living Well in Sonoma County*² provides a comprehensive discussion about demographic trends in Sonoma County and identifies the seniors most at risk for experiencing

decreased independence and well-being as those with disabilities, low-income, ages 85 and older, and geographic isolation.⁴

On September 19, 2013 the United States Census Bureau issued the initial 2012 population estimates. From 2007 to 2012, the Sonoma County population increased by 6% from 464,435 to 491,829. As expected the senior population (ages 60 and over) is the fastest growing segment of the population and has increased by 28% from 85,829 in 2007 to 109,668 in 2012 – compared to a 2% increase for children under 18 and a 0% increase for adults ages 18 to 59. The Latino senior population ages 55 and older is also growing, having increased by 47% from 8,736 in 2007 to 12,879 in 2012.

Table 1: Trends in Sonoma County Population⁵

	2007	2012	Change
Total County Population	464,435	491,829	6%
Child Population ages 0-17	102,963	104,962	2%
Adult Population ages 18-59	275,966	277,199	0%
Senior Population ages 60-84	75,551	97,628	29%
Senior Population ages 85+	10,278	12,040	17%
Senior Population ages 60+ <i>as a Percent of Total Population</i>	18%	22%	21%
Latino Senior Population (ages 55+)	8,736	12,879	47%

The 2012-2013 Grand Jury report notes, “The growth of the senior population will have major implications for both individual and community life. It will challenge families and community organizations to provide the support seniors need to stay engaged, independent, healthy, and safe.”⁶

It is clear that as a nation we are no longer planning for the aging of the baby boom generation; we are living it. As a proportion of the population, there are more older adults than ever before. This is both providing benefits to communities and straining community resources for services. Seniors today are younger (earlier retirements) and older (living longer) than past generations. They consequently have more time to be active and involved in the community. They are more educated and proactive health care consumers than past cohorts. The purchasing power of America’s older adults is higher than it has ever been. However, income disparity among seniors is growing. In 2011, 23% of Sonoma County seniors lived with incomes below 200% of the Federal Poverty Guidelines (\$21,780 for an individual and \$29,420 for a couple).⁷ Seniors living with incomes between 100% and 200% of the Federal Poverty Level are poor, and yet they do not qualify for the benefits provided by the Adult and Aging Services Division because they are over the income threshold of 100% of the Federal Poverty Guidelines. These seniors are extremely vulnerable.

Throughout the country, the vitality of, and services for, older Americans have evolved as the new needs of this generation have emerged. In Sonoma County, this evolution is evidenced in the following:

Evidence of growing senior vitality in the new senior population

- In 2013, the Sonoma County Senior Games, sponsored by the Council on Aging, hosted 17 sports and 1,096 participants, up from 6 sports and 502 participations in 2011.
- The Annual Senior Art Show, sponsored by the Department, showcased art by 140 seniors in 2013.
- In 2011, the Volunteer Center's Retired Senior Volunteer Program reported 825 active volunteers.⁸ Of course, not all senior volunteers participate through the Volunteer Center. The Department sponsors three volunteer-led programs (Fall Prevention, Chronic Disease Self Management, and Volunteer Drivers) with active senior volunteers.
- In partnership with the Department of Health Services and community partners including Santa Rosa Memorial Hospital, Council on Aging, Northern California Center for Well Being, Petaluma People Services Center, Community and Family Services Agency, Jewish Children and Family Services, and Catholic Charities, the Department has increased the number of evidence-based prevention services for older adults, including depression screening and treatment, suicide prevention, education about chronic disease self-management, and fall prevention.

Evidence of growing service needs in the new senior population¹³

- Since 2007, the number of reports of suspected abuse or neglect has increased from 165 a month to 262 a month, a 59% increase.
- The increasing number of seniors remaining safely at home is reflected in the growing In-Home Supportive Services (IHSS) population. Since 2007, the monthly number of IHSS clients has risen by 20% from 4,341 to 5,227.

The **advocacy-to-action** strategies that the Department and community are pursuing, described below, are designed to meet the needs of this current older population. Moreover, the Department and partners throughout the community are actively planning to meet the needs of county residents who are currently in their fifties and who will soon be eligible for retirement and senior services.

From Advocacy to Action: Advocacy and Community Awareness

Ensuring sufficient and excellent community support for older adults requires strong public participation. The Department is dedicated to influencing public opinion and public policy to ensure that local values and needs are met. The Department engages in three primary advocacy and awareness activities. Recently, these activities have included the following:

1. Producing and publishing **data and information** that identify local trends to inform community understanding and dialogue, including the following:
 - *Ageing and Living Well* in Sonoma County, the 2012-2015 community report by the Area Aging on Aging (May 2012)
 - An annual *Senior Demographic Trendex* presented to the Area Agency on Aging

- A monthly *Adult and Aging Trendex* which includes trended data about County services
 - Information about the types of elder abuse, which contributed to the development of the multi-disciplinary Elder Financial Protection Team and an Elder Protection Unit at the District Attorney's Office
 - Initial collection of community-wide health-related indicators of success for the senior population, with the Health Action Committee for Healthcare Improvement Data Subcommittee
2. Influencing federal and state legislation and regulations through **advocacy**, including the following efforts:
- Reauthorization and funding of the Older Americans Act is the number one priority on the Department's submission to the 2014 County Legislative Platform.
 - The Area Agency on Aging regularly meets with elected officials, most recently Congressman Mike Thompson, Assembly Member Wes Chesbro, and Assembly Member Marc Levine, to advocate for critical senior support including services, housing and transportation as well as reauthorization and funding of the Older Americans Act.
 - The Area Agency on Aging regularly conducts letter campaigns to support a variety of issues including elder abuse prevention, Alzheimer's disease services, lesbian-gay-bisexual-transgender issues, Medicare, and long term services and supports.
 - Each year Diane Kaljian, Director of Adult and Aging Services, serves as a California delegate for the National Association of Area Agencies on Aging and visits federal California legislators in Washington DC to advocate for services to seniors including elder abuse prevention, transportation, livable communities and reauthorization and funding of the Older Americans Act.
 - Each year, the Department sends supervisors and staff to the National Adult Protective Services conference to learn about and influence national policy.
 - Supervisor Shirlee Zane, Division Director Diane Kaljian, and Section Manager Gary Fontenot were invited (as three of 150) to the September 2013 California Elders Justice Coalition Summit to refine the Blueprint for Elder Abuse Prevention in California.
 - In August 2012, Department Director Jerry Dunn provided testimony to the California Senate Hearing on Seniors and Hunger representing the County Welfare Directors Association (CWDA).
 - The Department participates and holds leadership positions in the following state and federal advocacy and policy-making groups:
 - National Association of Area Agency Agencies
 - National Association of Counties Human Services and Education Steering Committee
 - National Association of County Human Services Administrators
 - California Olmstead Act Committee
 - California Area Agency on Agencies Association
 - California Department of Aging Senior Transportation Advisory Committee
 - California Adult Mental Health Directors Association Older Adults System of Care
 - California Multipurpose Senior Services Program (MSSP) Director's Association

- California Public Guardian Association
- California County Veterans Services Officers
- County Welfare Directors Association
 - Adult Services Committee
 - Community First Choice Option Advisory Committee
 - Protective Services Operations Committee
 - Adult Central Regional Committee
 - Long-Term Care Operations Committee

3. Coordinating a broad **community awareness campaign** to increase community support and use of local services for older adults, including the following activities over the past year:

- Publishing and distributing 25,000 English/Spanish Senior Resource Guides. The Senior Resource Guide is a directory of services, agencies, and programs in Sonoma County which assist older persons, people with disabilities, and their caregivers in their daily lives. Copies are available throughout the community in locations frequented by seniors and a digital version is available online.
- Launching the Network of Care for seniors and people with disabilities. The total number of Network of Care sessions from October 1, 2012 through September 30, 2013 is 22, 621.
- Co-sponsoring an October forum called “Know Your Rights” with the National Committee to Preserve Medicare and Social Security, Supervisor Shirlee Zane, and Congressman Mike Thompson to educate local lesbian-gay-bisexual-and-transgender (LGBT) community members about new federal benefits to which they are entitled. Additionally, the Department independently educates LGBT veterans about their new rights, which has resulted in Sonoma County being home to the first Northern California gay couple granted federal veterans benefits.
- Sponsoring Fall Prevention classes attended by 176 seniors in the past year.
- Funding the Northern California Center for Wellbeing to host Chronic Disease Self-Management classes attended by 28 seniors since the program’s inception in March 2013.
- Conducting quarterly elder abuse mandated reporting training attended by 158 individuals in the past year.
- Funding a Community Liaison who provides training, in collaboration with the District Attorney’s Office, about Adult Protective Services to local law enforcement.
- Sponsoring, with the Board of Supervisors and the Coroner’s Office, *Missing in America*, a volunteer effort which identified the unclaimed remains of 35 veterans at the Santa Rosa Memorial Park, honored them with a memorial service, and transported them to the military cemetery in Dixon for internment.

From Advocacy to Action: Local Policy Development

The Adult and Aging Services Division engages in a broad array of local policy development to benefit the local older adult community. This policy work involves engagement with community partners and regular guidance and input from the Area Agency on Aging (AAA) Advisory Council, a 21-member committee that works closely with the Department in the areas of planning, funding, and advocacy, and makes recommendations to the Board of Supervisors regarding the needs of seniors, adults with disabilities, and their caregivers. Over the past year, the Department, the AAA, and other partners have promoted the following policy development activities:

- Hosting panels throughout the community attended by over 300 individuals to provide information and influence action about elder abuse prevention
- Hosting a series of discussions about senior driver safety in response to local media about recent accidents involving older drivers
- Making a commitment to improve the wages of in-home caregivers and negotiating with SEIU for an increase in the hourly rates for IHSS providers from \$11.50 to \$11.65
- Participating with the Health Action Committee for Healthcare Improvement to expand the use of advanced directives
- Serving on the multi-agency Suicide Prevention Committee
- Launching the Senior Health Initiative with the Department of Health Services to expand nursing staff to serve older adults and to identify and implement more evidence-based practices to serve the needs of older adults
- Planning, with the Council on Aging and the Department of Health Services, for a Healthy Aging Collaborative to focus on older adult issues
- Executing a shared financing model to fund an Elder Advocate for the District Attorney's Office to serve victims of elder abuse

From Advocacy to Action: Backbone Support for Collective Impact

Supporting seniors requires broad cross-sector coordination. To support collaborative work, the Department provides the backbone support suggested by FSG⁹ including guiding vision and strategy, supporting aligned activities, establishing shared measurement practices, building public will, advancing policy, and mobilizing funding. In the past year, the Department has provided the following backbone support:

- Co-convened, with Partnership Health Plan and Mendocino and Marin Counties, the IHSS Coordinated Care Initiative to begin planning for an April 2015 implementation in Sonoma County.
- Co-coordinated, with the Department of Health Services, the writing and submission of the Community Care Transitions proposal resulting in a federal funding award of \$1.164 million over two years to serve 1,270 individuals each year. Co-sponsored the Care

Transitions Training at Sonoma State. Partners include all seven local hospitals and all local community health clinics.

- Expanded community engagement in and continued staffing the Multi-Disciplinary Team by coordinating an evaluation and facilitating improvements based on the evaluation findings. Partners include the Family Justice Center, community-based organizations including the Council on Aging and the North Bay Regional Center, local behavioral health providers, and local hospitals.
- Supported the District Attorney in implementing the Office on Violence against Women Abuse in Later Life Grant by coordinating the design and implementation of a needs assessment, attending national training sessions, and participating in the kick-off event. Partners include YWCA, Catholic Charities, Verity, Long-Term Care Ombudsman, Council on Aging, Tribal Council of California, and Legal Aid.
- Served as the lead agency for the Older Adult Collaborative which identifies and implements evidence-based practices related to senior mental health. Partners include the Department of Health Services, Council on Aging, Petaluma People Services Center, Community and Family Services Agency, and Jewish Children and Family Services.
- Co-located an Adult Protective Services social worker at the Family Justice Center.

From Advocacy to Action: Action through Direct Services

The core mission of Adult and Aging Services is to empower all people who seek self-determination, care, protection and advocacy by assisting older adults, people with disabilities, veterans, and their families and caregivers to maximize self-sufficiency, safety, health, and independence. The advocacy, policy development, and backbone support strategies described above compliment and support the direct services delivered by the Division's dedicated, knowledgeable, and compassionate professional and support staff.

As the Board is well aware, the Federal and State governments have historically underfunded adult and aging services.¹⁰ Despite the Federal and State's inadequate commitment to senior services, Sonoma County, with the Board's support, has expanded and strengthened local services. Specifically, this local commitment has included:

- Fully directing the Adult Protective Services funding in the 2011 Criminal Justice Realignment to services for older adults
- Back-filling the Federal sequestration reductions of \$43,350 in FY 12-13 and \$54,693 in FY 13-14 for a total of \$98,043 with 1991 realignment reimbursement funds
- Supplementing underfunded senior nutrition services by \$320,000 in FY 13-14 and \$320,000 in FY 12-13 with 1991 realignment reimbursement funds
- Increasing total Division staff from 88.1 full time positions in December 2012 to 107.4 full-time positions in October 2013, an increase of 18%¹¹

This commitment by Sonoma County to prioritize adequate resources for adult and aging services is not common. In California, other counties have directed some or all of their 2011

APS Realignment resources to services that do not serve seniors. Statewide, 40% of APS social workers have other responsibilities (most notably child protective services), and 75% have responsibilities beyond protection of either adults or children.¹² Protecting at-risk seniors from abuse and neglect is the most important function of the Adult and Aging Services Division, and in Sonoma County the APS social workers are solely assigned to APS functions.

The Department's direct services include the following programs.¹³

Adult Protective Services (APS)

APS investigates suspected incidents of elder and dependent adult abuse, neglect or exploitation. Social workers provide a 24-hour response to life threatening emergencies involving older and dependent adults and educate the community about elder abuse prevention, identification, and reporting.

Over the past 12 months, the Department has received 3,260 reports of suspected abuse or neglect - about 17 a day - including 98 via a newly launched web-reporting option.

In-Home Supportive Services (IHSS)

IHSS provides in-home care to low-income older adults and people with disabilities in order to help them remain safely and independently in their homes. IHSS social workers conduct home visits to assess needs and determine the number of hours for which a client can hire a caregiver. IHSS payroll staff process IHSS provider timesheets.

Over the past 12 months, IHSS averaged 5,164 clients per month, an average of 273 clients per social worker. These clients are authorized for an average of 101 hours per month. Each month an average of 4,903 IHSS providers serve these clients. The Department's IHSS payroll staff answered an average of 2,363 calls per month from these providers and processed a total of 138,076 timesheets.

In-Home Supportive Services Public Authority (IHSS PA)

The IHSS PA maintains a registry of screened caregivers to refer to IHSS consumers, provides short-term in-home support for clients between providers, offers monthly training classes for caregivers and consumers, and serves as the "employer of record" for IHSS caregivers for the purposes of negotiating wages and benefits.

Over the past 12 months, the IHSS PA trained 1,382 providers and provided 915 hours of short-term services.

Linkages

Linkages is a short term case management program for adults who are ages 60 or older with an impairment that introduces a risk for out-of-home placement. The purpose of the program is to promote client independence through arranging and coordinating services that help support individuals to remain safely at home.

Over the past 12 months, Linkages has provided 1,312 hours of case management services to 73 individuals.

Multipurpose Senior Service Program (MSSP)

MSSP provides case management to Medi-Cal eligible, frail seniors ages 65 and older. The program's seeks to prevent placement in an institutional setting while fostering independence and dignity.

Over the past 12 months, MSSP served 170 seniors each month (the funded capacity). An average of five new clients are added each month. The waiting list averages 25 seniors who typically wait more than two months.

Public Administrator/Public Guardian/Public Conservator (PA/PG/PC)

The Public Administrator (PA) investigates and may administer the estates of persons who die with no will or without an appropriate person willing or able to act as administrator. The Public Guardian (PG) or Public Conservator (PC) conducts the official County investigation into conservatorship matters. The PG/PC also acts as the legally appointed conservator for persons found by the Superior Court to be unable to properly care for themselves or their finances or who cannot resist undue influence or fraud. Such persons are usually older, frail and vulnerable adults or persons suffering from severe mental illness.

Over the past 12 months, the PA/PG/PC has served an average of 275 individuals each month, made a total of 306 court appearances on behalf of clients, and managed assets averaging \$5.4 million each month for clients.

Veterans Services Office

The Veterans Services Office provides assistance and advocacy for veterans and their dependents and survivors to claim state and federal benefits.

Over the past 12 months, the Veteran Services Office conducted 4,656 interviews, made or answered over 5,200 phone calls, filed 1,259 claims on behalf of local veterans, and verified benefits for 382 veterans. In FY 12-13 this work secured \$14.7 million in new and retroactive VA compensation and pension benefits for local veterans.

Area Agency on Aging (AAA) Contracts with Community-Based Organizations

The AAA is a 21-member volunteer committee that works closely with the Department in the areas of planning, funding, and advocacy and makes recommendations to the Board of Supervisors regarding the needs of seniors, adults with disabilities, and their caregivers. The AAA contracts for direct services through local community based providers.

Over the past 12 months, the AAA provided \$2,056,543 in contracts to local providers for 267,893 congregate and home-delivered meals for 2,514 seniors, adult day and

Alzheimer's day care for 146 seniors, case management for 1,880 seniors, transportation in West County for 882 seniors, legal services for 1,254 seniors, respite services for 136 caregivers, support groups for 119 caregivers, and medication management for 195 seniors.

From Advocacy to Action: Emerging Issues

The Human Services Department is deeply committed to supporting the Sonoma County older adult community with a variety of strategies ranging **from advocacy to action**. With partners throughout the community, the Department is doing a lot, and yet needs to do more. This report describes recent activities and the partners who share this work. The Department continually evolves as the composition and needs of the senior community evolve. This final section describes 11 emerging issues to which the Department will respond over the next 12 to 24 months.

1. A Mandate to Protect Seniors

In Federal Year 2011, the Elder Justice Act was passed as part of the Patient Protection and Affordable Care Act. However, appropriations have not been approved by Congress. In California, the 2011 APS realignment funded counties at the 1999 level minus a 10% reduction that occurred in 2008. A commitment to fully protecting and supporting older adults in our communities can never be realized without adequate funding. With the failure of the federal government to fund protective services, and the state of California's realignment of APS programs to counties in 2011, the collective mandate to protect seniors from abuse and neglect has all but disappeared. Today in California, and in many states, the mandate to protect older adults from abuse and neglect is at community discretion. There are no federal guidelines, expectations, or performance measures for adult protective services and the state mandates have been weakened due to realignment. The long-term care ombudsman that protect seniors from abuse and neglect in nursing homes and residential care facilities are primarily volunteers. It is imperative, as we head into an era in which retired individuals will outnumber employed individuals, that the country prioritize the protection of seniors through federal and state legislation and funding.

2. Funding for Senior Services¹⁴

The Older Americans Act, signed into law by President Lyndon Johnson in 1965, currently provides federal funding for essential senior service categories, like job training, caregiver support, transportation, preventive healthcare, nutrition, and protection from abuse and financial exploitation. However, funding for this legislation has failed to keep pace with inflation and population growth for decades. Under sequestration, funding will continue to decline. The Older Americans Act was last reauthorized in 2006 and has been funded with a continuing resolution since 2011, putting these services at risk.

3. Adult Protective Services Caseload Study

The ideal caseload for APS social workers is unknown. In 2000, the State conducted a caseload study for child welfare services but has never replicated it for adult protective services. The Department is pursuing options to partner with other counties to conduct a study to determine and fund APS caseloads at a safe level.

4. Responding to the Dementia Epidemic

The growing incidence of dementia, identified by some as an epidemic, is increasing the need for affordable home care and safe assisted living facilities.¹⁵ The incidence of dementia in the over 85 year old population is estimated at 50%.

5. Living Longer with HIV

Older adults with HIV are living longer than they expected and without having made adequate preparation for the costs of their ongoing health and other living expenses.

6. Planning for the Future

There is currently no funded way to help older adults plan for their future. This would include preparing advance health care directives and estate plans, planning environmental alternatives for housing that can adapt to disability, adequately saving for extended retirements, understanding and taking care of health, and planning for an active and fulfilling retirement.

7. Health Care Reform Education

Educating the community about health care reform will likely overwhelm HICAP, the AAA-funded Health Insurance Counseling and Advocacy Program which counsels seniors about Medicare and health advocacy services.

8. Available Care Management

The Senior Resource Guide may be the only available resource for older adults in the community who don't meet the income threshold for all other County delivered or funded services. Community members needing free or low-cost case management services are referred to community based services which can provide limited services to those in need of assistance. The Linkages case management program should be expanded as it has a one year waiting list.

9 Adequate Low-Income Housing

There is a growing need for lower cost housing for seniors. Many cannot afford rental or assisted living that is appropriate for their needs. Many seniors do not qualify for housing subsidies but are living on very limited incomes that restrict their ability to locate suitable housing. All existing low-income housing for older adults has a long waiting list.

10. Supported Independent Living

IHSS is available to older adults who meet the low-income threshold. There are no similar alternatives for community members who are just over the income requirements and who

need caregiver support to remain safely at home and reduce the likelihood of costly institutional placement.

11. Community Planning

The Department is committed to participating in community planning activities. Over the next year, the Department will support the Economic Development Board (EDB) hosted forum about senior employment, Health Action, Housing for Homeless Veterans, and the City of Santa Rosa One-Call-One-Click for transportation services housed at 2-1-1.

As outlined in this focus on seniors there are a wide range of needs and concerns for the senior population in Sonoma County and those that will be entering their older adult years over the next five years. The Human Services Department, along with other county departments and many community partners, is deeply committed to supporting the Sonoma County older adult community with strategies ranging **from advocacy to action**.

Endnotes

¹ The following table identifies the Department’s partners related to adult and aging services. This is a good faith effort to include every partner and we apologize for any inadvertent omission.

From Advocacy to Action

	Advocacy and Community Awareness	Local Policy Development	Collective Impact	Direct Services
County Partners				
1. Board of Supervisors	✓			
2. County Counsel		✓		✓
3. Department of Health Services	✓	✓	✓	✓
4. District Attorney	✓	✓	✓	✓
5. Sheriff’s Office	✓		✓	✓
6. Transportation and Public Works		✓		✓
Elected Partners				
7. Assembly Member Marc Levine	✓			
8. Assembly Member Wes Chesbro	✓			
9. Congressman Jared Huffman	✓			
10. Congressman Mike Thompson	✓			
11. Senator Lois Walk	✓			
Community-Based Organizations				
12. Catholic Charities			✓	✓
13. Council on Aging	✓	✓	✓	✓
14. Community and Family Services Agency			✓	✓
15. Disability Services and Legal Center				✓
16. Jewish Children and Family Services			✓	✓

From Advocacy to Action

	Advocacy and Community Awareness	Local Policy Development	Collective Impact	Direct Services
17. Legal Aid of Sonoma County			✓	
18. North Bay Regional Center			✓	✓
19. North Coast Opportunities Redwood Caregiver Resource Center				✓
20. Northern California Center for Well-Being	✓			✓
21. Partnership Health Plan			✓	✓
22. Petaluma People Services Center			✓	✓
23. Redwood Empire Food Bank	✓			✓
24. Senior Advocacy Services	✓			✓
25. Sebastopol Area Senior Center				✓
26. Southwest Adult Day Health Services				✓
27. Tribal Council of California			✓	
28. Verity			✓	✓
29. Vintage House Senior Center				✓
30. YWCA			✓	
Municipalities (senior centers, law enforcement, housing, and other services for seniors)				
31. City of Cloverdale				✓
32. City of Healdsburg				✓
33. City of Petaluma				✓
34. City of Rohnert Park				✓
35. City of Santa Rosa			✓	✓
36. City of Sebastopol				✓
37. City of Sonoma				✓
38. City of Windsor				✓
39. Lake County		✓		
40. Marin County		✓	✓	
41. Mendocino County		✓	✓	
42. Napa County		✓		
43. Solano County		✓		
Healthcare Organizations				
44. Healdsburg District Hospital			✓	✓
45. Kaiser Hospital and Healthcare Network	✓		✓	✓
46. Palm Drive Hospital			✓	✓
47. Partnership Health Plan		✓		✓
48. Petaluma Valley Hospital				✓
49. Redwood Community Health Coalition			✓	✓
50. Santa Rosa Memorial Hospital			✓	✓
51. Sonoma Valley Hospital			✓	✓
52. Sutter Medical Center			✓	✓

² <http://www.socoaaa.org/pdf/AreaPlan2012.pdf>

³ <http://www.watchsonomacounty.com/wp-content/uploads/2013/06/gjr.pdf>

⁴ <http://www.socoaaa.org/pdf/AreaPlan2012.pdf>

⁵ 2007 and 2012 ACS 1-year estimates are available at <http://www.factfinder2.census.gov>. The Department publishes an annual *Adult and Aging Census Trendex* based on the full Census report published each year in October. This report includes population trends for older adults back to 2005 and will be available from the Department in December 2013.

⁶ <http://www.watchsonomacounty.com/wp-content/uploads/2013/06/gjr.pdf>

⁷ The Elder Economic Security Standard Index is collectively produced by the University of California Los Angeles, Insight Center for Community Economic Development, and Wider Opportunities for Women. It calculates the income needed, by County, to meet basic needs for elder individuals and couples without mortgages, with mortgages, and renting (6 total categories). It then compares these needed incomes to the Federal Poverty Guidelines. Generally, the income needed to meet basic needs is about 200% of the Federal Poverty Guidelines. (http://healthpolicy.ucla.edu/programs/health-disparities/elder-health/elder-index-data/Documents/2011_Additional_Final/Sonoma.pdf.) Additionally, in October 2013 the Public Policy Institute of California published a new “California Poverty Measure” which more accurately reflects poverty status for Californians. Although it does not yet provide information by age, it does report that while the official poverty level for Sonoma County in 2011 was 11.7%, the California Poverty Rate was 17.3%.
<http://www.ppic.org/main/publication.asp?i=1070>

⁸ 2012-2013 Grand Jury Final Report, p. 28

⁹ FSG, the Foundation Strategy Group, is a nonprofit consulting firm specializing in strategy, evaluation and research. They are known for their work in conceptualizing and evaluating collective impact. <http://www.fsg.org>

¹⁰ For more information see *Erosion of Adult Services Program* published by the Human Services Department in 2009.

¹² This information is from a 2013 survey conducted by the County Welfare Directors Association (CWDA). The information is not reported by county. Therefore, some of the counties for which APS social workers perform other duties are probably small counties who cannot afford the efficiencies of scale to solely dedicate social workers to one role.

¹³ The Department’s direct services include services to older and dependent adults and children. The Department generally does not separate service data by age of the client. Therefore, the data provided in this section also includes dependent adults and children where appropriate.

¹⁴ This summary about the Older Americans Act is largely quoted from <http://billmoyers.com/2013/06/22/the-older-americans-act-and-u-s-seniors>

¹⁵ For more information see the September 24 Frontline documentary called *Life and Death in Assisted Living* . <http://www.kpbs.org/news/2013/jul/24/frontline-life-and-death-assisted-living>



Overview of Demographic Projections Sonoma County: 2010 - 2050

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Executive Summary

Radically shifting demographics across the United States are a major issue that has the potential to affect nearly every level of government. These changes are drawing the attention of everyone from government officials to the magazine *Governing*, which recently spent several months on a thorough review of senior concerns at the local level. This report explores the demographic future of Sonoma County. Using the most recent population projections from state demographers, the Sonoma County Economic Development Board (EDB) has assembled a picture what Sonoma County could look like over the next 40 years. This data is intended to support strategic planning efforts of local governments, school districts, health care organizations, and other service providers in Sonoma County, as well as highlight opportunities for businesses.

Key Findings:

- Sonoma County’s population is expected to grow from approximately 493,000 people in 2010 to 610,000 people in 2035, which is about 0.9% per year. Sonoma County will grow faster than its neighboring counties, but slower than the state of California and the U.S.
- State demographers predict that Hispanics are likely to become the largest ethnic group in Sonoma County by 2043.
- The fastest-growing age groups in Sonoma County are expected to be youth and people age 65 and older, representing a “barbell-shaped” distribution to the population.
- Healthcare is expected to be among the fastest-growing industries in Sonoma County, driven largely by the expanding age 65+ population.

Key Implications:

The following is a preliminary review of two of the fastest growing populations: seniors and Hispanic youth. A committee could be formed to discuss the impact of these demographic trends on the community and the government programs that serve these individuals, along with emerging opportunities for businesses and non-profits.

Seniors

1. Staying-in-place housing:

The high cost of assisted living means living at home for as long as possible is a key facet of financial security for seniors. The average savings for individuals within 10 years of retirement is \$120,000, while one year at an assisted living home costs about \$40,000.

2. Transportation:

The rising population of seniors will put increased demand on expensive door to door services. The sustainability of this program necessitates considering alternatives and technological efficiencies.

3. Volunteering and mentoring:

Early intervention with reading and tutoring programs prepare youth for a lifetime of success. Senior volunteers who offer their time to such programs are a great resource to the community and will help address education inequality.

4. Imminent retirement:

About 20 percent of the workforce in Sonoma County is over the age of 55. In order to help ensure Sonoma County has a high quality labor to replace openings from retirement, it is crucial that business needs are aligned with educational and training programs.

5. Businesses Serving Seniors

Homes must meet safety and accessibility standards which present an opportunity for housing construction and retrofitting businesses. National standards such as Certified Living in Place exist, and Virginia offers tax credits as a construction incentive.

Youth

1. Career training

Investment in technical training programs engages young adults who may otherwise not have attended college. In January 2013, the Sonoma County Board of Supervisors allocated \$375,000 in funding for mentoring, career training, and scholarship programs for low-income youth. This investment strengthens Sonoma County's workforce and aims to reduce the cost of social services in the future.

2. Educational inequality

As the Hispanic population increases, the resilience of the future workforce depends on addressing educational equality. In 2010-11, the dropout rate for Hispanics was 5.2% while the County rate was 4.1%.

3. Link to tutoring and mentoring

The growing senior population is an opportunity to expand upon intergenerational mentoring. Linking business leaders and seniors with at risk youth will provide mentors and role models that can reinforce the value of school and provide real world examples of education in action.

4. Targeted programs by business and nonprofits

The rising Hispanic population increases the need for businesses and nonprofits to create targeted educational services such tutoring, reading, and leadership programs.

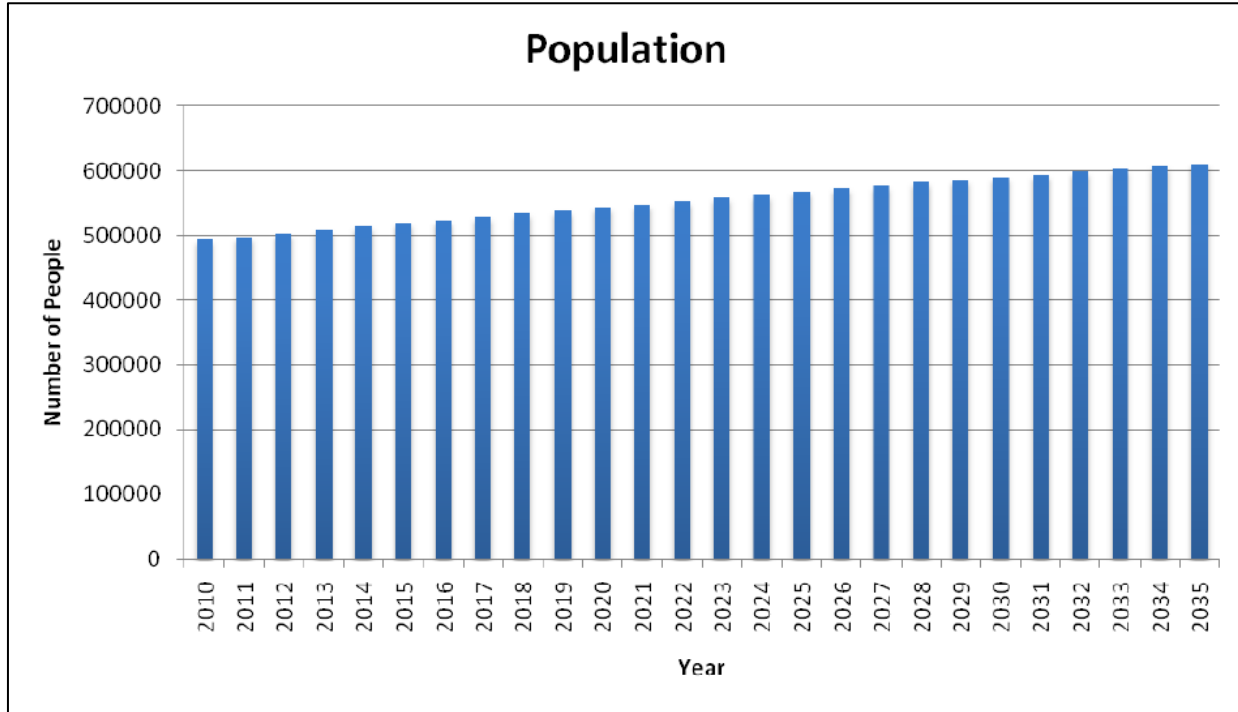
County Budget

This report does not address the challenges to the County budget raised by providing services to the growing senior population over the next 20 to 30 years. This is a topic that could be addressed through coordination with the Sonoma County Human Services Department and Department of Health Services.

Long-term Projections of Sonoma County’s Demographic Future

Population

Figure 1: Sonoma County Total Population 2010-2050



Source: California County-Level Economic Forecast 2010-2035

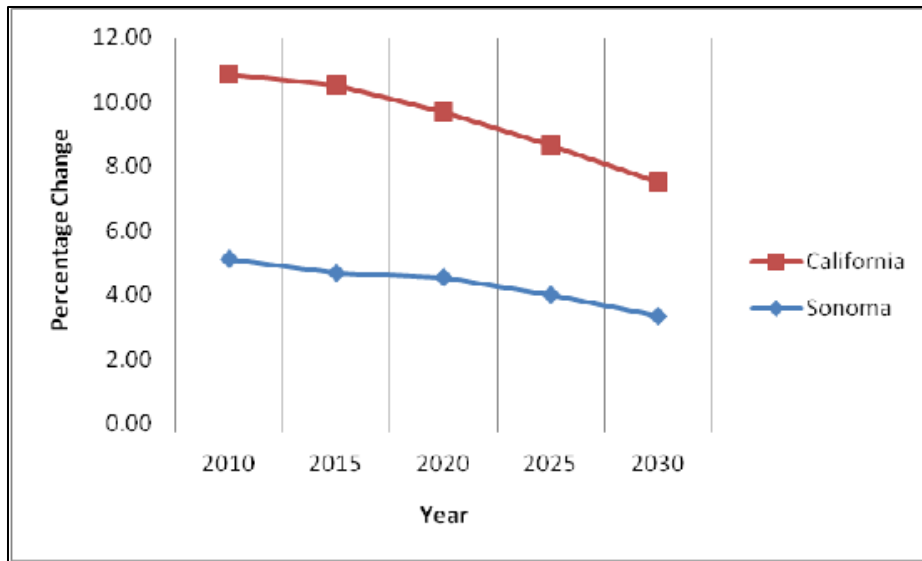
Sonoma County’s population is projected to grow by 23.7 percent from 493,308 in 2010 to 610,059 in 2035 (Figure 1). This is an average annual growth rate of 0.853 percent.

Table 1: Sonoma County: Projected Population Change: 5-year Intervals

Year	Population	% Change
2010	493308	-
2015	518584	5.1 %
2020	542892	4.7 %
2025	567597	4.6 %
2030	590344	4.0 %
2035	610059	3.3 %

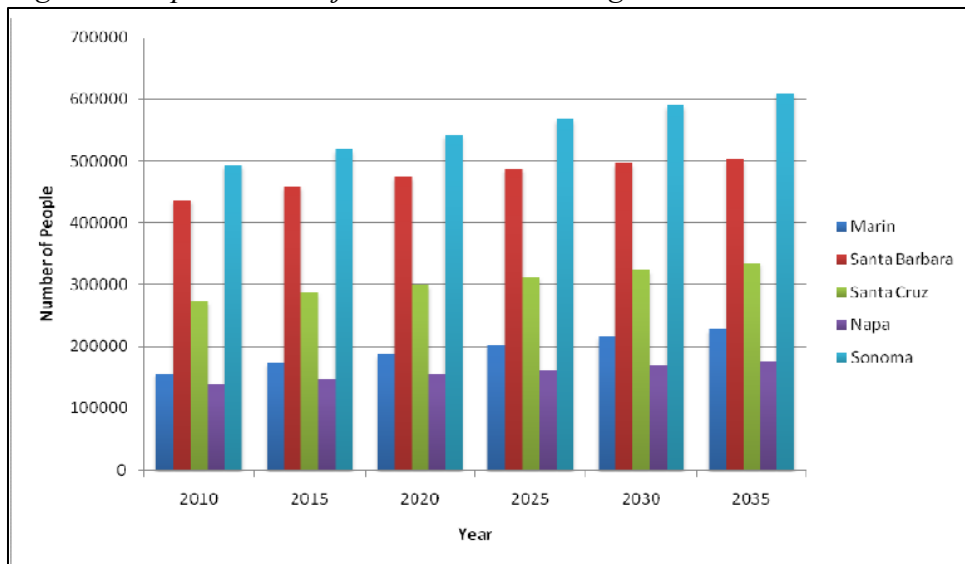
As shown in Figure 2, the trajectory of Sonoma County’s population growth is comparable to what’s expected to happen in California as a whole. The percentage increase in population follows a declining trend for both the county and the state. Sonoma County’s population is projected to increase by 23.7 percent over the 25-year period, while the California population is projected to increase by 28.2 percent in the same period.

Figure 2: Population Projections: Sonoma County and California: 2010-2050



Source: California County-Level Forecast 2010-2035

Figure 3: Population Projections: Sonoma Neighbor Counties: 2010-2035

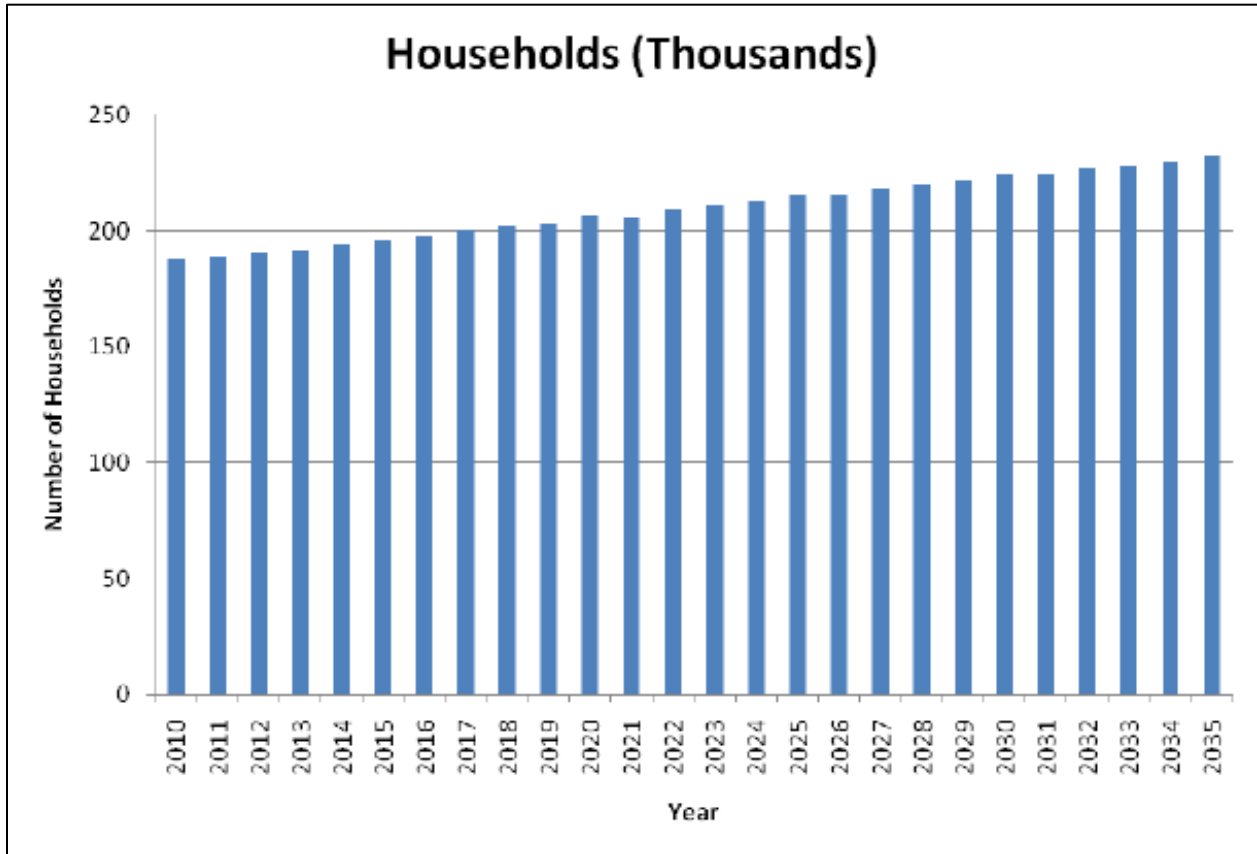


Source: California County-Level Forecast 2010-2035

Households

Figure 4 shows the rise in the projected total number of households across Sonoma County. The number of households is projected to increase from 188,000 in 2010 to 232,000 in 2035. This represents a 23.4 percent change, or 44,000 new households.

Figure 4: Sonoma County: Number of Households, 2010-2035



Source: California County-Level economic Forecast 2010-2035

Table 2: Population Projections: Sonoma County and California: 2010-2035

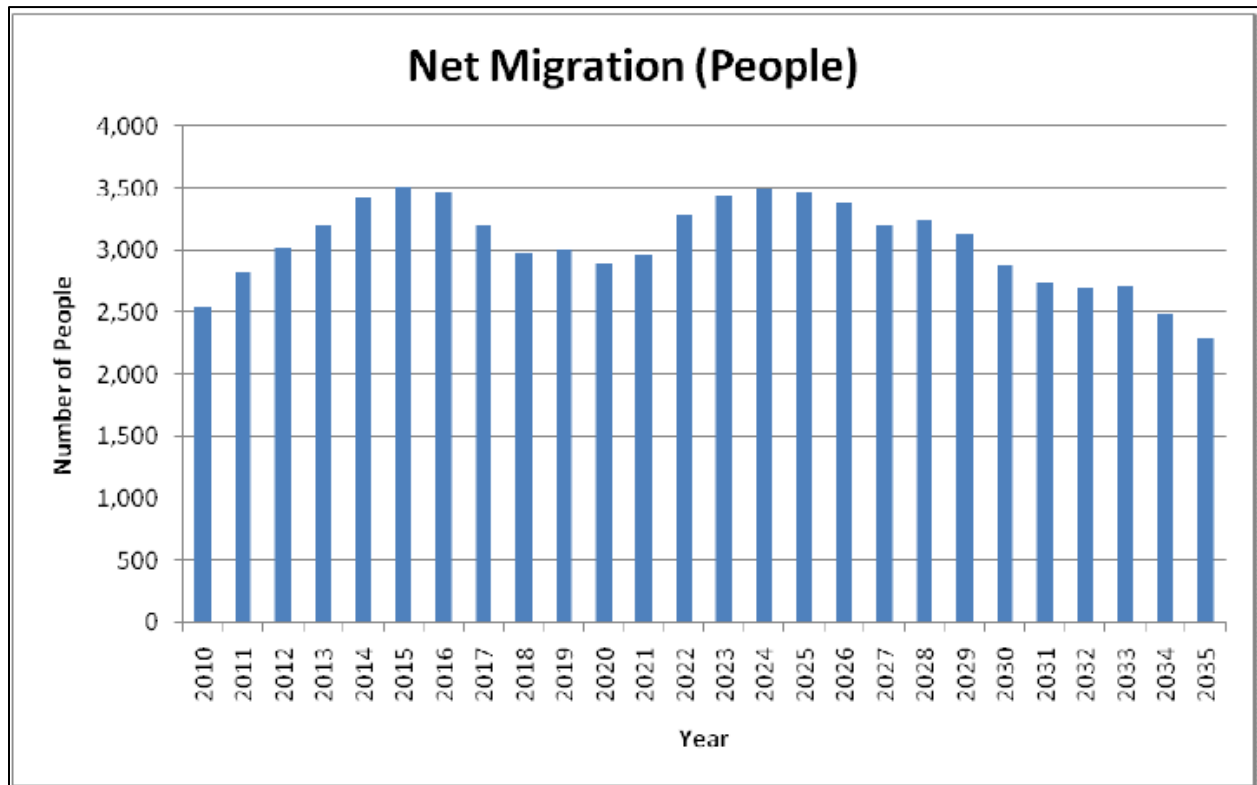
Year	Sonoma	% Change	California	% Change
2010	493308		38870000	
2015	518584	5.12	41100000	5.74
2020	542892	4.69	43500000	5.84
2025	567597	4.55	45730000	5.13
2030	590344	4.01	47850000	4.64
2035	610059	3.34	49850000	4.18

Source: California County -Level Economic Forecast 2010-2035

Net Migration

As shown in Figure 5, Sonoma County is projected to receive a steady number of immigrants each year during the projection period. State demographers show that net migration (people moving in minus people moving out) is projected to peak during 2022-2026.

Figure 5: Sonoma County: Net Migration, 2010-2035



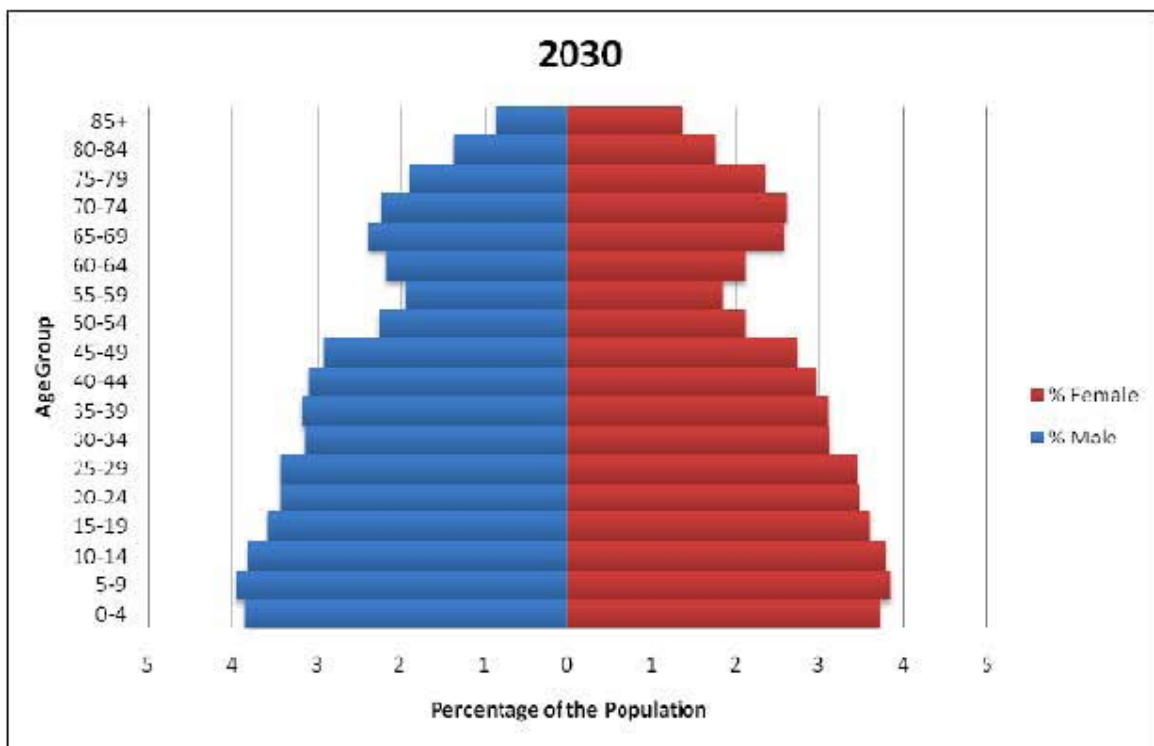
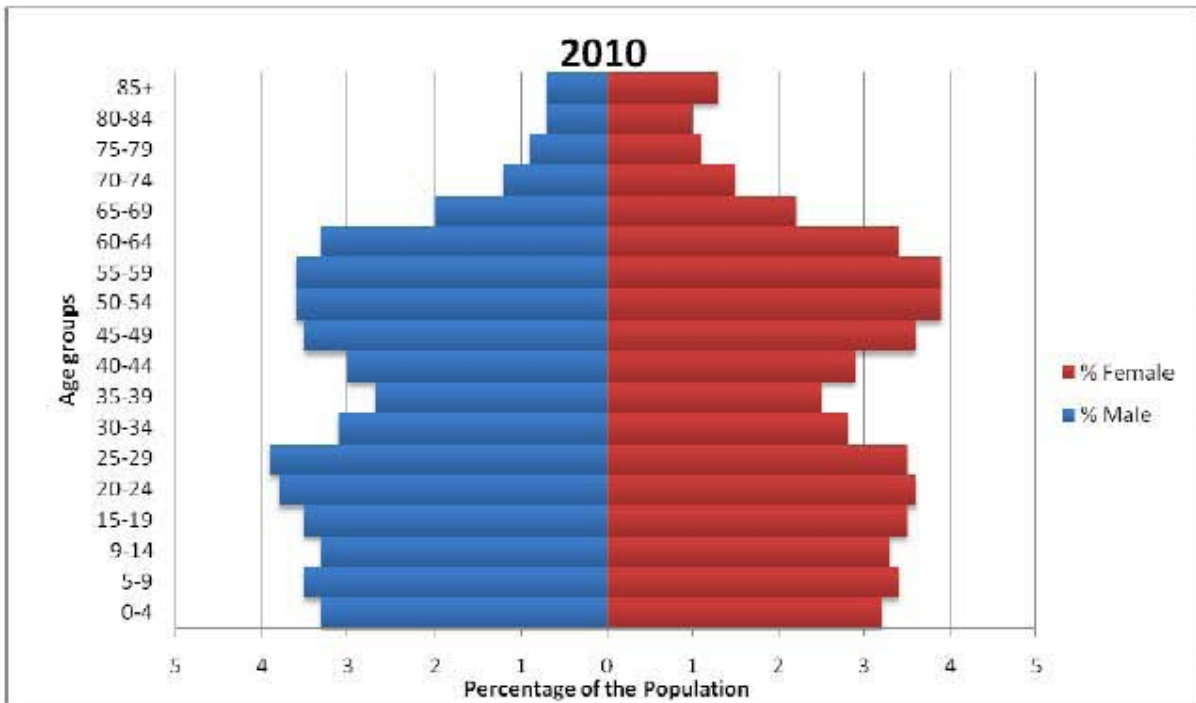
Source: California County-Level Economic Forecast 2010-2035

Population by Age and Sex

The population pyramids shown in Figure 6 illustrate the estimated age and sex structure of Sonoma County, showing the population aging over time. The majority of Sonoma County's growth over the period is projected to occur among those aged 65 years and older. Also visible is the impact the baby boomers have on the distribution over time, creating a "barbell effect". Once the baby boomers have moved into the older age groups, demographers expect that birth rates for younger cohorts will be more stable, resulting in a more rectangular population pyramid.

Currently, there are about 5,000 more women than men in Sonoma County. That gap is expected to widen over the projection period. State demographers predict that women will outnumber men by about 7,000 in 2050

Figure 6: Individuals over 65 will be an increasing proportion of the population over the next 20 years.



Population by Race/Ethnicity

The race and ethnic composition of Sonoma County is projected to change significantly over the coming decades. The percentage of Sonoma County residents identifying as White is expected to decrease by about 8 percent every decade until 2050. The percentage of residents identifying as Hispanic, by contrast, is expected to increase by about 7 percent every decade from 2000 to 2050. By 2043, the Hispanic population is projected to be the largest ethnic group in Sonoma County, representing 45 percent of the population. And by 2050, Hispanics are expected to become 51 percent of the population in Sonoma County.

Figure 7: Sonoma County: Population by Race-Ethnicity in Sonoma County 2000-2050

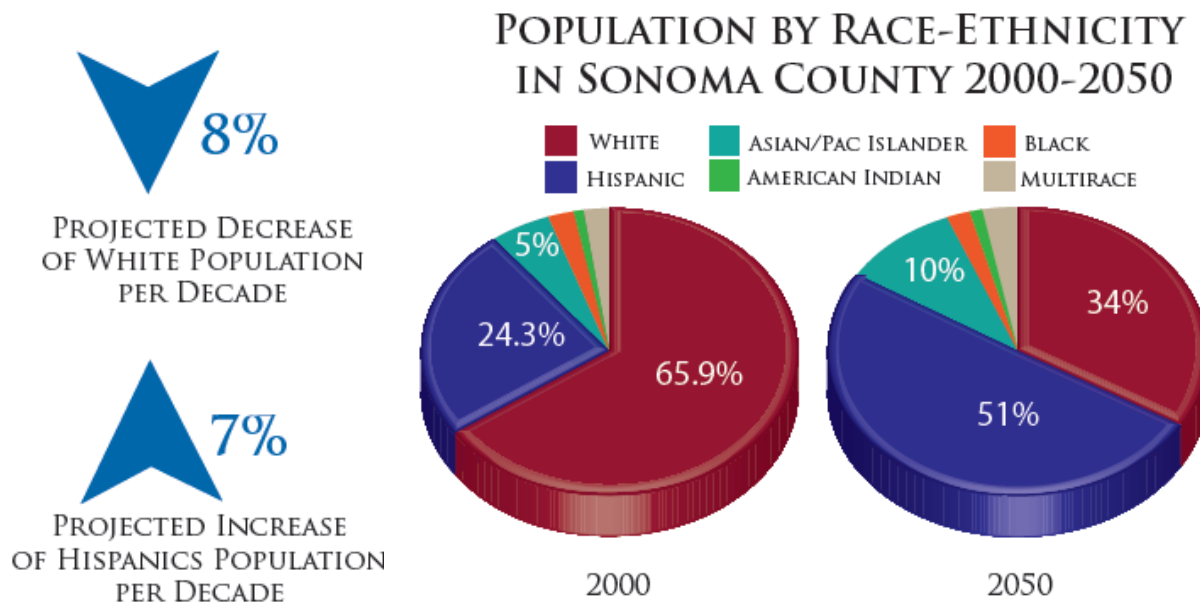


Table 3: Sonoma County: Projected Population by Race/Ethnicity

	White	Hispanic	Asian	Pacific Islander	Black	American Indian	Multirace
2000	346,634	80,028	14,404	884	6,376	3,613	9,679
2010	326,723	120,241	23,359	966	7,897	4,953	11,273
2020	313,493	168,306	34,144	1,060	10,345	6,375	12,428
2030	296,558	228,740	45,718	1,119	12,922	7,553	13,756
2040	275,132	301,719	58,774	1,162	15,754	8,734	14,904
2050	257,437	385,807	72,465	1,126	18,809	9,882	15,651

Source State of California, Department of Finance, *Population Projections for California and its Counties 2000-2050, by Age, Gender and Race/Ethnicity*, Sacramento, California, July 2007

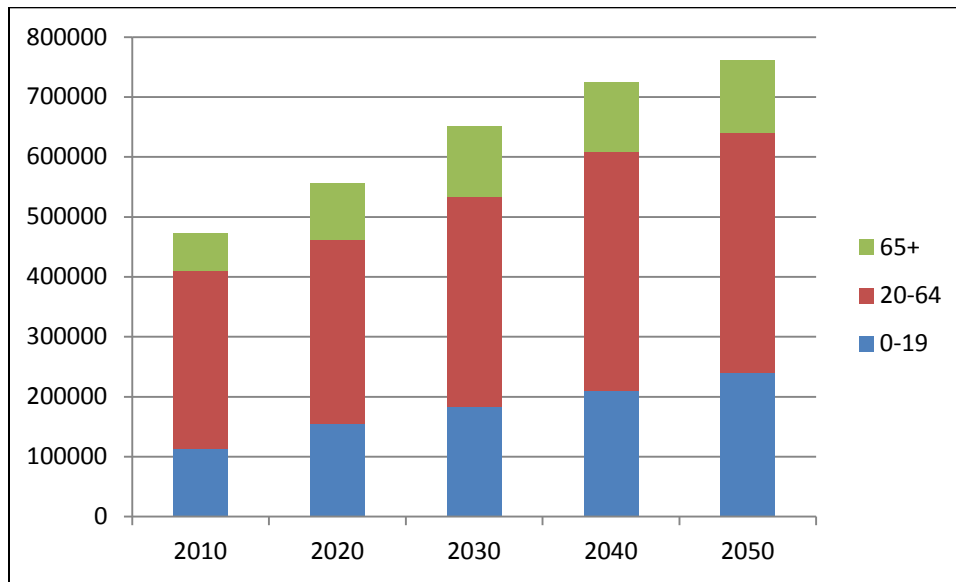
Working Age and Dependent Populations

Table 4 and Figure 8 show the changes over the projected period in the population broken down into three broad age groups: (1) children (0-19); (2) those of working age (20-64); and (3) those of state pensionable age (65+).

Table 4: Sonoma County: Population by Broad Age Groups, 2010 and 2050

Age Cohort	2010	2020	2030	2040	2050	% Change
0-19	133556	155892	183046	209840	240229	79.9
0-4	32421	40,445	46,032	53,033	62,105	91.6
5-9	34049	40,051	47,274	53,210	61,597	80.9
9-14	32462	38,008	46,221	52,458	59,459	83.2
15-19	34624	37,388	43,519	51,139	57,068	64.8
20-64	298993	296174	305626	350382	399607	33.7
20-24	36585	36,138	41,744	50,135	56,361	54.1
25-29	36552	38,874	41,656	47,820	55,437	51.7
30-34	29450	38,330	37,954	43,563	51,963	76.4
35-39	25443	35,576	38,024	41,113	47,266	85.8
40-44	28990	27,730	36,703	36,824	42,416	46.3
45-49	35104	23,949	34,074	36,910	40,053	14.1
50-54	37098	27,699	26,646	35,768	36,018	-2.9
55-59	36767	33,374	22,863	32,958	35,880	-2.4
60-64	33004	34,504	25,962	25,291	34,213	3.7
65 and over	62863	94085	117674	115957	121341	93.0
65-69	21068	32,735	30,061	20,859	30,473	44.6
70-74	13493	27,576	29,377	22,574	22,335	65.5
75-79	10031	15,950	25,687	24,369	17,338	72.8
80-84	8463	8,673	18,885	21,182	16,968	100.5
85+	9808	9,151	13,664	26,973	34,227	249.0

Figure 8: Sonoma County: Population by Broad Age Groups, 2010 and 2050



In the 0-19 age group, the population is projected to increase steadily from 113,556 in 2010 to 240,229 in 2050. The 20-64 age group is projected to decrease in the first decade, followed by a slight increase until 2050. Finally, the 65 and over age group is projected to increase rather rapidly, almost doubling over the 40-year period from 62,863 to 121,341.

Data Sources

State of California, Department of Finance, *Interim Population Projections for California and Its Counties 2010-2050*, Sacramento, California, May 2012.

The long-term projections provided by the California Department of Finance’s Demographic Research Unit were conducted using a baseline cohort-component method, tracing selected people born in a given year through their lives. These projections provide estimates of the population of Sonoma County from 2000 to 2035 in five-year increments. The final report, which will replace the interim report, will be released by January 2013.

State of California, Department of Transportation: Office of Transportation Economics, *California County-Level Economic Forecast 2010-2035*, Sacramento, California, 2010.

Appendix A-1: Model Programs and Best Practices

Transportation

The article, “How Boomers will Reshape U.S. Cities”, appearing in *Governing*’s September 2012 special series on aging, discusses efforts in Arlington, Virginia to make communities more assessable to seniors. The rapidly growing population of individuals aged 65 and over, growing health care costs associated with senior homes, and generally more active senior community were motivating factors behind a series of infrastructure improvements led by one of two Arlington task forces relating to aging.

The Arlington Commission on Long-term Care Residences was established in April, 2005 with the specific charge of enhancing the quality of care and life in long-term care residences, advising public officials about long-term care needs, and support access, availability, and affordability in long-term care residences. A copy of commission’s charter is attached. According to the article in *Governing*, a crucial issue for the task force was transportation. Improvements include:

- Wider sidewalks to accommodate wheelchairs,
- Expansion of door to door transit service,
- Lower sitting busses that eliminate the need for passengers to climb steps.

The Arlington Commission on Aging complements the Commission on Long-term Care. Their purposes as defined in their charter include

- “To advise the County Board, County Manager, and County agencies in the area of aging, and to review those items affecting older persons in the proposed annual County budget”
- “To advise the Arlington Agency on Aging in the developing and implementing of area plans for older person, establishing and monitoring of Agency objectives and County services...”

Housing – Staying in Place

A national survey estimates 80-90% of seniors wish to stay at home for as long as possible. The reasons may be personal or economic: a year at an assisted living facility costs \$39,516 on average nationally while a private nursing home will is over twice as expensive. With an average savings of just \$120,000 for people ages 55 to 64, living at home for as long as possible is a key facet of financial security.

Two key issues regarding living at home are the safety and accessibility of their residence. Over 70% of Americans will require long-term care, and the current stock of houses that meet senior accessibility requirements is insufficient. Standards are set by the nationwide Certified Aging in Place program which promotes home fixtures that are assessable across age and disability. Modifications can range from major projects such as adding roll-under counters and height appropriate cabinets, to smaller fixtures including grab bars and ramps.

The Virginia Livable Homes Tax Credit Program offers up to a \$5,000 tax credit for accessibility features during construction or as a retrofit. According to a Arlington Smart Choice Homes booklet, it is much less expensive to add these features in the initial construction phases than to remodel.

- Basic accessibility is \$250 at construction. Retrofitting the home to the same standard can cost more than \$3,300.

Transportation, shopping, and other issues related to living at home may also be addressed by non-profits. The Staying in Place group in Woodstock, N.Y. coordinates with volunteers, as well as charges an annual fee of \$150, to provide services that include

- Volunteer help with simple chores, shopping, reading and bill paying
- Access to free or low-cost technology
- Opportunities for volunteer service

Health and Senior Activities

Programs promote senior health also play provide a crucial opportunity for socialization overview of the best practices undertaken by governing organizations for promoting senior health.

Burke-West Springfield Senior Center Without Walls, Fairfax County, VA

- Seeks to address the problem of limited and disjointed exercise programs available for seniors
- Able to make efficient use of resources by providing services in existing facilities
- Community volunteer driven
- Served over 300 seniors since start in 2009; recognized by EPA's 2010 Commitment Award

Town of Cary, NC

- Promotes healthy living for seniors through development of walk paths and fitness programs
- Over the past five years, the Cary Senior Center quadrupled its courses and activities
- Mixed-use development and pedestrian friendly "activity centers" are very popular among seniors for each of shopping, exercising, and socializing

CHOICES Long-term Health Care, TN

- Coordinates Medicare and Medicaid coverage to seniors who are “dual-eligible” for both programs, a group that is at risk for inefficient and subpar care
- Reduces high cost of nursing home care by providing “dual-eligibles” assistance to live at home
- Since 2010, the number of Tennessee long-term care recipients who stay at home doubled from 17% to 34%. At the same time, Tennessee’s Medicaid program costs increase by half the national average

26 states moving to coordinated programs, including California in selected counties in 2013f

Appendix B-1: *Governing: How Will Boomer's Reshape U.S. Cities?*

BY: [Ryan Holeywell](#) | September 2012

Walk around Arlington County, Va., the compact, urbanized jurisdiction just outside Washington, D.C., and you may start to notice some interesting design details. The sidewalks are wide -- six feet in commercial areas and five in residential neighborhoods. Pedestrian “walk/don’t walk” signals have been replaced with newer versions that count down the seconds left before the light changes. And buses sit lower, eliminating the need for passengers to climb up and down steps to board and exit.

These are just a handful of the new elements that have been implemented in recent years as Arlington has pursued a plan to prepare for its aging baby boomer population. In 2006, the county assembled a task force to examine what it would need to do to accommodate older residents. The move was prescient, but to some residents it may even have seemed unnecessary. Arlington is a bastion of young, educated, urban professionals, many of them working for the federal government and associated industries. More than one-third of the county’s residents are between the ages of 25 and 39; nationwide, fewer than one in five Americans fall into that age range. But county leaders knew that change was on the horizon. By 2030, the county’s over-65 population is projected to double, and its over-85 group is set to almost triple. In the not-too-distant future, officials realized, their relatively small population of seniors would become vastly larger.

Some of the changes -- like the new crossing signals and the minimum sidewalk widths, which will better accommodate residents using walkers and wheelchairs -- are fairly small tweaks. Other changes are more significant. Arlington County has expanded a transit service that provides door-to-door transportation for the disabled. Parks and recreation officials are sponsoring bicycling groups for seniors to help introduce them to a driving alternative. And a new zoning ordinance allows some homeowners to build accessory dwelling units, often known as “granny flats,” where aging residents can live in proximity to relatives or friends.

County leaders say they’re expecting to see the population age not just as existing residents grow older, but also as young professionals move their parents to Arlington to better care for them. Terri Lynch, director of the Arlington County Agency on Aging, says that given the changing behavior of elderly people, the county has to take a different approach than communities may have in the past. Because retirees live longer and are more active than they previously have been, it’s crucial that the county address the needs of older residents, Lynch says. “It isn’t your grandmother’s aging.”

Across the country, urban planners and transit officials are realizing that the wave of boomer retirees will transform the way cities look, from the way they grow and sprawl to minutiae such as curb heights and the fonts on street signs. “We’re in a period of transition that’s pretty dramatic,” says David Dixon, who leads the planning and urban design practice at the Boston-based firm Goody Clancy. “You look at major metro areas, and sometimes a third or more of their growth for the next 30 years is folks over 65. That’s a hugely [significant] and rapid transition.”

Gone are the days when retiring meant packing up and moving to adults-only communities in Arizona or Florida, says Nancy LeaMond, executive vice president of AARP's state and national group. Surveys by her organization indicate that 84 percent of baby boomers plan on staying in their current homes as they age, she says, some because they want to, and others because they can't afford to move. Those empty nesters who do move may be more interested in relocating to smaller apartments in connected urban centers than to retirement golf-course communities.

The bottom line, planners say, is that city and county governments face a growing challenge: how to design a community for a population they haven't had to cater to in the past. If they come up with the right answer, they can help aging residents lead fulfilling lives and remain engaged and active, even in their senior years. But if they fail, they risk alienating and isolating a rapidly growing cohort of taxpayers. "We're trying to be predictive about where the populations are in a community that doesn't necessarily have senior citizens now, but in a few years will have a tremendous population," says Anna Ricklin, manager of the American Planning Association's Planning and Community Health Research Center.

Many of the aspects of designing an age-friendly community -- walkable downtowns, cohesive transit networks, mixed-use urban villages -- are the same things smart growth advocates have been pushing for 20 years. "By making the space accessible for seniors, you're making it more accessible for everyone else," Ricklin says.

But there are other issues that are directly related to aging residents. A recent World Health Organization report on aging communities, for example, highlights the need for things like greater numbers of public benches, safer crosswalks and plenty of public toilets to accommodate older people.

Experts say communities will also need to consider how they make transit service available to boomers, since many will become increasingly dependent on buses and rail as they stop driving. Officials in Westchester County, N.Y., for example, have been conducting outreach campaigns to sign seniors up for fare cards and teach them to use the bus. "In all of the surveys that we do of seniors and the outreach to the senior community, we find that their No. 1 concern about getting older is transportation," says Naomi Klein, director of planning at the county's public works and transportation department. "They don't want to lose their independence. There's real concern about having to give up driving."

In addition to teaching seniors how to use the bus system and read schedules, Westchester officials have also changed the design of their bus timetables to make them more readable for people who have trouble with small typefaces. And one bus route was altered to ensure it reached destinations that seniors were most interested in visiting, including pharmacies and the medical center.

When it comes to buildings themselves, many advocates have touted the idea of universal design -- making buildings more accommodating to all, often in subtle ways -- and encouraging developers to embrace these principles. That means wider hallways and doorways, and the absence of thresholds to help prevent trips and falls. There's also been a movement to encourage builders to introduce facets into their structures that cater to people who might not be disabled

today but could be in the future. For example, residential bathrooms could have walls designed to accommodate the eventual installation of grab bars, since it would be easier and less expensive to do that during the construction phase than to have to replace drywall later on. Related to that is the concept of “visitability” -- the idea that even if you aren’t disabled yourself, your home should be able to accommodate guests who are.

Portland State University, for instance, has worked with the city of Portland to include language in the city’s planning guide that emphasizes the needs to address accessibility issues for the elderly and disabled. Former Housing and Urban Development Secretary Henry Cisneros and others have called for governments to consider age-friendly plans modeled on home weatherization programs that would modify buildings to accommodate older people with mobility issues. AARP, for its part, says it plans to work with homebuilders and developers to get them to voluntarily adopt these types of standards; the group believes such a strategy will be more effective than pursuing zoning and building code reforms across the country.

What’s clear is whether it’s through municipal building codes or voluntary, market-driven adjustments, the home design will need to change to accommodate the older population, says Alan DeLaTorre, project coordinator at Portland State University’s Institute on Aging. “For the last 50 to 100 years, we’ve been building Peter Pan housing. It assumes you’re not going to grow up and grow old.”

On a broader scale, the aging trend will also require a rethinking of the type of housing stock that’s offered. While single-family homes with multiple bedrooms are often the cornerstone of residential communities, they aren’t necessarily practical for an elderly retiree, says Dixon, the urban designer. “Large parts of this country have a housing stock that is increasingly out of sync with demand in the market today and really out of sync going forward.”

Beyond that, some communities are starting to focus on better incorporating hospitals, nursing homes and other elder facilities into the community. John Norquist, president of the smart growth organization Congress for the New Urbanism, has touted efforts in some California communities to try to more closely link hospitals to sidewalks and transit. He says similar efforts could be adopted at some retirement communities so that instead of being surrounded by a parking lot, which may promote a sense of isolation, retirees can have access to the surrounding neighborhoods.

Implementing those kinds of changes will be a challenge. Many seniors who are aging in place live in suburbs that haven’t embraced walkable design and may not have large enough populations to support the density that would make it possible. Ellen Dunham-Jones, author of the book *Retrofitting Suburbia*, suggests the key to designing cities for the elderly is creating brand-new town centers, in some cases built upon the sites of old shopping centers. She touts Mashpee Commons, an open-air mall in Cape Cod that was a typical shopping center in the 1960s but was redeveloped in the 1980s and today includes a nearby library, Boys & Girls Club and senior center. City and county leaders in Wisconsin Rapids, Wis., renovated a former downtown Walmart into a community center. The city-owned facility leases space out to an adult day care and an organization that helps connect elderly people with resources like Medicare and transportation. It also has a community theater and space for after-school services run by the

parks department. Planning experts say facilities like that can help foster a sense of community in the elderly.

Part of the solution could lie in reinterpreting federal law. Architect Scott Ball, author of the book *Livable Communities for Aging Populations*, advocates a reexamination of the Americans with Disabilities Act (ADA). The 1990 law uses buildings codes to ensure the disabled have access and maneuverability within individual structures. But it doesn't address the larger issues of designing an accessible community. Ball and others say the ADA should consider things like zoning, and he argues that providing access to the disabled can be more of an urban planning issue than an architectural one.

In that sense, designing an age-friendly community is about much more than wheelchair ramps and countdown walk signals. It involves a comprehensive approach that focuses as much on the individual as technical standards. "There are few places that are getting any younger," says LeaMond of the AARP. "We don't want people, as they get older, to get more and more isolated from community activities and services they need."

Appendix B-2 *Governing: Transit Service May Feel Weight of Seniors*

BY: [Ryan Holeywell](#) August 31, 2012

In most lines of work, customer growth is considered a good thing. In the world of transit -- specifically, transit service for the disabled -- it's a serious challenge.

Across the country, transit systems are taking steps to slow the increasing number of passengers who use paratransit, the federally-mandated service they're required to provide for disabled customers who are unable to use traditional buses and rail.

It's a trend worth paying attention to, as it may be a harbinger of things to come: Experts say a growing number of baby boomers will rely on transit -- and in some cases paratransit -- to move around in the not-too-distant future. And that could put even more strain on paratransit systems that are struggling with the costly mandate.

Nationwide, transit agencies are trying to find creative ways to reduce their expenses by steering people who would ordinarily use paratransit shared-ride vans towards more traditional service.

- In Riverside, Calif. -- where paratransit serves 4 percent of the system's riders but eats up 18 percent of the budget -- officials are [teaching](#) people with cognitive disabilities to read bus schedules.
- In Portland -- where TriMet spends almost 10 percent of its operating budget on 1 percent of its riders -- paratransit now serves a smaller area and fares have increased from \$1.85 to \$2.15.
- Transit officials in Washington, D.C. have made an offer to the disabled: if they'll ditch the expensive door-to-door service, they can ride buses and subways for free.

"In paratransit, we don't celebrate our demand skyrocketing," says Christian Kent, assistant general manager of access service at Washington Metropolitan Area Transit Authority. "We got to a place a few years ago where our board was making decisions about its budget, and the word 'unsustainable' was used for the first time."

ADA boosts paratransit ridership

The Americans with Disabilities Act, the landmark 1990 law, put all public transit systems into the paratransit business. The law didn't give them extra funding, but it did force them to provide a service that's expensive, costing big city transit agencies an average of \$34 per ride, according to 2010 American Public Transportation Association report.

In addition to being more expensive than typical transit service, it's also growing faster. From 2000 to 2010, the number of "demand-response" trips -- namely, paratransit -- increased about 80 percent. Overall, transit trips increased by about 10 percent in that time, says Art Guzzetti, the vice president of policy at the American Public Transportation association.

Those two dynamics have created a service that represents a disproportionately large part of transit agency budgets. Even though paratransit customers represent about 1.9 percent of all transit riders, the service eats up about 13.7 percent of transit agencies' costs, says Guzzetti.

And because paratransit programs are so heavily subsidized, transit agencies face a frustrating paradox: if they make the service more convenient, they'll attract more customers. And if they attract more customers, they'll lose more money. So today, much of the work of the officials working in the field of paratransit is to persuade riders not to use the service.

"[I]f you're being good stewards of your taxpayer dollars, you try to put them in check," says Guzzetti. "You don't want to be providing more of those trips than you need to be."

Transit costs vs paratransit costs

Transit agencies have taken a variety of steps to try to turn the tide. In Washington, the MetroAccess paratransit service carries about 2.3 million passengers annually. From 2005 to 2011, ridership on the service increased by about 20 percent annually, Kent says. That number is staggeringly high; traditionally, transit advocates are thrilled at a 1 or 2 percent increase in overall ridership.

That growth isn't just fast. It's expensive. MetroAccess has an operating budget of \$118 million, according to the proposed FY 2013 budget. That means 7.5 percent of the system's operating budget pays for less than 1 percent of its trip.

As transit agencies craft their operations budgets, their costs typically outweigh revenue. In other words, the cost of a ticket doesn't really pay for the cost of a ride. In the case of the Washington Metropolitan Area Transit Authority, the shortfall is closed with a subsidy paid by the local governments served by Metro.

For rail, the subsidy costs about 76 cents per ride, according to the proposed FY 2013 [budget](#). For MetroAccess, that subsidy averages about \$50.45 per passenger. Governments pay more than 93 percent of the costs of MetroAccess.

Put another way: the subsidy local governments pay to move one MetroAccess customer could move 65 rail customers.

Transit systems shifting costs

One technique that many transit agencies have started to embrace, including WMATA, is offering free rides on bus and rail to the disabled. Paratransit is so heavily subsidized that it's less-expensive for the government to give away a free bus or subway ride than to provide paratransit service, even when they charge customers.

WMATA has also started training the disabled to use traditional bus and rail service, in hopes of facilitating that transition, and it's changed the way it evaluates customer eligibility for the

paratransit program. Those changes mean the agency's preliminary FY 2013 budget projects paratransit ridership to be lower than it was in FY 2010.

But it's unclear whether all the reforms being pursued by WMATA and others will be enough to stave off a surge in paratransit demand as a result of aging seniors, as people over the age of 65 represent a disproportionately large percentage of the disabled population.

Demand for ADA paratransit use is expected to increase by nearly 12 percent for the under-65 population through 2030, according to the APTA [report](#). But for those over 65, the increase will be more than 75 percent.

The report goes on to project that the operating funds needed to provide ADA paratransit for seniors will increase from nearly \$1.7 billion annually in 2010 to more than \$2.9 billion annually in 2030.

Uncomfortable battles for transit dollars could break out, since paratransit competes with traditional bus and rail for precious budgetary dollars. "It is putting a strain on total resources and what we have available for all other modes," MBTA General Manager Jon Davis [said](#) last year.

In Boston, the cost of the paratransit service, called The Ride, has increased nearly 400 percent in the last decade. Author Edward Glaeser, writing in a *Boston Globe* column earlier this year, called paratransit an unfunded federal mandate that causes additional pressure on already cash-strapped transit agencies.

Glaeser's solution: take paratransit out of the purview of Massachusetts Bay Transportation Authority, and structure it as a standalone state agency funded by general state revenue. Maintaining the status quo, he wrote, would mean a paratransit service that would eventually eat up the entire transit agency's budget.

Few are seriously considering that option. Instead, transit agencies say their solution is to steer paratransit customers towards traditional transit service when appropriate and scale back on service when legal. They argue that in many cases, traditional transit service can actually serve the needs of the disabled better, since they can operate on their own timetable instead of having to schedule pickups.

Jeff Becker, senior development manager at Denver's Regional Transportation District, argues that paratransit's growth isn't poised to cause a fiscal crisis. He says transit agencies need to get more creative and more flexible to reduce costs. "I don't see why there's a reason to panic," Becker says.

Transit agencies aren't always obligated to provide one-seat, no-transfer rides to the disabled -- even though historically they have, according to Becker, who says more agencies will also need to use paratransit as a way to connect the disabled to traditional service rather than to bypass it entirely.

"It's not as convenient for the customers, but neither is any transit service," Becker says.

Paratransit advocates criticize changes

Those moves aren't popular with the disabled, and in places like Portland and Washington, they have been met with an outcry from the disabled community.

Pat Spray, a MetroAccess customer who has used a wheelchair for 10 years, says the agency's efforts to push disabled customers towards typical bus and rail is "upsetting and unnerving." The subway's stations are dimly lit, its escalators and elevators are often out-of-service, and new fare machines **lack the option** of having audio prompts for the visually impaired. In other words, the system isn't as friendly to the disabled as some may think.

Meanwhile, Spray notes, MetroAccess isn't a "gimme" program. Riders have to schedule pickups, and just like traditional bus and rail, they may or may not arrive at their destination on time. Spray is aware of the costs of the program but argues that by allowing people to travel independently -- as opposed to entering assisted living institutions -- it actually saves money in the long-term.

"The whole paratransit issue needs to be reframed in a broader context," says Spray, who became wheelchair-bound after a botched surgery. "It's part of a market basket of services. We're trying to keep grandma out of the home."



From Advocacy to Action

A Focus on Seniors

Human Services Department
October 22, 2013

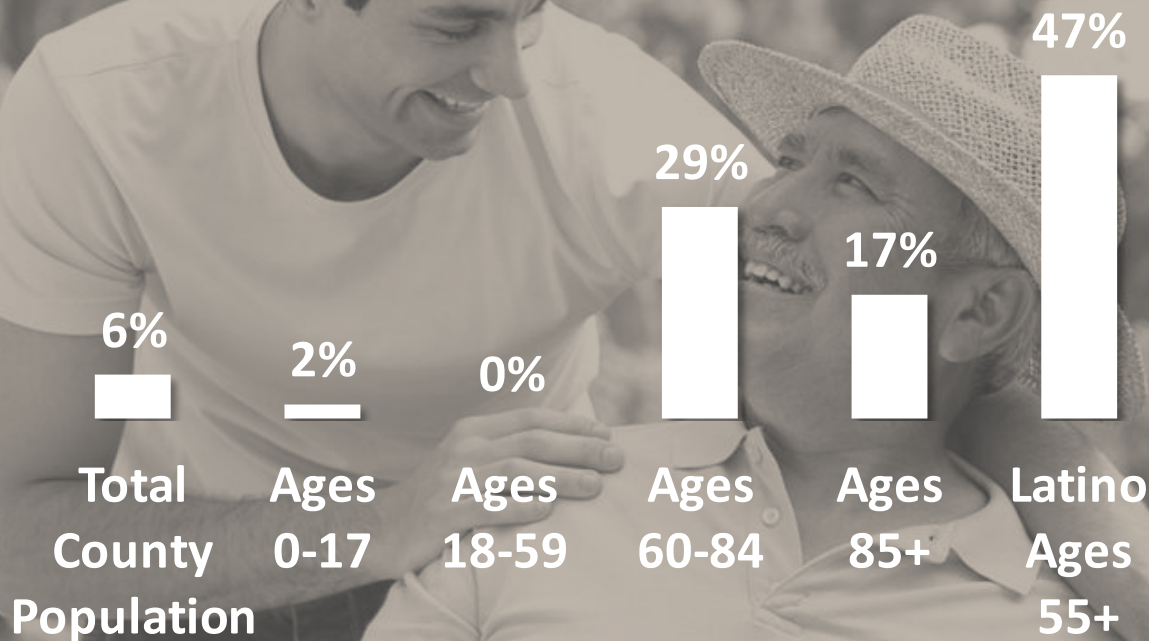


Demographic Shifts



Population Increases

2007-2012



“The growth of the senior population will have major implications for both individual and community life. It will challenge families and community organizations to provide the support seniors need to stay engaged, independent, healthy, and safe.”
2013 Grand Jury

Mission

Protection and Empowerment



- 59% increase in APS reports (2007-2012)
- 20% increase in IHSS caseload (2007-2012)
- 267,893 congregate and home-delivered meals from October 2012-13



Advocacy

Emerging Issues



**A Mandate
to Protect
Seniors**

**Funding
for Senior
Services**

Action

Emerging Issues



Planning
for the Future

Supported
Independent
Living

Community
Planning



Partners

Collective Impact



Area Agency on Aging Advisory Committee

Elected Officials

County Departments

Community Non-Profits

Cities

Healthcare Organizations

Volunteers

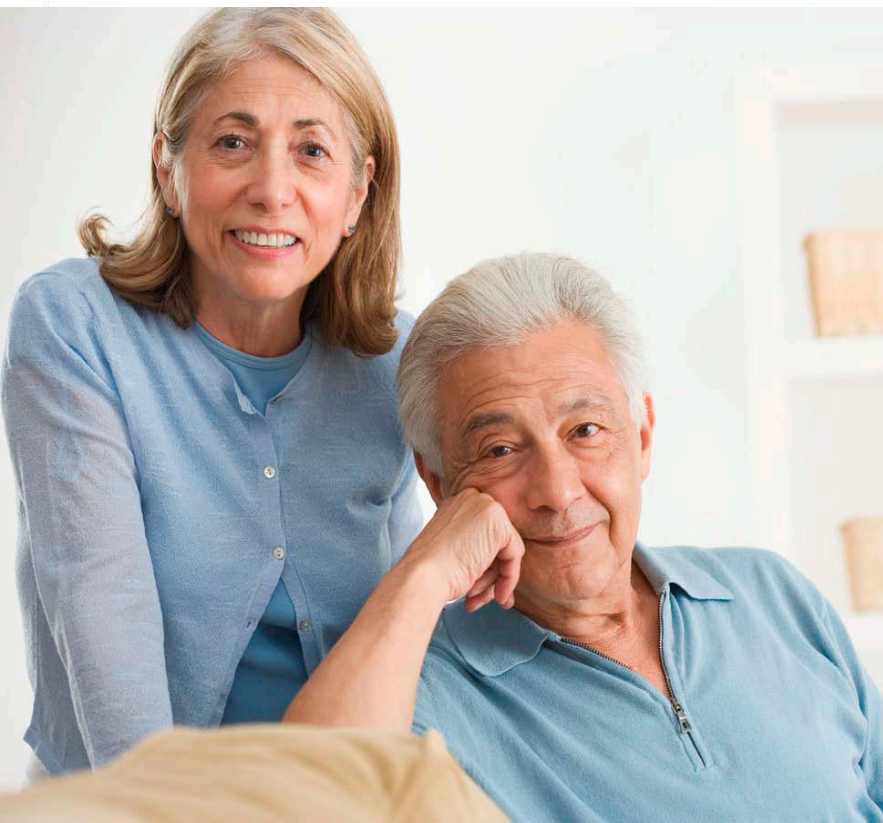


For more information
Diane Kaljian, 565-5900



A Focus on Seniors





Sonoma County – Demographic Projections 2010-50

Ben Stone, Executive Director

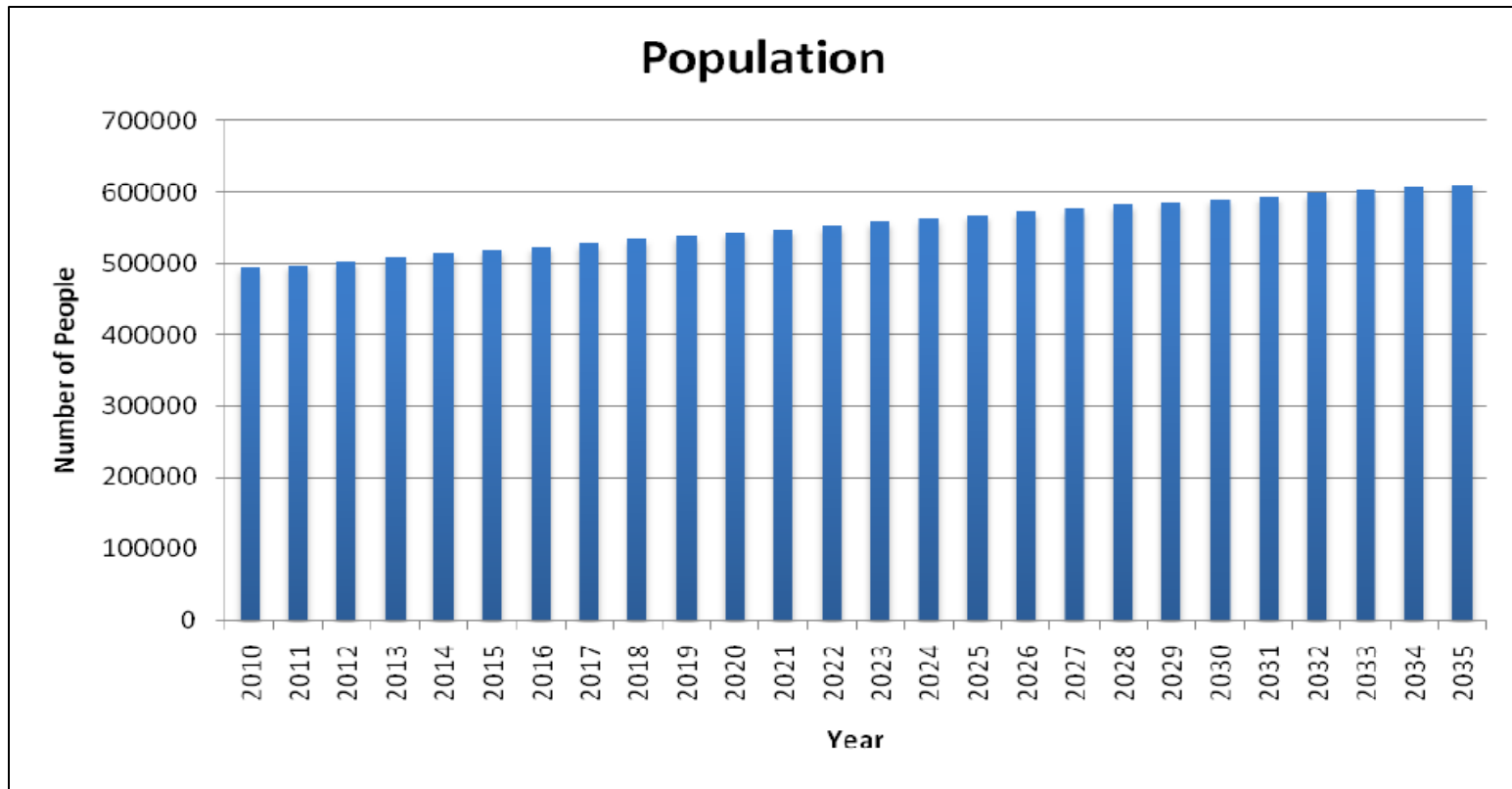


Board of Supervisors of Sonoma County

October 22, 2013



Sonoma County's Demographic Future



California County-Level Economic Forecast 2010-2035

Population in 2010 → 493,308

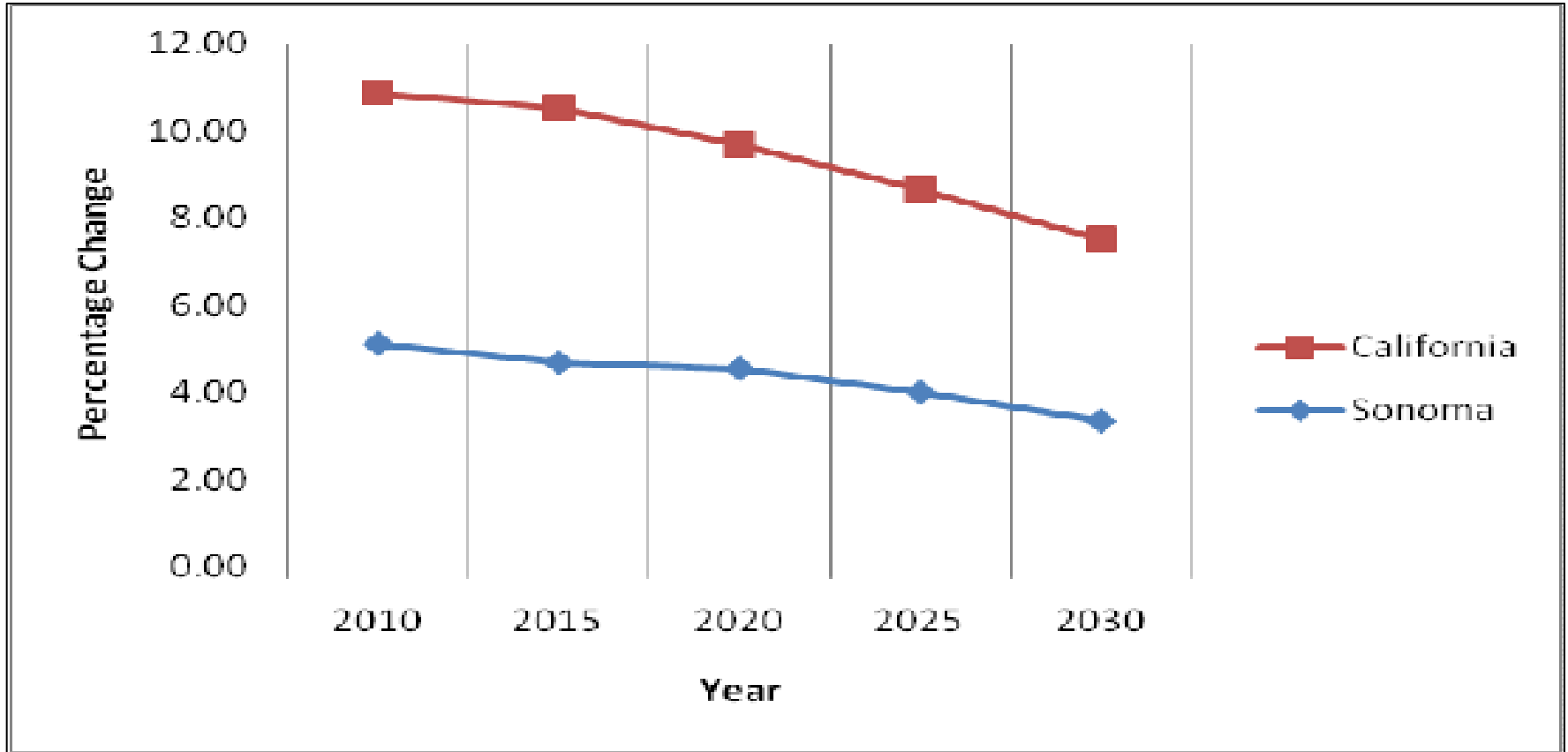
Population in 2035 → 610,059

Percentage growth → 23.7% ↑

Average annual growth rate → 0.9%

Population Projections: Sonoma County and California

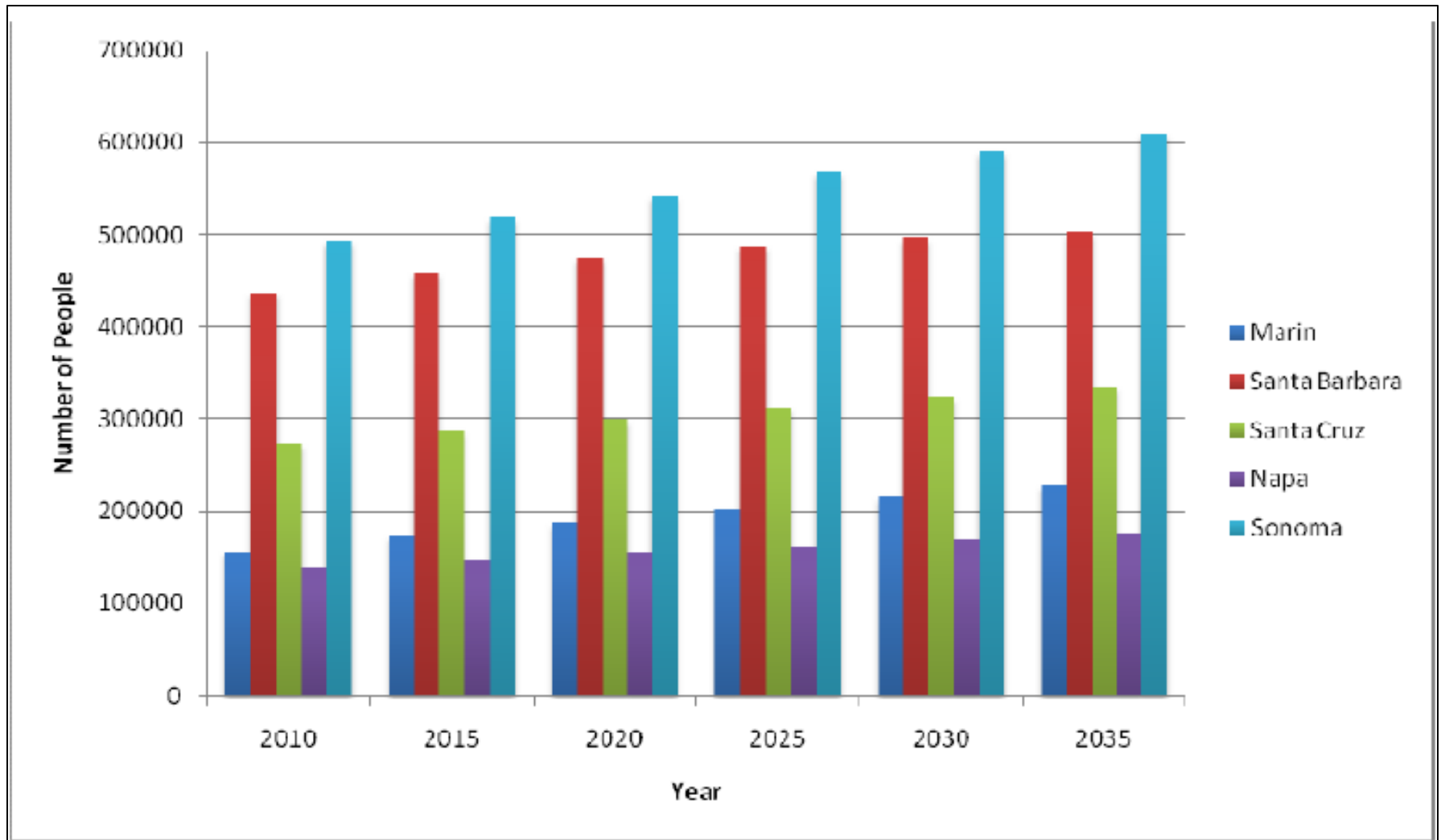
Percentage increase in population follows a declining trend for both Sonoma County and California



California County-Level Economic Forecast 2010-2035

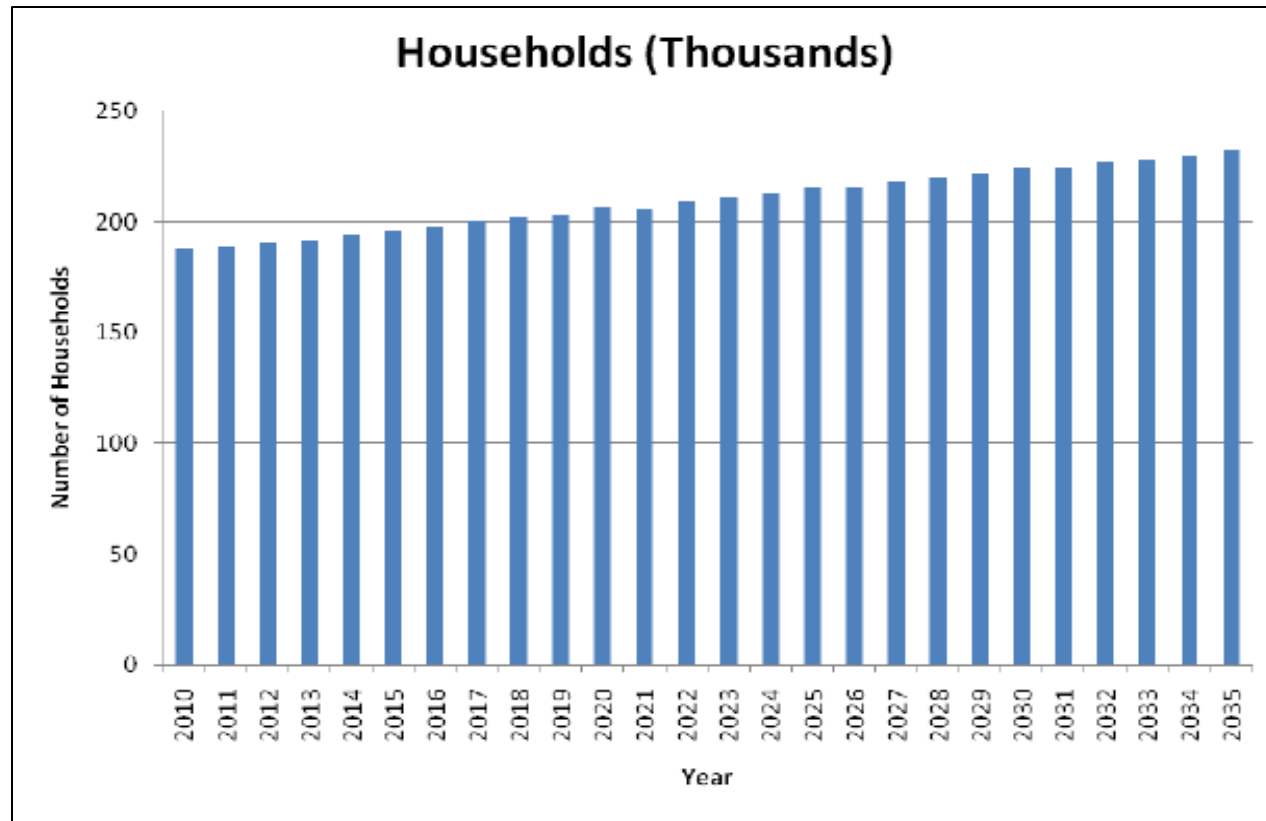
Over the 25-year period,
Sonoma County's population increase: 23.7%
California's population increase: 28.2%

Population Projections: Sonoma and neighboring counties



California County-Level Economic Forecast 2010-2035

Sonoma County: Number of Households



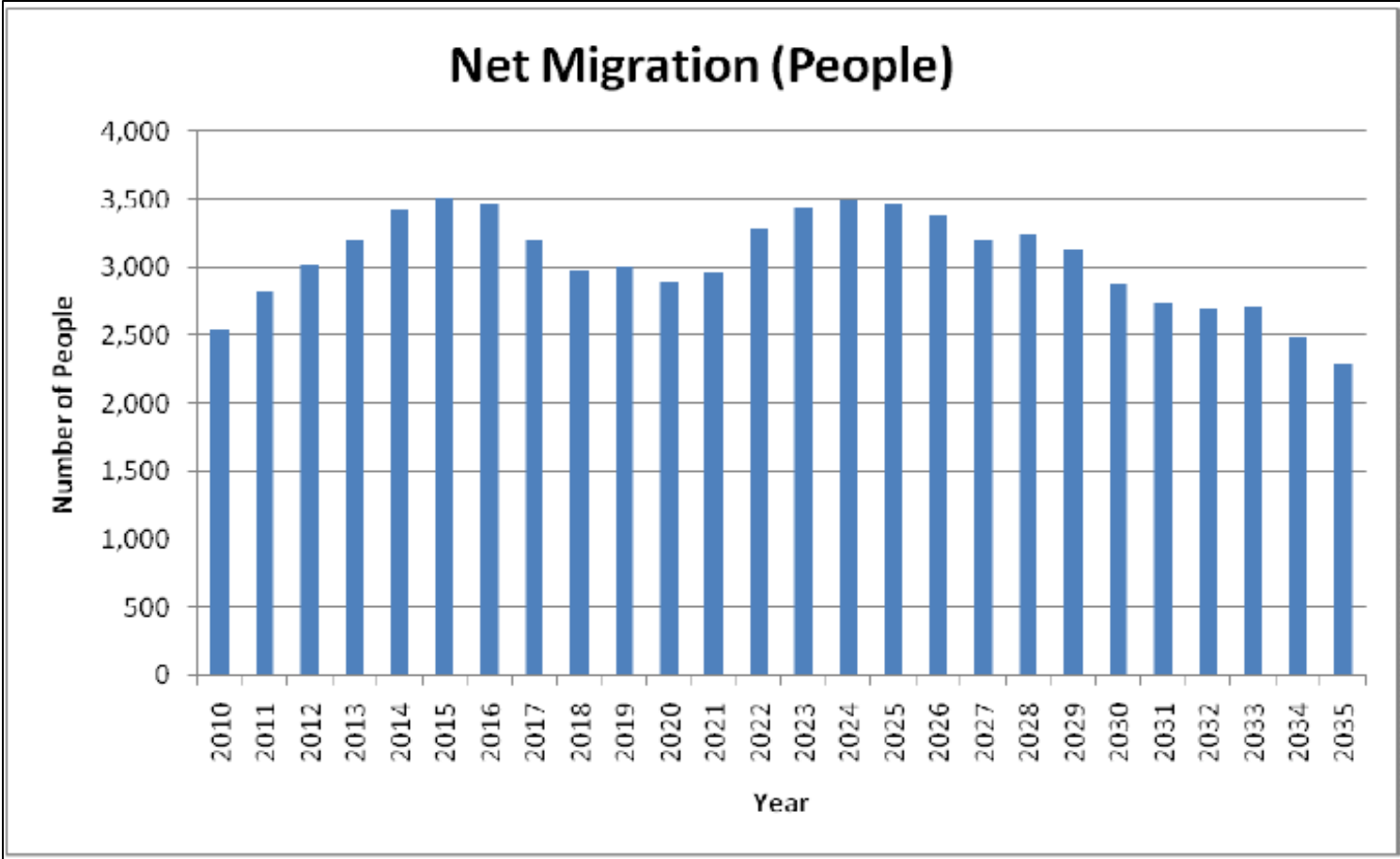
California County-Level Economic Forecast 2010-2035

Households in 2010 → 188,000

Households in 2035 → 232,000

44,000 new households
Percentage growth → 23.4%

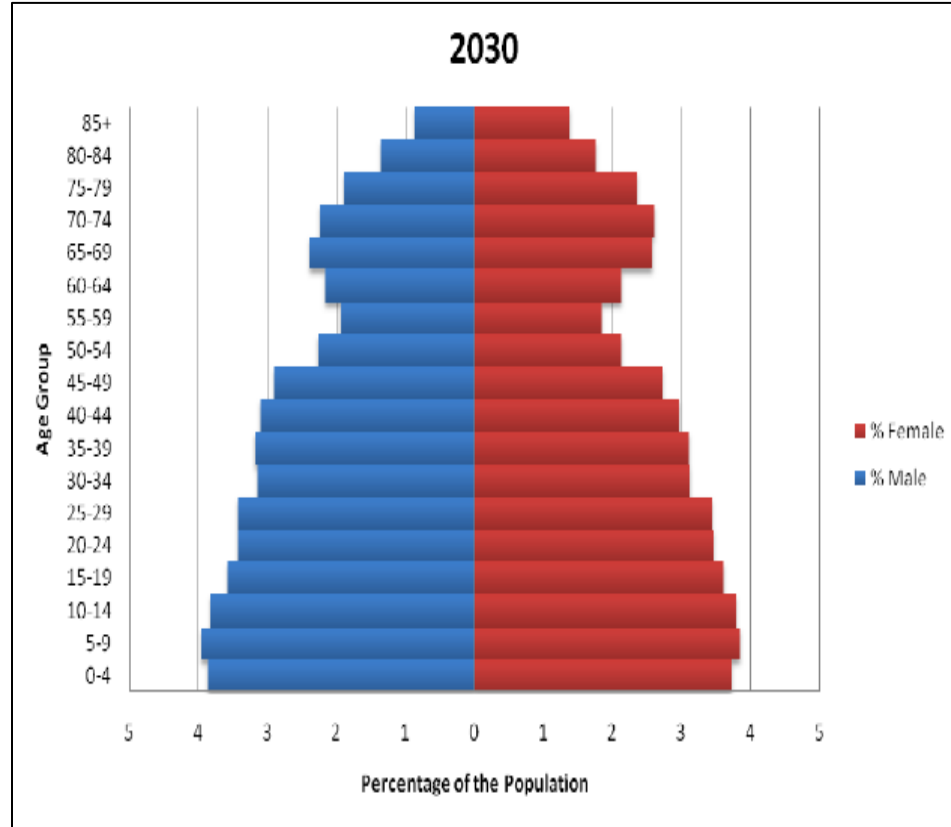
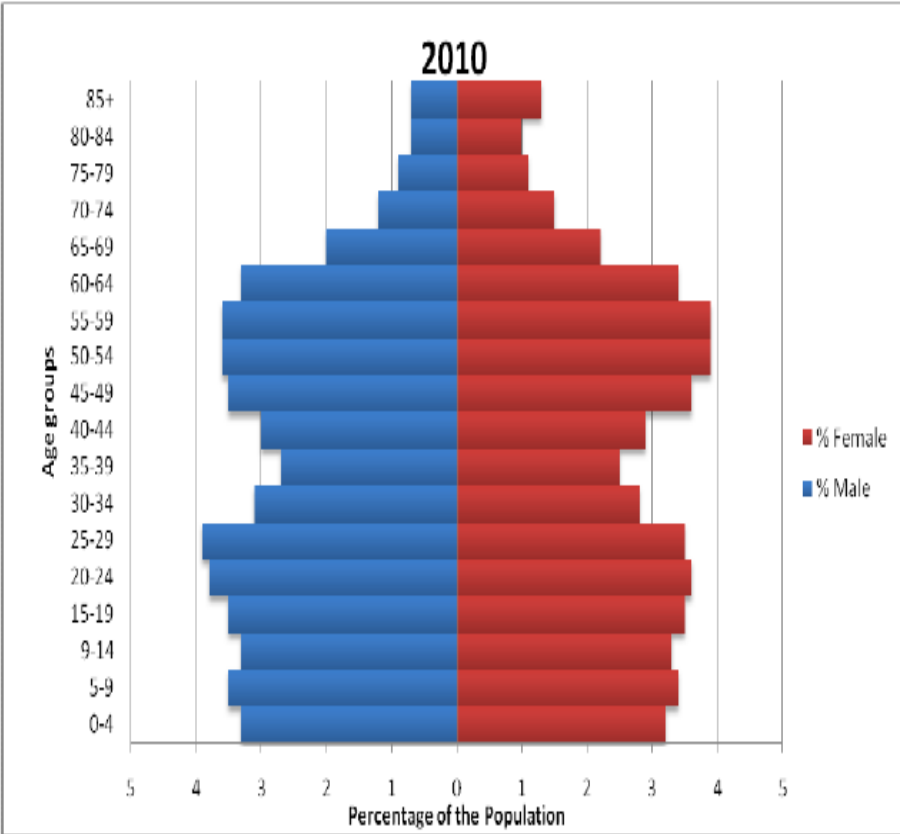
Sonoma County: Net Migration 2010-2035



California County-Level Economic Forecast 2010-2035

Net Migration is projected to peak during 2022-2026

Individuals over 65 will be an increasing proportion of population over the next 20 years



California County-Level Economic Forecast 2010-2035

- Baby boomers will create a ‘barbell effect’ on population distribution over time
 - Women will outnumber men by about 7,000 in 2050

Sonoma County: Population by Race-Ethnicity 2000 - 2050

8%

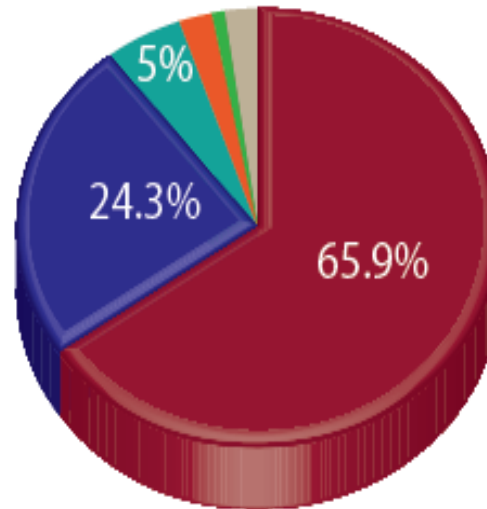
PROJECTED DECREASE
OF WHITE POPULATION
PER DECADE

7%

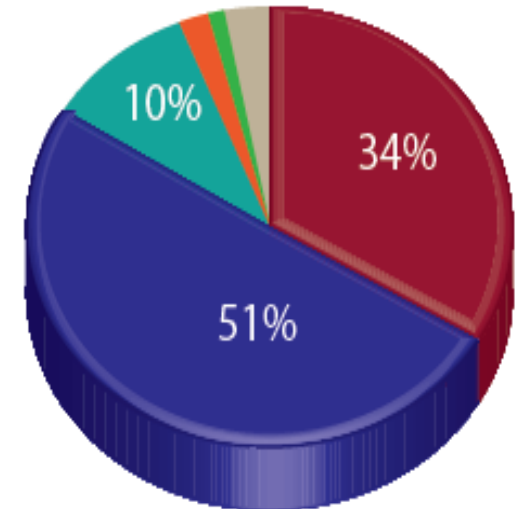
PROJECTED INCREASE
OF HISPANICS POPULATION
PER DECADE

POPULATION BY RACE-ETHNICITY IN SONOMA COUNTY 2000-2050

WHITE ASIAN/PAC ISLANDER BLACK
HISPANIC AMERICAN INDIAN MULTIRACE



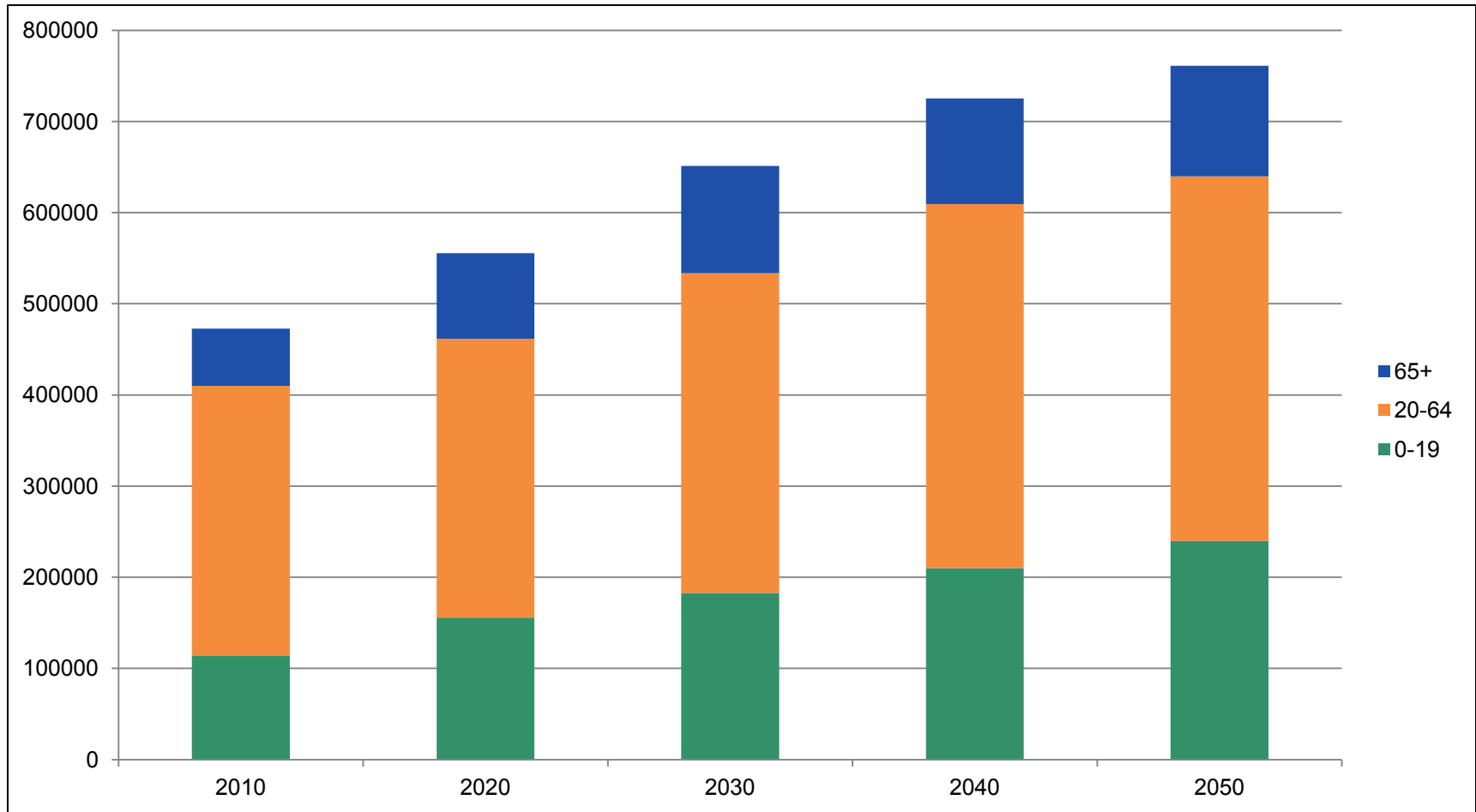
2000



2050

By 2050, Hispanics are expected to become 51 percent of the population in Sonoma County

Sonoma County: Population by Broad Age Groups 2010-2050



The 65 and over age group is projected to double from 62,863 to 121,341 over the 40-year period

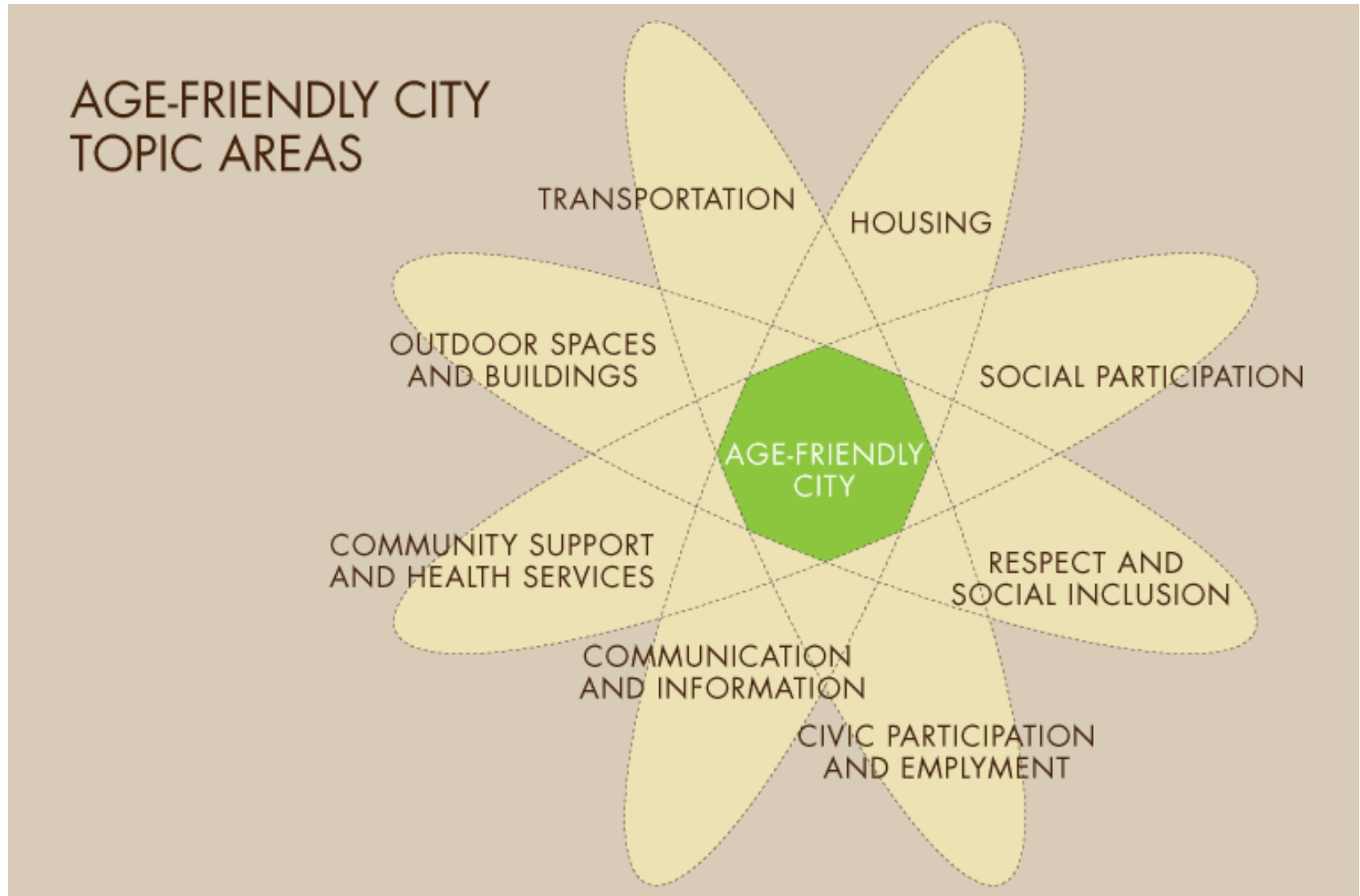
Some practices followed by model programs



➤ In British Columbia, Canada, ‘**Age-friendly**’ businesses and communities benefit:

- **Local businesses** and facilities
- **People of all ages and abilities** through barrier free buildings, streets and more green spaces
- **Entire community** through increased and active participation of older adults

Elements of 'age-friendly' practices



Youth programs



High School

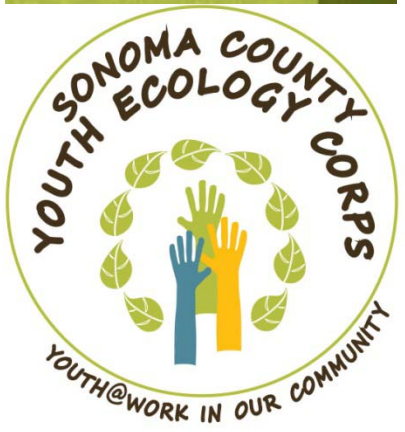
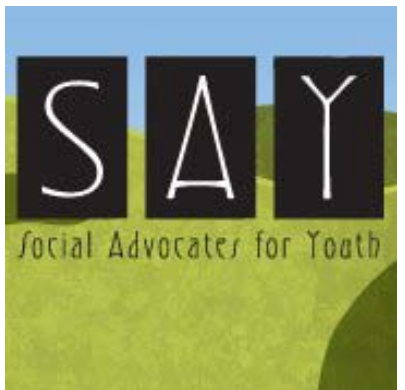
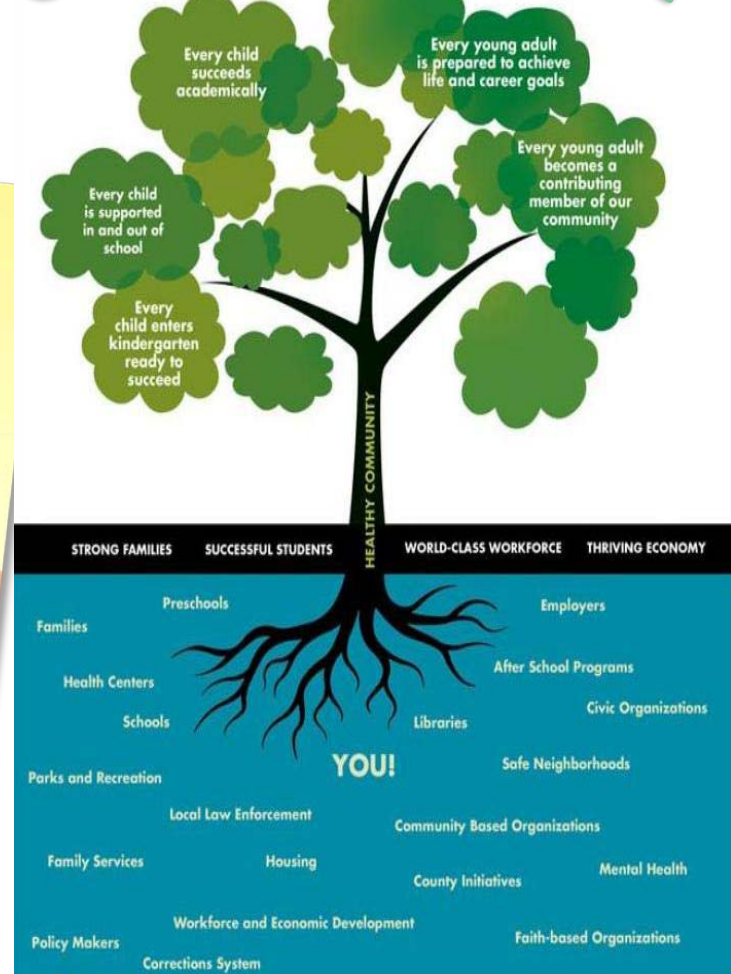
CAREER TECHNICAL EDUCATION

Preparing all Youth for Success in College, Careers, and Life

SONOMA COUNTY

Sonoma County Office of Education

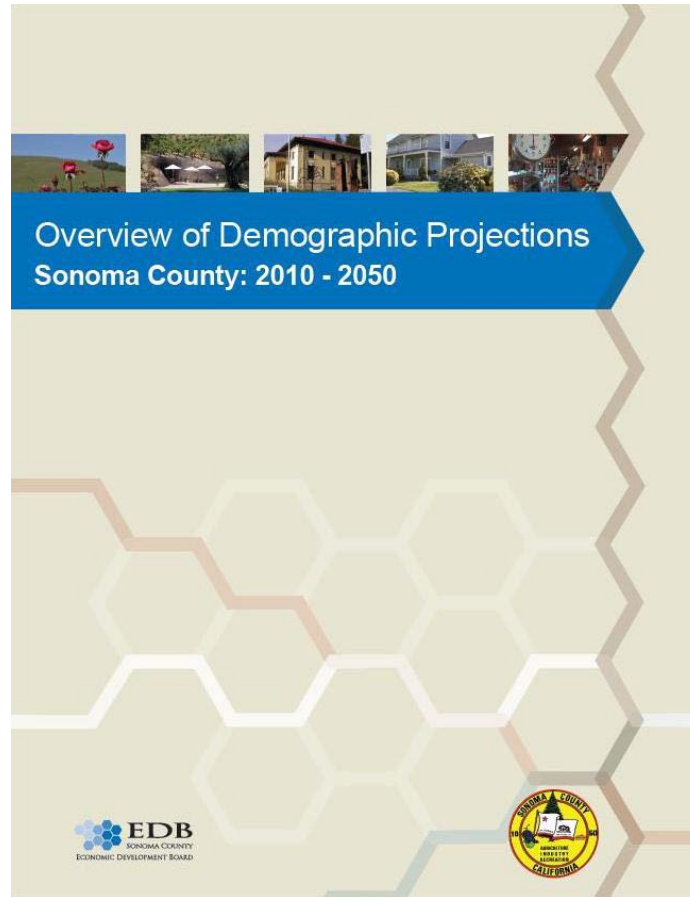
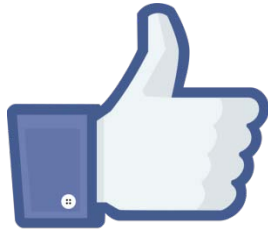
Cradle to Career



County of Sonoma

Website:

edb.sonoma-county.org



Questions?



www.facebook.com/SonomaEDB

www.twitter.com/SonomaEDB

<http://www.youtube.com/user/SonomaEDB>



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 Agenda Date: October 22, 2013

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: Setting of the Booking Fee and Jail Access Fee effective July 1, 2013

Recommended Actions:

Resolution setting the Criminal Justice Administrative Fee (Jail Booking Fee) at \$164 per applicable booking and the Jail Access Fee (JAF) at \$339 per applicable non-felony bookings, effective July 1, 2013, in accordance with Government Code.

Executive Summary:

The Board of Supervisors is requested to set the Jail Booking Fee and the Jail Access Fee. The recommended fees are:

- \$164 for the Jail Booking Fee – (an increase of \$6 or 3.6% over FY 12-13); and
- \$339 for the Jail Access Fee (JAF) – (a decrease of \$130 or 28% over FY 12-13).

Based on the Government Code, in the event that the state appropriates less than \$35 million in any given year for the purpose of the booking fee subvention, counties have the option of reverting to the booking fee structure in proportion to the level of under appropriation. The source of the booking fee subvention as determined by the legislature is a portion of Vehicle License Fees (VLF) received by counties.

The County anticipates that the State booking fee allocation for FY 13-14 will be the full \$35 million. The state has indicated their commitment to fully fund this bank. However, should 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.

The intent of the Jail Access Fee is to provide an incentive to arresting agencies to minimize unnecessary arrests, reduce pressure on jail capacity and provide space for serious offenders, and foster development of local alternatives to deal with non-violent, less serious offenders. This fee was considered primarily due to the fact that the state was bearing the majority of the booking fee and had

legislatively limited counties to recover only half of the cost of actual cost of bookings. This is a very important tool for the county, in that is one of the few ways we can have a minor influence on the inmate population, for which we assume the full cost.

In past years, the Government Code required that the County Administrator provide notice to affected agencies prior to the Board's adopting of the fee. While the noticing requirement has since been deleted from the Government Code, staff feels that providing 45 days written notice to the affected agencies is a reasonable practice, so notice has been provided.

The following provides specific information on the calculation of the two fees:

Booking Fee Calculation

The Jail Booking Fee is statutorily set with annual increases limited to the Consumer Price Index (CPI) plus 1%.

The initial (discounted) booking fee rate in effect on June 30, 2006 was \$123. This fee has been increased annually by the CPI plus 1% since FY 06-07. The rate calculated effective July 1, 2013 is shown below.

$\$158$ (FY 12-13 rate) $\times 1.036$ (2.6% (San Francisco June 2012 to 2013 CPI) + 1%) for a total of $\$164$

Jail Access Fee (JAF)

A JAF may only be charged to agencies for certain identified non-felony bookings if the arresting agency exceeds their three-year average for these types of bookings. According to the legislation, the JAF applies to bookings for Municipal Code Violations and misdemeanor violations, except for driving under the influence and domestic violence misdemeanor offenses, including enforcement of protective orders. Arresting agencies are notified of their rolling average in July of each year and also receive actual arrest numbers on a monthly basis to help manage costs for optional bookings.

The JAF is decreasing in FY 13-14 based on the Auditor's most recent time study and cost calculation. The time study is used to determine what percentage of overall time is spent on booking inmates to determine a rate per booking. The rate per booking is then used to set the JAF. Time studies are conducted every three years. The most recent time study was conducted by the Sheriff's staff in June 2012. Compared to the previous time study, the time spent by Sheriff staff booking inmates into the MADF reduced, thus reducing overall direct cost of booking activities. This reduction is attributable to efficiencies that have been added to the overall booking process. In addition to the time study data, departmental cost data is analyzed annually, to determine a fully-weighted hourly rate for the service being provided. The hourly rate also decreased, due to a total decrease in administration costs, which resulted from the economic downturn, and the increased efficiencies in providing county services that have resulted. The combination of these two data elements result in a decrease in the Jail Access Fee from \$469/booking to \$339/booking.

Using the three year average of agency JAF billings (36) it is estimated that \$12,204 will be received in FY 13-14 based on the new rate for a decrease of \$4,680 compared to 36 bookings at the FY 12-13 rate of \$469. Based on 2012/13 data, revenue for the Jail Access Fee is budgeted at \$12,204.

Legislative History

Over the last two decades the state has instituted legislation regarding the booking of arrestees into county jails. In 1990 counties were granted the statutory authority to levy a charge against cities and special districts, to recover costs associated with booking persons into the county jail. Counties were provided this tool as one of a number of measures to offset over \$700 million in reductions in state support for county programs contained in the FY 1990-91 state budget. The criminal justice administration fee, or booking fee, was intended to permit counties the ability to recover their actual costs associated with the booking and other processing of persons arrested and brought to the county jail.

In 1999 the Legislature took action to continuously appropriate up to \$50 million dollars to backfill cities and qualified special districts for their costs associated with paying booking fees to counties. Cities and special districts received just over \$38 million in reimbursements through FY 04-05.

In 2004 the legislature adopted a number of changes relating to booking fees as part of the general government trailer bill. Counties retained the authority to charge a booking fee for the FY 04-05, but rates were “locked in” at the level in place on January 1, 2004 (\$233 for Sonoma County). Effective July 1, 2005, county booking fees were limited to one-half of actual administrative costs associated with booking and processing of arrestees; and the backfill to cities and special districts was eliminated. At the time, Sonoma County’s agreement with the cities was a fee less than full cost which was increased annually by a set formula. The FY 05-06 fee was based on this agreement and reduced by half (\$123). In 2006 a final state budget trailer bill, 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. This action relieved cities and special districts from paying directly for felony and certain misdemeanor bookings. 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.

Additionally, the same trailer bill authorized counties to charge a JAF. Pursuant to GC 29551(b)(1), effective July 1, 2007, even if an appropriation (\$35 million) is made by the state, the county may also charge agencies a “JAF.” This fee can be charged when an agency exceeds their most recent three-year-average number of non-felony bookings for municipal code violations and misdemeanor violations, except driving under the influence offenses and domestic violence misdemeanor offenses. The JAF rate may not exceed actual cost of booking an arrested person. The intent of the JAF is to avoid or reduce unnecessary arrests; help mitigate pressure on local facilities and create availability of space in local detention facilities for serious offenders, and foster development of local alternatives to deal with nonviolent, less serious offenders.

Prior Board Actions:

Each year since FY 90-91 the Board has set the Jail Booking Fee. In FY 08-09 the Board established the Jail Access Fee which has been adjusted annually. The Board approved the 2012/13 fees on June 26,

2012.

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	\$ 12,204
	\$	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
3 year history of jail access fees by agency
3 year average by agency for jail access fees

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



County of Sonoma
State of California

Date: October 22, 2013

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 \$164 Per Applicable Booking; And 2) Setting The Jail Access Fee At \$339; All Fees To Be Effective July 1, 2013.

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, to dissuade local agencies from increasing the number of jail bookings for misdemeanor offenses, the State Legislature has established a Jail Access Fee that the County may charge to agencies for each booking that exceeds the average number of that agency's misdemeanor bookings over the previous three-year period; and

Whereas, the proposed Jail Booking Fee is calculated to be \$164 based on the formula mandated by State law, and the proposed Jail Access Fee is recommended at \$339; and

Whereas, the actual cost of booking and processing arrested persons in FY 12-13 (most recent audit) was determined to be \$339, which is used as the basis for FY 13-14 Jail Access Fee; and

Resolution #

Date:

Page 2

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 \$164 per applicable booking effective July 1, 2013, 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, 2013, to local agencies at a rate determined to be that portion of the booking fee equal to the proportion that the appropriated amount is less than \$35 million; and

Be It Further Resolved the Board of Supervisors sets the Jail Access Fee effective July 1, 2013, pursuant to Government Code Section 29551(b) at \$339, to be assessed to local agencies for each jail booking that exceeds the agency's previous three-year average number of non-felony bookings for municipal code violations and misdemeanor violations, except driving under the influence offenses and domestic violence misdemeanor offenses, including enforcement of protective orders.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.

JAIL ACCESS FEE - 3 YEAR HISTORY

Agency	FY 10-11		FY 11-12		FY 12-13	
	Qty.	Fee	Qty.	Fee	Qty.	Fee
Cloverdale PD	1	\$ 419	3	\$ 1,383	1	\$ 938
Cotati PD				\$ -	27	\$ 12,663
Healdsburg PD	11	\$ 4,609		\$ -	12	\$ 5,628
Petaluma PD				\$ -		\$ -
Rohnert Park DPS				\$ -	12	\$ 5,628
Santa Rosa PD				\$ -		\$ -
Sebastopol PD	12	\$ 5,028	10	\$ 4,610		\$ -
Santa Rosa JC	4	\$ 1,676	7	\$ 3,227	4	\$ 1,876
SS Univ PD					4	\$ 1,876
TOTALS	28	\$ 11,732	20	\$ 9,220	60	\$ 28,609

JAIL ACCESS FEES MONTHLY REPORTS FOR FY 2013-2014
BILLABLE MISDEMEANOR BOOKINGS - BASED ON EACH AGENCY'S PRIOR 3-YEAR AVERAGE

	<u>FY 11-12</u>	<u>FY 10-11</u>	<u>FY 12-13</u>	PRIOR 3-YEAR AVERAGE	Billable Bookings as of 7/31/2013	Over / (Under) Average By	Amount Owed by Agency
Cloverdale PD	4	2	3	3	0	(3)	\$0
Cotati PD	49	66	80	65	5	(60)	\$0
Healdsburg PD	13	27	30	23	1	(22)	\$0
Petaluma PD	180	200	172	184	16	(168)	\$0
Rohnert Park DPS	142	190	171	168	10	(158)	\$0
Santa Rosa PD	479	567	507	518	30	(488)	\$0
Sebastopol PD	87	80	57	75	3	(72)	\$0
Santa Rosa JC	12	8	12	11	0	(11)	\$0
SS Univ PD	5	6	12	8	0	(8)	\$0

Billable Violations :

All Misdemeanor Municipal Codes

All other Misdemeanor violations, with the exception of driving under the influence - 23152(a)VC, 23152(b)VC and 23140(a)VC, and domestic violence offenses, including enforcement of protective orders - 243(e)(1)PC and 273.6PC.

Result: When an agency exceeds the three year average, a **\$339** Jail Access Fee will be billed for each successive billable booking, on a monthly basis, through June 30, 2014.

Exclusions: Bookings with any of the non-billable misdemeanor charges which are listed above, felony charges, non-citeable warrants, parole holds, any other type of hold, subjects on probation, and/or subjects with 4 or more FTA's.

Additional Exclusions:

Upon closer review of the Jail Access Fee reports, an occasional arrest may be determined to Non-Billable, due to current computer programming limitations.

Examples of Exclusions include:

1. 836PC and 664PC arrests for 23152VC, 243(e)(1)PC and 273.6(a)PC.
2. Previous Court Dates Set for Possible Violation of Probation.

These exclusions will be manually subtracted from each Monthly Report Count Total.



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

Board Agenda Date: October 22, 2013

Vote Requirement: Majority

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

Staff Name and Phone Number:

Sara Press – 565-7368

Supervisorial District(s):

District 5

Title: Forestville Downtown Open Space Park Matching Grant Project

Recommended Actions:

Adopt resolution of the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District approving a \$400,500 grant to the Forestville Planning Association towards the acquisition of property in downtown Forestville under the Matching Grant Program; determining that the grant is consistent with the Sonoma County General Plan 2020 and the District's Expenditure Plan; authorizing execution of a matching grant agreement with the Forestville Planning Association; authorizing and directing the President to execute a conservation easement and recreation covenant over the property; authorizing execution of certificates of acceptance; consenting to the recordation of irrevocable offers of dedication; directing preparation of escrow instructions; and directing the filing of a Notice of Exemption in compliance with the California Environmental Quality Act.

Executive Summary:

Background

The District offers a competitive Matching Grant Program ("the Program") for projects that provide urban open space, community recreation, or public access opportunities within and near incorporated areas and other urbanized areas of Sonoma County.

The Forestville Planning Association (the "F.P.A.") submitted an application under the District's 2011-12 Program for funding to acquire approximately eight acres of real property in downtown Forestville. The District's recommendation of funding up to \$750,000 was accepted by the Sonoma County Citizens Advisory Committee on July 26, 2012, and the District's Board of Directors accepted the project into the Program on September 18, 2012, with a funding recommendation of 50% of the fair market value of the fee value of the property, not to exceed \$750,000. The project terms have now been negotiated and the matter returns to the Board of Directors for final review and approval.

The District's General Manager is recommending funding in the amount of \$400,500, with recordation of a conservation easement and recreation covenant over approximately 4 acres of the property. This recommendation is based on multiple factors:

- The project is a high-priority type of matching grant project as it will provide urban open space and protect land with high scenic value and healthy oak woodland. The project ensures permanent public use and enjoyment of a traditional community gathering spot in downtown Forestville, and facilitates a regional trail extension.
- The F.P.A. and other community members have agreed that approximately half of the eight-acre property will be protected as a public park and open space and the other half will be unencumbered and available for future private commercial development. Thus, the conservation easement and recreation covenant will cover approximately four acres.
- The Matching Grant Program guidelines allow the District to provide funding for the acquisition of property by non-profit organizations for urban open space projects, with the acquisition price to be matched by restoration, development, operations and maintenance of the property.
- The Matching Grant Program guidelines allow an applicant's match to include both direct contributions and in-kind services and materials. Summit State Bank originally proposed to donate 50% of the value of the property as part of the applicant's match. Due to the current appraised value of the property, the bank is no longer willing to do so. In place of the Bank's donation, the F.P.A. has compiled a diverse match that completes the acquisition, and supports the development, operation, and maintenance of the project.

Acquisition

The 8-acre property is located along the south side of Front Street, also known as State Highway 116, in downtown Forestville, at 6708 Highway 116 and 6990 Front Street. The F.P.A. will acquire the property and then convey the conservation easement and recreation covenant to the District, which will cover approximately four acres on the eastern half of the property, including the area for a future town plaza. Subsequently, the F.P.A. will convey five acres of the property to a local investor/developer, which will include the portion of the property proposed for the town plaza, which will be encumbered by the conservation easement and recreation covenant. Please see Attachment 2 for a map.

Property

The four-acre area to be covered by the conservation easement and recreation covenant (the "Property") is the eastern half of the larger property. There are oak woodlands savannah, riparian woodlands and open grassland on the Property, with vistas to the east. The property provides important wildlife habitats, including nesting and foraging habitat for songbirds, foraging habitat for raptors, and foraging and cover for small and medium-sized mammals. Prolific native oak recruitment occurs on the Property, which is critical for the continued health of the oak habitats.

The Property is bordered by commercial and residential uses as well as vineyard. A Forestville Bypass is planned to be located along the southern border of the Property in the future, and an extension to the West County Regional Trail is envisioned to connect with Highway 116 through this property.

The Forestville Planning Association is under contract with the current Property owner, Summit State Bank, to purchase the Property.

Matching Grant Project

Once the Property is owned by the F.P.A. and the local investor/developer, it will provide downtown Forestville with permanent urban open space and opportunities for public recreation and related

amenities, such as a future town square gathering place and trails. The project will protect the existing natural resources, particularly the healthy oak woodland, and provide the opportunity to experience a natural area within an urbanized area. There will be environmental educational opportunities for students from local schools as well as for other residents and visitors. Additionally, the project will facilitate an extension of the West County Regional Trail from its current terminus to Highway 116 at Mirabel Road.

The District and the F.P.A. have negotiated a matching grant agreement, conservation easement and recreation covenant, as discussed below.

Matching Grant Agreement

Per the Matching Grant Program Guidelines, the Matching Grant Agreement requires that the F.P.A. provide a one-to-one match of \$400,500, which will be comprised of cash and in-kind materials and services for project development, and operations and maintenance of the Property. More specifically, the \$400,500 match will be comprised of:

- At least \$109,500 in cash
- At least \$30,000 in in-kind materials
- At least \$261,000 in in-kind services from a wide range of community sources, of which approximately \$55,000 is for operation and maintenance activities. Included in this component is \$150,000 from Sonoma County Regional Parks to design and construct the West County Trail extension and a minimum of \$5,000 for operating and maintaining the trail and trailhead during the match period. Also included is \$15,000 from Sonoma County Transit to provide a new bus shelter with an electrical hook-up for safety lighting, a new trash receptacle and bicycle rack, and sidewalk improvements.

Conservation Easement

The Conservation Easement primarily restricts development on the property to a town plaza and associated amenities; trails with associated amenities; a parking lot; an improved bus stop; and limited commercial uses associated with recreation and education. All improvements other than trails are required to be located within a designated approximately two-acre building envelope. The Conservation Easement also requires that all revenue generated on the Property by the F.P.A. and the local investor/developer be used for operation, maintenance and programs on the Property.

Recreation Covenant

The Recreation Covenant requires that the Property remain open and available to the public in perpetuity.

Fiscal Oversight Commission

On May 2, 2013, the District's Fiscal Oversight Commission approved Resolution No. 2013-04, determining the Appraisal meets the District's Guidelines and Standards. On October 3, 2013, the Commission approved Resolution No. 2013-07, determining that the District's contribution of \$400,500 for the proposed acquisition does not exceed the fair market value of the open space interests being acquired.

Consistency with Approved Plans

Sonoma County General Plan 2020

The grant and acquisition conform to the Sonoma County General Plan 2020. Applicable goals and policies in the Land Use Element and the Open Space and Resource Conservation Element include:

- LU-15.4: Maintain the "rural village" character of Forestville through design and development standards that support small scale development with substantial open space and native landscaping.
- OSRC-3: Identify and preserve roadside landscapes that have a high visual quality as they contribute to the living environment of local residents and to the County's tourism economy.
- OSRC-6: Preserve the unique rural and natural character of Sonoma County for residents, businesses, visitors and future generations.
- OSRC-7: Protect and enhance the County's natural habitats and diverse plant and animal communities.

Development of the town plaza and associated improvements will be subject to further General Plan consistency review, once park plans are developed.

District Expenditure Plan

The grant is consistent with the District's Expenditure Plan, specifically regarding other open space projects, including urban open space and recreation projects within and near incorporated areas and other urbanized areas of the county.

District Long-range Acquisition Plan, *Connecting Communities and the Land*

The grant and acquisition further the following objectives and policies in the District's Acquisition Plan:

- Greenbelts and Scenic Hillside Policies: Protect scenic lands that are visible from highly traveled roads and highways and that contribute to the county's rural character and sense of place.
- Water, Wildlife and Natural Areas Policies: Protect lands with large, unfragmented oak woodlands.
- Recreation and Education Policies: Work with partners through our Competitive Matching Grant Program to acquire or protect lands that promote public access in proximity to urban communities, and that protect Sonoma County's unique natural habitats, scenic areas and other open space values of regional importance.

California Environmental Quality Act

The District's contribution toward acquisition of the Property and its acceptance of a conservation easement and recreation covenant over the Property are exempt from CEQA on several grounds. The purpose of the Project is to transfer ownership of land in order to create parks where a management plan has not been prepared (see CEQA Guidelines Section 15316(a)); and to maintain the open space character of the property (see CEQA Guidelines Section 15317). In addition, the Project is exempt because the purpose of the Project is to acquire lands for wildlife conservation purposes (see CEQA Guidelines Sections 15313(a) and (c)); and to preserve and restore the natural conditions and to preserve lands for park purposes (CEQA Guidelines Sections 15325 (a), (c), and (f)).

Prior Board Actions:

On September 18, 2011, the Board accepted this project into the Matching Grant Program, with a funding recommendation of 50% of the fair market value of the fee value of the Property, not to exceed \$750,000.

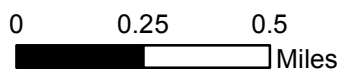
Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community			
The project will provide urban open space within an urbanized area, improving the health and quality of life for Forestville residents and visitors.			
Fiscal Summary - FY 13-14			
Expenditures		Funding Source(s)	
Budgeted Amount	\$ 400,500		\$
Add Appropriations Req'd.	\$	State/Federal	\$
	\$	Fees/Other	\$ 400,500
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$
	\$		\$
Total Expenditure	\$ 400,500	Total Sources	\$ 400,500
Narrative Explanation of Fiscal Impacts (If Required):			
The District has this expense budgeted in its FY 13/14 budget, which is the FY when the funds would be spent. 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:			
1. General Plan Location Map 2. Project Structure Map 3. Resolution			
Related Items "On File" with the Clerk of the Board:			
1. Conservation Easement Deed and Agreement 2. Recreation Covenant 3. Matching Grant Agreement 4. Certificate of Acceptance – Conservation Easement 5. Certificate of Acceptance – Recreation Covenant 6. Irrevocable Offer of Dedication – Fee 7. Irrevocable Offer of Dedication – 25-year Lease			

8. Notice of Exemption



Forever Forestville Matching Grant Project

LOCATION / GENERAL PLAN MAP



Map Date: 10/4/2013
 Sources: Sonoma County GIS Group;
 Sonoma County General Plan 2020,
 Open Space and Resource
 Conservation Element.
 Note: This map is for illustrative
 purposes only. It is not intended to be
 a definitive property description.



Open Space and Resource Conservation Element

SCENIC RESOURCES

- Community Separator *
- Scenic Landscape Unit
- Scenic Corridor

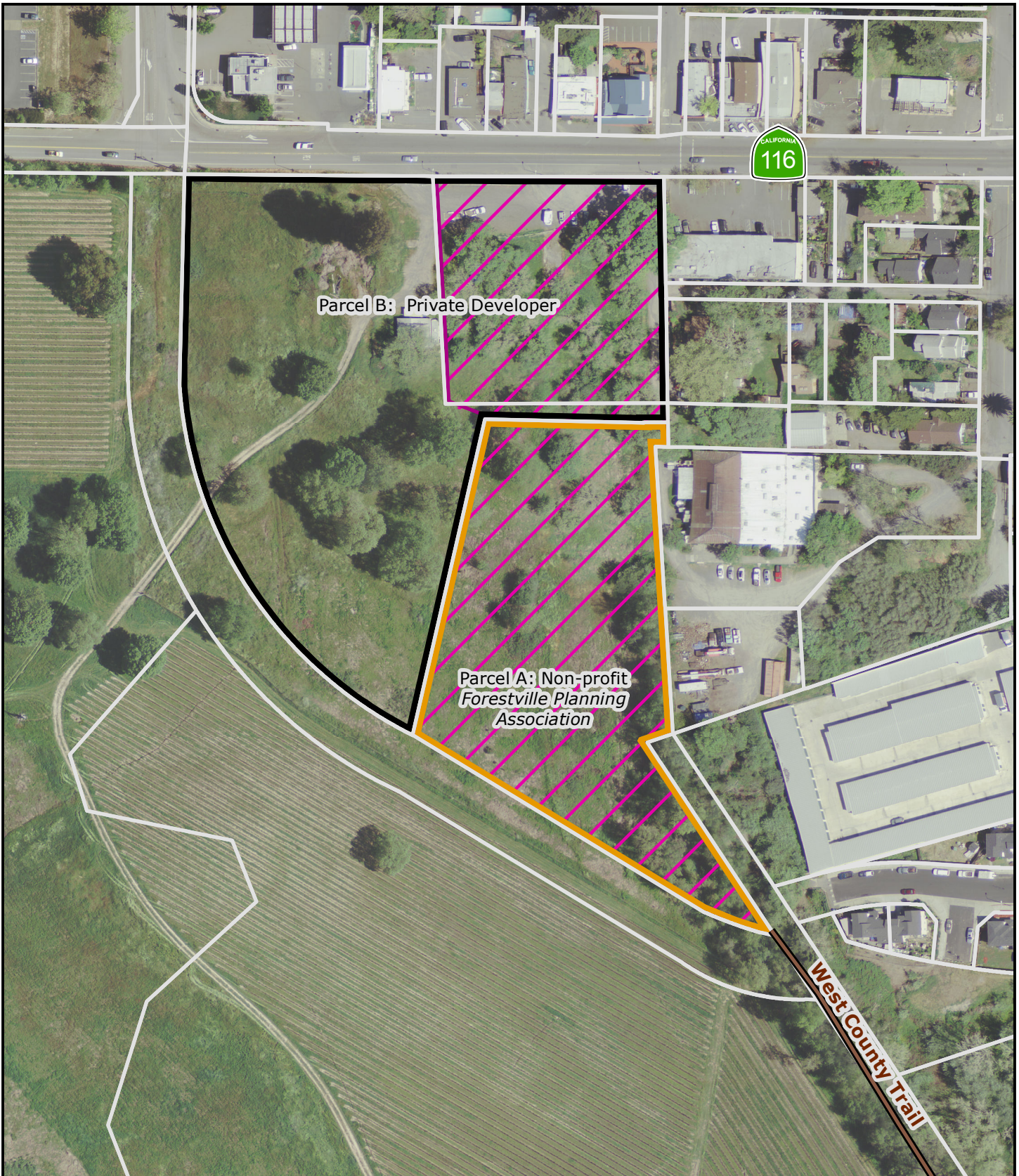
OUTDOOR RECREATION

- Planned Future Park *
- Forever Forestville
- Incorporated City Land
- District Holding
- Public Land

BIOTIC RESOURCES

- Special Status Species
- Sensitive Status Species Habitat
- Marshes and Wetlands
- Sensitive Natural Communities
- Habitat Connectivity Corridor *
- Riparian Corridor (Intermittent)
- Riparian Corridor (Perennial)

* Not on this map.



Forever Forestville Matching Grant Project Structure



SONOMA COUNTY
AGRICULTURAL PRESERVATION
AND OPEN SPACE DISTRICT



0 50 100 200
Feet

- Parcel A: Non-profit Forestville Planning Association
2.7 acres +/-
- Parcel B: Private Developer
5 acres +/-
- Conservation Easement Area
4.2 acres +/-
- Parcels

Map Date: 10/4/2013 Sources: USGS 2011 (aerial); Sonoma Co. GIS (parcels, trails).
This map is for illustrative purposes only and is not intended to be a definitive property description.

Date: October 22, 2013

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, Approving a \$400,500 Grant to the Forestville Planning Association Towards the Acquisition of Approximately Four Acres in Downtown Forestville under the Matching Grant Program; Determining that the Grant is Consistent with the Sonoma County General Plan 2020 and the District’s Expenditure Plan; Authorizing Execution of a Matching Grant Agreement with the Forestville Planning Association; Authorizing and Directing the President to Execute a Conservation Easement and Recreation Covenant over the Property; Authorizing Execution of Certificates of Acceptance; Consenting to the Recordation of Irrevocable Offers of Dedication; Directing Preparation of Escrow Instructions; and Directing the Filing of a Notice of Exemption in Compliance with the California Environmental Quality Act.

Whereas, in accordance with the voter-approved Expenditure Plan, the District has established a competitive Matching Grant Program ("the Program") for projects that provide open space, community recreation, or public access opportunities within and near incorporated areas and other urbanized areas of Sonoma County; and

Whereas, the Program requires applicants to provide a matching contribution for the project; and

Whereas, in February 2011, the Forestville Planning Association (the "F.P.A.") submitted an application under the District’s 2011-12 Matching Grant Program for funding to acquire approximately eight acres of real property in downtown Forestville, APNs: 083-080-001, 084-031-069, and 084-031-070 for a future urban open space with opportunities for public recreation and related amenities such as a town square gathering place and trails, as well as for protection of the natural resources on the site.

Whereas, the District’s General Manager has recommended funding in the amount of \$400,500 for acquisition by F.P.A. of approximately four acres, generally APNs 083-080-001 and 084-031-070, (the "Property") of the eight-acre property, subject to recordation of a conservation easement and recreation covenant and other specified conditions.

Resolution #

Date:

Page 2

Whereas, on October 3, 2013, the District's Fiscal Oversight Commission determined that the District's contribution of up to \$400,500 for the proposed acquisition does not exceed the fair market value of the open space interests being acquired by the District.

Whereas, the Property contains oak woodlands savannah, riparian woodlands and open grassland, which provide important wildlife habitat, including nesting and foraging habitat for songbirds, foraging habitat for raptors, and foraging and cover for small and medium-sized mammals. The prolific native oak recruitment on the Property is critical for the continued health of the oak habitats.

Whereas, the Property will provide downtown Forestville with urban open space and opportunities for public recreation and related amenities.

Whereas, the District's project includes a grant to the F.P.A. toward the acquisition of the Property, and the District's acquisition and acceptance of a conservation easement and recreation covenant over the Property to ensure that the scenic, open space and natural resource values of the property are perpetually protected, while allowing for public recreational use consistent with those values (the "Project").

Now, Therefore, Be It Resolved that this Board of Directors hereby finds, determines, declares, and orders as follows:

1. **Truth of Recitals.** That the foregoing recitations are true and correct.
2. **General Plan Consistency.** That the Project is consistent with the Sonoma County General Plan 2020, allowing the community to develop a balance of commercial, residential and open space uses in downtown Forestville, consistent with the policies of the Land Use and the Open Space and Resource Conservation Elements. As specific development and park plans are proposed for the Property and the adjacent lands, the balance of uses will be subject to further General Plan evaluation.
3. **Expenditure Plan Consistency.** That the Project is consistent with the District's Expenditure Plan, as an urban open space project in an urbanized area.
4. **Authority to Sign Conservation Easement.** That the President is authorized and directed to execute, on behalf of the District, the certain agreement in connection with the Project entitled "Deed and Agreement by and between the Forestville Planning Association and the Sonoma County Agricultural Preservation and Open Space District Conveying a Conservation

Easement and Assigning Development Rights” (“Conservation Easement”), together with the certificate of acceptance required by Government Code 27281.

5. Authority to Sign Recreation Covenant. That the President is authorized and directed to execute, on behalf of the District, the certain agreement in connection with the Project entitled “Forever Forestville Recreation Covenant” (“Recreation Covenant”), together with the certificate of acceptance required by Government Code 27281.

6. Authority to Sign Grant Agreement. That the District’s General Manager is authorized to execute that certain agreement in connection with the Project entitled “Matching Grant Agreement Forever Forestville” between the Sonoma County Agricultural Preservation and Open Space District and the Forestville Planning Association (“Matching Grant Agreement”).

7. Consent to Recordation of Irrevocable Offers. That the District hereby consents to the recordation on the Property of those certain agreements entitled “Irrevocable Offer of Dedication - Fee” and “Irrevocable Offer of Dedication – 25-year Lease” from the Forestville Planning Association.

8. Escrow Instructions; Necessary Documents. That the District’s Counsel is directed to prepare and deliver appropriate escrow instructions and other necessary documents to Fidelity National Title Company to complete the transaction as described. The General Manager is authorized to sign all closing documents, to execute any other documents necessary to complete this transaction as described, and to make technical, non-substantive changes in the Conservation Easement, Recreation Covenant, Matching Grant Agreement, Irrevocable Offers to Dedicate or other closing documents with the prior approval of the District's Counsel.

9. Payment of Matching Grant Funds and Costs of Escrow. That at the request of the General Manager, the County Auditor shall draw a warrant or warrants against available funds in the Land Acquisitions Fund in amounts, cumulatively, not to exceed \$400,500 plus such other amounts requested by the General Manager for associated transactional costs necessary to close escrow on the Project.

10. California Environmental Quality Act (CEQA). The District’s contribution toward acquisition of the Property and its acceptance of a conservation easement and recreation covenant over the Property are exempt from CEQA pursuant to Guidelines Section 15316(a); and alternatively is exempt pursuant to Section 15317; and alternatively is exempt pursuant to Guidelines Sections 15313(a) and (c); and alternatively is exempt pursuant to Guidelines Sections 15325 (a), (c), and (f).

Resolution #

Date:

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11. Posting. Immediately upon adoption of this resolution, the General Manager is directed to file with the County Clerk, and the County Clerk is directed to post and to maintain the posting of a notice of exemption pursuant to Public Resources Code Section 21152.

12. Validation. The agreements authorized by this resolution are contracts within the definition of Government Code Section 53511 and as such, any action challenging the validity of the contracts or any of them, including the source of funding for the consideration to be paid by this District, must be commenced within sixty (60) days of the adoption of this resolution pursuant to section 863 of the Code of Civil Procedure.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.



County of Sonoma Agenda Item Summary Report

Agenda Item Number: 33

(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 of Directors

Board Agenda Date: October 22, 2013

Vote Requirement: 4/5

Department or Agency Name(s): County Administrator's Office, Community Development Commission, Northern Sonoma County Air Pollution District, Agricultural & Open Space District, Sonoma County Water Agency, and Sonoma Valley Sanitation District.

Staff Name and Phone Number:

Christina Rivera 707-565-2048

Supervisorial District(s):

All

Title: FY 2013-14 First Quarter Budget Update and Appropriation Adjustments

Recommended Actions:

1. Receive 1st Quarter Budget Update.
2. Adopt Concurrent Resolution of the Board of Supervisors/Directors, the Agricultural Preservation & Open Space District, the Community Development Commission, the Northern Sonoma County Air Pollution Control District, the Russian River County Sanitation District, the Occidental County Sanitation District, the South Park County Sanitation District, and the Sonoma County Water Agency adjusting FY 2013-14 appropriations as well as departmental position allocation changes (4/5 vote required).
3. Adopt Resolution of the Sonoma Valley County Sanitation District adjusting FY 2013-14 appropriations.

Executive Summary:

This report covers a number of budget related information and recommended actions. First, review of 1st Quarter recommended budget/positions changes and use contingency fund. Next, a preliminary update of the County's 5-Year Fiscal Planning forecast tool including discussion of year-end fund balance estimated sources. And, followed by an update on staff direction issued by the Board of Supervisors during FY 2013-14 Budget Hearings.

FIRST QUARTER BUDGETARY ADJUSTMENTS

Staff is requesting the Board approve budgetary adjustments to the FY 2013-14 adopted budget. For administrative ease, current first quarter budget changes are consolidated for Board consideration. This package includes requested total expenditure adjustments of \$179.5 million offset by revenue adjustments totaling \$136.5 million and use of fund balance of \$43 million. The General Fund (GF) portion of the requested changes is \$15.9 million for expenses offset by \$15 million offsetting revenues

and \$951k use of contingencies. The requests include adding 55.5 new full-time equivalent (FTE) positions where 33.5 are in Human Services mostly for Health Care Act (HCA) implementation, and the balance are recommended to support Roads infrastructure, implement and maintain new information technology solutions, and enhance jail mental health services. The majority of the increased staffing costs are covered with state/federal sources, due to local governments' ability to deliver realigned state/federal services.

The individual requests are summarized by department in Exhibit A attached to the applicable budgetary adjustment resolution. Exhibit A is organized into (A) adjustments for Board consideration totaling \$28 million, and (B) changes reflecting prior board direction totaling \$151 million, representing re-budgeting adjustments, items previously approved, and updated revenue sources or revised expense estimates. In addition, Exhibit B attached details positions added or deleted.

The following summarizes most significant requests the Board has not previously considered:

- Human Resources: \$155k adding a HR Analyst financed with Human Services state allocations to facilitate influx of recruitments associated with implementing Health Care Act (HCA).
- Board of Supervisors/County Administrator: \$79k programming in constituent services delivered by the Board of Supervisors' district extra help for a total of 30 hours per week per district.
- District Attorney: \$91k programming Human Services department available state funding to reinforce the Elder Victim Witness program by adding 1.0 FTE Advocate.
- Probation: \$344k use of equipment replacement funds for the supervised work crew, probation camp, and juvenile justice programs; and \$136k additional AB109 programming.
- Health Services: \$369k for 3.85 FTEs additional jail mental health services staff supported by the General Fund contingencies; \$361k adjusting program expenses to match improved state and federal allocations; and \$144k adding 2.0 FTEs in Environmental Health and Children's Medical Services funded with state/federal sources and anticipated salary savings. See attached Jail Mental Health report.
- Human Services: \$1.9 improved base allocation from 1991 realignment to: address In Home Support Services (IHSS) negotiated wages; Medi-Cal extra-help needs; fund a recruitment analyst in Human Resources for increased service needs; backfill discontinued hospital network funding of Eligibility Workers; fund an additional analyst for training and evaluation needs; and secure additional office space and resources needed for continued implementation of HCA.
- Human Services: program additional allocations received including: \$795k in Medi-Cal funds, \$1.4M increased CalFresh allocation, and \$587k increased 2011 Realignment funds, used to support 32.5 positions needed for HCA implementation as referenced in the attached 9/10/13 HCA report. Other increases include \$561k for the Summer Youth program; \$207k for the new IHSS case management and payroll system; and \$1.7M towards the new countywide telephone system and ongoing facility projects.
- Community Development Commission: \$55k to support seasonal homeless shelter services in Guerneville and Cloverdale.
- Transportation & Public Works (Airport): \$125k recognizing available grant and passenger facilities charges to install ADA compliant boarding ramp.
- Water Agency: \$203k adding 1.0 Environmental Specialist (limited to 6/30/15) and associated project costs financed with Dept. of Fish & Wildlife grant Salmonid population monitoring, \$449k

from agency's general fund for document management mainly for Climate Adaption and sanitation zone operations; \$13M for Rogers Creek Fault Bridge, RDS Liquefaction, Fiber Optic, Westside Facility, Mirabel fish screen, North Coast Regional Water Management Planning and various maintenance/groundwater initiatives.

- Sonoma Valley Sanitation: \$453k for treatment upgrades and Watmaugh road bridge project design for recycled water line.
- Advertising: \$250k contribution toward the Permit & Resource Management Department new software system as part of the program's economic development support.
- Capital Projects: \$728k mainly to program available funds for the efficient operation of the Central Mechanical Plant, to address Animal Care & Control shelter facility needs, address unanticipated Main Adult Detention Facility emergency repairs financed with closed-out projects available balances, program Fair & Expo, Inc. funds received for restroom ADA improvements.

CONTINGENCIES

At the start of the fiscal year, the General Fund contingencies available were \$3,260,000 with \$297,057 added after the FY 2012-13 close of books, for a total of \$3,557,057. The requested 1st Quarter adjustments require a \$951k draw down, as follows: \$477k to re-budgeted Information Systems projects, \$369k to cover additional mental health staff for jail programs; \$90k for Animal Care & Control multi-jurisdiction workgroup efforts and re-budgeting of lighting project; \$9.7k to re-budgeted Grand Jury unused appropriation covering current year invoices; \$40k re-budgeting General Services in-house facility project; \$80k for Board of Supervisors extra-help constituent services; and \$16k in Board approved sponsorships/fee waivers. Offset with one-time re-budgeted Fire & Emergency Services grant revenue of \$133.5k. As of this writing, assuming budgetary adjustments will be approved, the remaining General Fund Contingency balance will be \$2,606,045.

GENERAL FUND FISCAL PROJECTIONS UPDATE

The following changes are reflected in the updated 5-Year Fiscal Forecast included in today's presentation. Impacts from federal government fiscal challenges are not known at this time and thus not included in the updated projections.

Revenues

- a) Final Assessed Valuation Roll resulted in a 3.3% growth or about \$3.5 M more than 2013-14 budget.
- b) FY 2013-14 improved local sales tax receipts and Transient Occupancy Tax first quarter lodging entities' report resulted in \$775k and \$120k increase to current year estimates respectively.
- c) Current year estimate increase of \$325k to Documentary Transfer Tax and \$300k to Unsecured Property Tax revenues based on prior year-end actual revenues.
- d) 2-2.5% annual growth in Secured Property Tax in FYs 2015/16 to 2014/18.

Expenditure

- e) Salaries and Benefits FY 13-14 reduced estimate calculated at approximately \$1M as a result of negotiated labor agreements for certain groups.
- f) One-time investments for Enterprise Financial System and Roads infrastructure totaling \$11M are excluded from FY 13-14 base for projection purposes.
- g) Increase General Fund ongoing contribution to Transportation and Public Works to restore the Culvert Crew program (\$1M) as part of preservation and prevention efforts necessary to protect recently increased infrastructure investments.

2013-14 YEAR-END GENERAL FUND (GF) BALANCE SURPLUS

Annually, for new year budget balancing, the county assumes an estimated amount of current year-end General Fund to be available for new year expenses. The available year-end balance results from lower than expected expenses and unanticipated revenues. Over the last three fiscal years, General Fund has rolled forward \$14M into FY 2011-12, \$22.5M into FY 2012-13, and \$14.3M into FY 2013-14. The reasons for the surplus are varied in both source and amount.

Most often, however, available balance or savings come from Board’s disciplined used of contingencies \$1.8M in FY 2010-11 to \$5.1M in FY 2011-12; \$3.9M in 2012-13; unanticipated prior years’ payments from the state from the 1991 Human Services Realignment Caseload Growth; \$1M in Vehicle License Fees previously withheld; \$1.5M in FY 2011-12 from better than expected revenues in sales tax and Public Safety Proposition 172; as well as departmental fiscal restraint resulting in operating savings.

The county’s 5 Year Fiscal Forecast assumes \$10M in available balance for FY 2014-15. Given the improved current revenue projections and historical trends, this fiscal year’s fund balance target is within reach. The total target or year-end fund savings available to finance the FY 2014-15 budget may be revised once current year budget estimates are collected from department staff in January 2014.

As part of the budget process, staff will return to the Board with FY 2014-15 funding recommendations to address highest priority, unmet needs including next year’s Road infrastructure short-term investment needs.

BUDGET HEARINGS DIRECTION UPDATES

Finally, during the budget hearings the Board directed staff to return with a number of reports or updates. A summary on the progress status of direction received is attached for your reference.

Prior Board Actions:

06-11-2013 Concurrent Resolution No. 13-0237 Adopted FY 2013-14 Budget for all governmental entities within its jurisdiction.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Periodic fiscal updates and budgetary adjustments allow the County to ensure a balanced budget and maintain fiscal sustainability.

Fiscal Summary - FY 13-14			
Expenditures		Funding Source(s)	
Budgeted Amount	\$	County General Fund	\$ 0
Add Appropriations Req'd.	\$ 179,531,435	State/Federal	\$ 19,610,506
	\$	Fees/Other	\$ 107,391,013
	\$	Use of Fund Balance	\$ 43,077,266
	\$	Contingencies	\$ 951,012
	\$	Water Agency	\$ 8,501,637
Total Expenditure	\$ 179,531,435	Total Sources	\$ 179,531,435
Narrative Explanation of Fiscal Impacts (If Required):			
First Quarter Budgetary Adjustments total \$174M, which revised the overall county budget from \$1.36 billion to \$1.5 billion. The budget changes are financed mostly by Fees & Charges, new state/federal allocations, re-budgeting of available fund balances, and use of \$950k of General Fund Contingencies due to new staff to improve mental health services in the jail programs.			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Detail of position changes is included in Exhibit B of the attached Resolution.			
Attachments:			
Concurrent Resolution adjusting the FY 2013-14 Adopted Budget and Position Allocation . Resolution adjusting the Sonoma Valley County Sanitation District's FY 2013-14 Adopted Budget. Att. 1 – Department of Health Services Jail Mental Health Report. Att. 2 – Health Care Act Implementation 9/10/13 Board Report. Att. 3 – Status of Budget Hearing Directions Received.			
Related Items "On File" with the Clerk of the Board:			
None			



County of Sonoma
State of California

Date: October 22, 2013

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Concurrent Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, The Board Of Directors Of The Sonoma County Water Agency, The Board of Directors of the Occidental County Sanitation District, And The Board Of Directors Of The Agricultural Preservation and Open Space District, Adjusting The Adopted FY 2013-14 Budget. (4/5 Vote Required.)

Whereas, the Board has adopted the Fiscal Year 2013-14 Budget for all Governmental Entities within its jurisdiction, in accordance with Section 29088 of the Government Code of the State of California, and

Whereas, the Government Code allows for adjustments to the Adopted Budget during the 2013-14 Fiscal Year.

Now, Therefore, Be It Resolved that the County Auditor-Controller is hereby authorized and directed to adjust the Fiscal Year 2013-14 Adopted Budget for the attached increases/decreases listed in Exhibit "A" and position allocation changes listed in Exhibit "B" for the governmental entities within its jurisdiction.

Supervisors:

Gorin:

Zane:

McGuire:

Carrillo:

Rabbitt:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.

Resolution No.

**County of Sonoma
Santa Rosa, CA 95403**

Date: 10/22/2013

**Concurrent Resolution Of The Board Of Directors Of The Sonoma Valley County
Sanitation District Adjusting The Adopted FY 2013-14 Budget. (2/3 Vote
Required.)**

Whereas, the Board has adopted the Fiscal Year 2013-14 Budget in accordance with Section 29088 of the Government Code of the State of California, and

Whereas, the Government Code allows for adjustments to the Adopted Budget during the 2013-14 Fiscal Year.

Now, Therefore, Be It Resolved that the County Auditor-Controller is hereby authorized and directed to adjust the Fiscal year 2013-14 Adopted Budget for the attached increases/decreases listed in Exhibit "A" for the Sonoma Valley County Sanitation District.

Supervisors:

Sanders: Gorin: Rabbitt:

Ayes: Noes: Absent: Abstain:

So Ordered.

Exhibit A

FY 2013-14 First Quarter Consolidated Budget Adjustments

Gross Expenditure	Revenue and Reimbursement	Net Cost
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REQUESTED ADJUSTMENTS FOR BOARD CONSIDERATION

Administrative Support and Fiscal Services

HUMAN RESOURCES - GENERAL FUND

Add <u>1.0 FTE Human Resources Analyst III</u> dedicated to providing employment services support to Human Services Department. Human Services is the largest department in the County with a high volume of recruitments, discipline cases, classification work etc. HR will receive reimbursement for the actual cost of the position.	155,000	155,000	0
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HUMAN RESOURCES - OTHER FUND

Reclassification of 2.0 Supervising Office Assistants to 2.0 Human Resources Technician - Conf in Risk Management Administration. The net increase is offset by an increase in Reimbursements. Decrease in ADA budget expenditures of 10,362 to offset 12/13 negative fund balance.	20,638	31,000	(10,362)
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INFORMATION SYSTEMS - GENERAL FUND

Increase expenditures for software and implementation services to support data system center offset by PGE rebate from data center improvements (\$72k); and program unanticipated server replacements for the Sheriff Department (\$25k).	96,712	96,712	0
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INFORMATION SYSTEMS - OTHER FUND

Appropriate transfer from replacement funds (\$25k) to Sheriff Department servers.	25,000	0	25,000
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BOARD OF SUPERVISORS/CAO - GENERAL FUND

Ensure continuity of services delivered by the Board of Supervisors' district staff by increasing Administrative Aide Extra Help hours from 16-20 hrs/week/district, to 30 hrs/week/district.	79,343	0	79,343
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Justice Services

DISTRICT ATTORNEY - GENERAL FUND

The Human Services Department (HSD) through an MOU with the DA's office, is providing funding for 1.0 FTE Elder Victim Witness Advocate II. The Advocate will collaborate with HSD, Council on Aging, Adult Protective Services, other governmental agencies, and non-profits to provide victim services and outreach to victims of elder abuse.	91,382	91,382	0
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DISTRICT ATTORNEY -OTHER FUND

The Department of Health Services through an MOU with the District Attorney's Office (DA) has provided funding to develop and implement public information and education strategies to increase awareness of family violence and sexual assault, as well as increase utilization of Family Justice Center Sonoma County services for victims of abuse.	30,000	30,000	0
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Exhibit A

FY 2013-14 First Quarter Consolidated Budget Adjustments

	Gross Expenditure	Revenue and Reimbursement	Net Cost
PROBATION - GENERAL FUND			
Probation Services - True up of state revenue, and increase appropriations for Family Functional Therapy. Transfer positions between Adult and Juvenile Probation Services to more equitably distribute caseloads and workload (no cost impact).	81,033	112,065	(31,032)
PROBATION - OTHER FUND			
Replace aged equipment for Supervised Adult Crews, Probation Camp and Juvenile Hall, drawing upon replacement reserves \$344k. Revise SB678, Juvenile Justice and AB109 expenses by \$136k to fund reimbursement of General Services' SB1022 application, reduce the DA's AB109 program allocation reimbursement, and to establish additional counseling contract services for the Juvenile program. Offset by SB678 allocation increase of \$578k; improved reimbursements of \$12k, and use contingencies to absorb true down of AB109 revenues by -\$379k.	479,878	211,178	268,700
SHERIFF - GENERAL FUND			
Appropriate funds to pay for unbudgeted annual Bay Area Regional Interoperable Communication System Authority membership (\$26k); replace the Sheriff's Main Office gym floor to improve safety (\$7k); and unanticipated K9 vehicle modification (\$18k). Offset with asset forfeiture funds. Also, programs Radio Replacement Special Funds for radio costs for new deputies hired as part of the Intensive Hiring Effort (\$22,050).	73,050	73,050	0
SHERIFF - OTHER FUND			
Transfer asset forfeiture funds for unanticipated items listed above (\$73k), and appropriate fund balance for unanticipated Jail Industries contract services costs (\$15k).	88,050	0	88,050
Health and Human Services			
HEALTH SERVICES -GENERAL FUND			
	369,938	0	369,938
HEALTH SERVICES -OTHER FUND			
Increase jail mental health services by adding <u>2.4 FTE Behavioral Health Clinician, 0.4 FTE Sr. Office Assistant, 0.35 FTE Nurse Practitioner, 0.7 FTE Forensic Psychiatrist.</u> Additional detail in separate Board of Supervisors 10/22/13 agenda.	369,938	369,938	0
HEALTH SERVICES -OTHER FUND			
Increase State and Federal appropriations to align with FY 13-14 Allocations (CDC, SAPT, EAG, BASN, Tobacco, Preparedness HPP, NFP, Community Health Centers HRSA, BH Realignment). Services include disease control, substance abuse treatment programs, environmental health programs, parolee services, tobacco education, hospital preparedness and others related to the funding source.	361,042	391,216	(30,174)

Exhibit A

FY 2013-14 First Quarter Consolidated Budget Adjustments

	Gross Expenditure	Revenue and Reimbursement	Net Cost
<p><u>Add 1.0 FTE Administrative Aide in Environmental Health</u> funded through savings. <u>Add 1.0 Sr. Public Health Nurse for Children's Medical Services</u>, funded by state and federal revenue. Positions funded by California Children's Service Medical Therapy Unit and extra help savings.</p>	144,293	80,658	63,635
HUMAN SERVICES-OTHER FUND			
<p>The Human Services Department has received an on-going Realignment base increase of \$1.9M. The base increase must be used for Welfare programs. The increased base funds will be used in FY 13-14 for increased negotiated IHSS provider wages of \$443.5k as previously discussed with the Board on 8/20/13. The base funds will also provide staffing, space, outreach and materials that support Health Care Reform implementation as discussed in the 9/10/13 update to the Board and additional needs identified by the Department, including: Medi-Cal Extra Help staffing, \$176k; additional support to the Human Resources Department for recruitment support, \$155k; costs related to space needs including finishing new lease and existing renovation projects for the new staff added to support Health Care Reform, \$867k; contribution towards the Care Transitions nurse added by Department of Health Services in 9/10/13 Board report, \$43.5k; additional marketing for Health Care Reform, \$100k; and to back fill loss of hospital contract due to Health Care Reform for direct Eligibility Worker services, \$128k. Also appropriate funds and add allocations for <u>2.0 FTE Program Planning & Evaluation Analysts</u>, one in Employment and Training for planning and evaluation needs, and one for Upstream support and training of local entities, offset with additional funding from partner agencies as well as the deletion of <u>-1.0 FTE Department Analyst</u>, net cost of \$9k.</p>	3,993,140	3,993,140	0
<p>Program increased Medi-Cal allocation of \$795k for additional staff to meet the case load and capacity needs in Economic Assistance and in support of Medi-Cal Expansion and HCR, as discussed in concept in the September 10th Board presentation, including: <u>7.0 Eligibility Worker II</u>, <u>1.0 Eligibility Worker III</u>, <u>1.0 Eligibility Supervisor</u>, <u>1.0 Sr. Office Asst.</u>, <u>1.0 Office Asst. II</u>, <u>1.0 Human Service Aide</u>, and <u>2.0 Office Support Supervisors</u>.</p>	794,752	794,752	0
<p>Program increased CalFresh allocation of \$1.4M for additional staff to meet case load and capacity needs in Economic Assistance, as discussed in the September 10th Board presentation, including: <u>8.0 Eligibility Worker II</u>, <u>2.0 Eligibility Worker III</u>, <u>1.0 Eligibility Supervisor</u>, <u>1.0 Office Asst. II</u>, <u>1.0 Human Service Aide</u>, and <u>1.0 Adm. Service Officer I</u> (total positions \$993k); as well as extra help and overtime to meet program needs (\$442k). Also, included cost for kiosks project in partner locations in Petaluma, Sonoma Valley and North County for CalFresh applications intake (\$30k).</p>	1,405,186	1,405,186	0

Exhibit A**FY 2013-14 First Quarter Consolidated Budget Adjustments**

	Gross Expenditure	Revenue and Reimbursement	Net Cost
Additional Workforce Investment Act allocation of \$413k plus additional fundraising received from the Water Agency and Parks Alliance for the summer youth program of \$206k. Offset by a reduction in grant of \$57k. Funding is used according to program guidelines for contracts and supplemental wages.	561,022	561,022	0
Add revenues and adjust expenditures for the IHSS Case Management and Payrolling Project in the amount of \$305.6k and add <u>1.0 FTE Social Service Supervisor I/II</u> for capacity needs related to IHSS cases, and <u>1.0 FTE Public Assistance Systems Specialist</u> to manage the system and security as well as other new IT initiatives planned.	207,597	305,640	(98,043)
Appropriate growth received from 2011 Realignment of \$587.5k above the budgeted allocation for: overtime needs to support Medi-Cal programs during HCR implementation, \$272k; additional rent related to new staff and space needs, \$111k; clinical supervision contract required for LCSW and MFT qualification, \$75k; increased interpreter costs in child welfare services, \$25k; consultant contract related to the senior needs report as provided in Senior Needs Board report on the 10/22/13 agenda, \$20k; and a share of cost for the added CalFresh positions, \$84.5k.	1,175,088	1,175,088	0
Appropriate fund balance in the Human Services Special Revenue fund to cover costs for the new telephone system, \$1,103,965, and commitments for existing space projects approved in FY 12/13 including the Apollo expansion for implementation of the Adoptions Program and build out of the Mendocino building for increased staffing.	1,648,301	0	1,648,301
Development Services			
CDC - OTHER FUND			
Allocate \$45k to West County Community Services for their seasonal homeless shelter in Guerneville to reach a minimally viable shelter operational budget. Allocate \$10k to Cloverdale Community Outreach Committee (CCOC) for their Wallace House Emergency Services program to assure shelter functions through the winter months. Funded through Affordable Housing expenses from the Advertising Fund.	55,000	55,000	0
FIRE AND EMERGENCY SERVICES - OTHER FUND			
Allocate restitution funds received from a civil penalties judgement to Salaries and Benefits-Extra Help Fire Inspector allocations to assist with inspection workload.	23,000	23,000	0
REGIONAL PARKS - OTHER FUNDS			
Program transformer replacement at Spud Point Marina financed with Enterprise available fund balance.	42,944	0	42,944

Exhibit A

FY 2013-14 First Quarter Consolidated Budget Adjustments

	Gross Expenditure	Revenue and Reimbursement	Net Cost
TRANSPORTATION AND PUBLIC WORKS - OTHER FUND			
Airport -Increase in appropriations for purchase of ADA Boarding Ramp originally planned for FY 14/15, now expected in FY 13/14 because funding application was approved quicker than anticipated. To be funded with Passenger Facility Charges.	125,000	68,249	56,751
Water Districts -Increase appropriations from available Jenner Water District fund balance for unanticipated road damage caused by a major water pipeline leak.	7,000	0	7,000
WATER AGENCY - OTHER FUND			
Add <u>1.0 FTE Environmental Specialist</u> -end date 6/30/15, (\$192,926) funded through grant revenue from the Dept. of Fish and Wildlife to complete grant work related to the California Coastal Salmonid Population Monitoring project in the Russian River watershed; <u>add 1.0 FTE Technical Writing Specialist and delete 1.0 FTE Assistant Project Specialist</u> (net add \$10,636) to better align with current functions and duties.	203,562	0	203,562
Additional appropriations are requested from the Water Agency General Fund for: document management (\$20,000); Climate Adaptation Program (\$114,420); Woody Biomass Program (\$65,000); and interfund transfers to Airport, Larkfield, Wikiup Sanitation Zone Operations Fund (\$250,000).	449,420	0	449,420
Flood Control -Additional appropriations requested from the Warm Springs Dam Fund Balance for Zone 1A for Santa Rosa Creek Restoration (\$8,000) and North Coast Regional Water Management planning (\$45,000) with offsetting revenue; Warm Springs Dam Fund: LiDAR VegMapping Consortium Program (\$44,000).	97,000	45,000	52,000
Water Supply - Additional appropriations are requested from Recycled Water Fund and the Russian River Projects Fund for: Climate Adaption Program (\$68,040); accounting correction to move from consultant services (-\$100,000) to Contribution to Non-Co Gov't) (\$100,000); National Integrated Drought Research program (\$48,000), North Coast Regional Water Management planning (\$150,000) with offsetting revenue; Fisheries Research (\$9,000).	275,040	150,000	125,040
Water Transmission - Additional appropriations requested for: Rogers Creek Fault Crossing (\$90,000); RDS Liquefaction Mitigation (\$2,234,446) and (\$26,877) rebudget; Fiber Optics (\$200,000); Westside Facility (\$450,000) and (\$935,700) rebudget; Mirabel Fish Screen/Ladder (\$2,727,386) and (\$5,519,439) rebudget. North Coast Regional Water Management planning (\$50,000) and offsetting revenue (\$50,000); Maintenance Projects (\$245,473); groundwater studies (\$420,000) and associated rebudget (\$135,000); climate adaptation program (\$165,540).	13,022,984	50,000	12,972,984

Exhibit A**FY 2013-14 First Quarter Consolidated Budget Adjustments**

	Gross Expenditure	Revenue and Reimbursement	Net Cost
Occidental CSD- Additional appropriations are requested for the Occidental Treatment Plant Building sewer replacement (\$54,018) and interfund transfer from operations to construction for the lift station upgrade (\$100,000).	154,018	100,000	54,018
Sonoma Valley CSD - Additional appropriations are requested for treatment plant upgrades to construct all 3 project elements (\$432,899) and Watmaugh Road Bridge Project design for recycled water line (\$20,000).	452,899	0	452,899
Other County Services			
ADVERTISING - OTHER FUND			
Provide an additional grant of \$3,899 from contingencies to the Cloverdale Chamber of Commerce to complete the Welcome Sign Project for which previous Advertising funds were provided. Allocate \$250,000 in contingencies to set aside for the PRMD software system.	0	0	0
SONOMA COUNTY LIBRARY - OTHER FUNDS			
Recognize improved property tax and state revenues and adjust program expenses including capital expenses to address Healdsburg branch HVAC system.	76,754	130,621	(53,867)
Capital Projects			
CAO/GENERAL SERVICES - OTHER FUNDS			
2009 SETP ADA Improvements: Appropriate unanticipated revenue received from Sonoma County Fair & Exposition, Inc. for Fairground restroom ADA improvements.	155,163	155,163	0
Central Mechanical Plant (CMP) Energy Improvements: Appropriate \$220,611 unanticipated revenue received in FY 12-13 from the Aircon escrow account as a result of Aircon's default on one of the Comprehensive Energy Project (CEP) construction contract provisions, and are being returned to the same project budget. Proceeds will be available to fund major repairs to the CMP to insure optimal operation and continuing energy savings.	220,611	0	220,611
Animal Shelter: Appropriate SMART proceeds from their purchase of a portion of the Animal Care & Control (ACC) property in FY 12-13 to fund shelter improvements.	124,344	0	124,344
Fund unanticipated Main Adult Detention Facility emergency sewer repairs using available balances from various closed projects.	363,472 (277,416)	363,472 (277,416)	0 0
Adult Detention Planning: Appropriate AB 1022 application funds.	70,000	70,000	0
Adjustments for Board Consideration	27,891,178	10,810,116	17,081,062

Exhibit A

FY 2013-14 First Quarter Consolidated Budget Adjustments

Gross Expenditure	Revenue and Reimbursement	Net Cost
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SUMMARY OF REQUESTED ADJUSTMENTS REFLECTING PRIOR BOARD DIRECTION

Administrative Support and Fiscal Services

GENERAL SERVICES - GENERAL FUND

Appropriate unanticipated revenue from the City of Cotati associated with existing contract vehicle maintenance services provided by the County.	40,000	40,000	0
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CLERK/RECORDER/ASSESSOR - OTHER FUND

Program Recoder Modernization funds for the new the Recording, Vital Records and Cashiering System contract with Tyler Technologies, and to cover ISD services required for licensing, implementation, support and maintenance. This was approved by the Board on August 13, 2013 as Agenda Item Number 9.	755,300	0	755,300
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NON DEPARTMENTAL - GENERAL FUND

Reduce available contingencies by: \$16.5k for sponsorships approved by the Board through 10/5/2013, \$80k for increased Board extra-help support; \$40k for HOJ Elevator repairs in General Services-Local Projects; \$369k for additional mental health staff for Jail programs; \$7.4K for Animal Care & Control (ACC) emergency lighting rebudget; \$83k for ACC Workgroup efforts, \$477k for ISD GF rebudgeted projects; and \$9.7k Grand Jury rebudget. Offset by one-time grant revenue rebudget from Emergency Srvcs of \$133.5k. Also, program appropriations to issue sponsor payments, \$12k.	(935,654)	0	(935,654)
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NON DEPARTMENTAL - OTHER FUND

Reduced Tobacco fund transfers to capital projects reflecting appropriations true-up for funds drawn as of 2012-13 fiscal year-end, and \$10K increase to reconcile the transfer amount to be programmed in the Reinvestment and Revitalization budget (FY 13-14 Supplemental budget changes approved on 6/11/2013).	(871,743)	0	(871,743)
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NON DEPARTMENTAL - OTHER FUND

Rebudgeted Graton Tribal funds not yet distributed to Fire & Emergency Services entities given agreements were pending. Agreements were approved by the Board on 10/8/2013. Also, adjust by \$10k the transfer amount to the Reinvestment and Revitalization budget per FY 13-14 Supplemental Adjustments approved on 6/11/2013.	897,000	0	897,000
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ACTTC - OTHER FUNDS

Enterprisze Finacial System (EFS): rebudget available fund balance towards the \$22 million system project approved by the Board on 2/5/13, item # 33.	744,942	0	744,942
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Exhibit A**FY 2013-14 First Quarter Consolidated Budget Adjustments**

	Gross Expenditure	Revenue and Reimbursement	Net Cost
ACTTC - OTHER FUNDS			
Employee Retirement: Annual appropriations in the Retirement Internal Service Fund (\$65.1M) to properly record current expenses for employer contributions to SCERA, and Pension Obligation Bond debt service (\$27.3M). Appropriations are fully supported by revenue collected through payroll rates.	92,437,326	92,437,326	0
ACTTC - OTHER FUNDS			
HRMS System Administration Appropriations are needed in the Human Resources Management System (HRMS) budget to properly record amortization and depreciation expense related to capital assets. This is a non-cash entry required as an accounting procedure.	1,240,357	0	1,240,357
GENERAL SERVICES - GENERAL FUND			
Payoff of MADF Expansion and Russell Avenue Homeless Shelter debt financing. The former COP 2003 Series A debt is refunded by a borrowing from the Sonoma County Pooled Treasury Investment Fund providing more favorable financing terms (\$8.5M). Reclassify PG&E on-bill financing payments from utilities to long term debt payments (\$69k). Rebudget HOJ South Elevator Repair project budgeted in prior year Local Projects budget (\$40k), and unspent project costs for bike lockers to be funded from a Metropolitan Transportation Commission (MTC) grant (\$5.5k).	8,500,622	8,460,496	40,126
GENERAL SERVICES - OTHER FUND			
Appropriate - rebudget fund balance from Replacement to fund non-capital Electrical Vehicle project costs.	300,000	0	300,000
Courthouse Construction Fund - COP 2003 Series B refunding payoff of old debt pertaining to Juvenile Justice Center construction. The former COP 2003 Series B debt is refunded by borrowing from the Sonoma County Pooled Treasury Investment Fund which provides more favorable financing terms. Adjustment also includes rebudgeted operating transfers to capital projects based on actual FY 12-13 year-end balances.	2,175,767	2,185,000	(9,233)
Criminal Justice Construction Fund- Adjustment to reflect rebudgeted operating transfers to capital projects based on actual FY 12-13 year-end balances.	65,775	0	65,775
Tidelands Lease- Reclassify operating transfer for Spud Point expenses to services/supplies to conform to proper governmental accounting reporting standards.	22,000 (22,000)	0 0	22,000 (22,000)

Exhibit A

FY 2013-14 First Quarter Consolidated Budget Adjustments

	Gross Expenditure	Revenue and Reimbursement	Net Cost
INFORMATION SYSTEMS - GENERAL FUND			
Rebudget the following a) improvement projects previously approved but not yet completed in ISD Systems and Programming and Technical Services, b) expense subobject classification for \$189k from Data Processing to pass-through of server purchases for Sonoma County Public Safety Consortium in ISD Technical Services, c) consultant (\$26k) and staff time costs (\$14.5k) for completion of Web Content and Electronic Document Management systems, d) positions approved under supplemental budget for Case Management System for <u>2.0 FTE Senior Programmer Analyst</u> in ISD Systems and Programming, and e) adding <u>Administrative Services Officer I</u> offset by baseline to support personnel & accounting programs. Position currently underfilling Sr. Program allocation.	583,283	583,283	0
Increase revenue and offsetting expenditure appropriations in ISD Communications to fund telecommunications system replacement. Revenue from HSD (\$1.6M) and Accumulated Capital Outlay (ACO) contributions in FY 13-14 (\$704k). Appropriation to Transfer Out (\$1.6M) to ACO Fund and equipment expenditure (\$704k) for current year planned expenditures. Including <u>1.0 Senior Network Analyst, 2.0 Information Technology Analysts</u> in ISD Technical Services, and <u>1.0 Administrative Aide</u> in ISD Administration (Board agenda October 15, 2013).	2,307,930	2,307,930	0
INFORMATION SYSTEMS -OTHER FUND			
Rebudget OT to ISD Systems and Programming from Technology Investment Fund for ISD Systems and Programming and Increase appropriations in ACO Operating Transfer-In (\$1.6M) to reflect HSD contribution and increase ACO Operating Transfer Out (\$745k) to ISD Communications to fund FY 13-14 capital project costs. (Board agenda October 15, 2013)	744,775	1,603,965	(859,190)
Justice Services			
GRAND JURY - GENERAL FUND			
Adjustments to rebudget unexpended funds to cover costs of printing 12/13 Grand Jury report and 2013/14 Grand Jury brochure, purchase new refrigerator, increase training and increase witness/jury expense.	9,698	0	9,698
DISTRICT ATTORNEY - GENERAL FUND			
Rebudget unspent Edward Byrne Memorial Justice Assistance Grant (JAG) Funds of \$35k. Board authority on 8/16/2011. The funds have been approved for FY 13/14 by the JAG Grant Administrator to cover existing staff from 11/1/13 through 6/30/14 to perform complex legal research for our prosecution team and is in alignment with JAG expenditure requirements.	34,880	34,880	0
DISTRICT ATTORNEY - OTHER FUND			
Program the Parole Revocation fund balance \$126,709, and increased state revenue of \$79,660 to support existing program costs.	206,369	206,369	0

Exhibit A**FY 2013-14 First Quarter Consolidated Budget Adjustments**

	Gross Expenditure	Revenue and Reimbursement	Net Cost
PROBATION - GENERAL FUND			
Probation Services - Recognize the revenue and expense associated with Evidence Based Program -TIPS Grant. Add revenue and expense for DUI Court (CPP AB109).	476,804	445,772	31,032
PROBATION - OTHER FUND			
CCP (AB109) - Addition of DUI Court.	306,815	0	306,815
SHERIFF - GENERAL FUND			
Re-budget unspent Asset Forfeiture funds from NCDF security camera project (\$32k), approved 10/16/12, Item #25. Appropriate funds for completing the Narcotics Unit office space at the Sheriff's Main Office (Phase I) (\$424k) and estimated costs of build-out of the MAGNET and Internal Affairs Unit offices-Phase II (\$615k), approved 7/30/13, Item #32. Appropriate revenue and expenditures for internal affairs case management and tracking software (\$36k) funded by asset forfeiture, approved 9/10/13, Item #31. Program 2013 Justice Assistance Grant (JAG) expenditures and reimbursements for body worn cameras (\$21k) and tasers and supplies (\$22k), approved 9/10/13, Item #30. Appropriate expenditures and reimbursements for union gym funds (\$22k) as allowed by the DSA and SCLEA MOUs, reimbursed by Risk Management, approved 6/11/13 with FY 13-14 budget adoption. Appropriate expenditures and revenues for Multi-Agency Gang Task Force (MAGNET) operational costs, carryover funds, and new agency contributions (\$41k), approved 6/11/13 with FY 13-14 budget adoption. Appropriate offsetting revenue and expenditures (\$7.6k) for added K9 team, approved 6/23/09 under LE Services Agreement. Also, program Office of Traffic Safety grant revenue (\$70k) to offset training, overtime, and equipment costs for Selective Traffic Enforcement Program operations. Both adjustments for the the Sonoma Police Department contract, approved 9/17/13, Item #15.	1,289,851	1,289,851	0
SHERIFF - OTHER FUNDS			
Re-budget unspent funds from NCDF security camera project funded by asset forfeiture funds approved at 1st quarter FY 12-13 budget adjustments (\$32,000). Approved 10/16/12, Item #25, Q1 FY 12-13 CBA. Appropriate revenue and expenditures for the purchase of internal affairs case management and tracking software (\$36,150) funded by asset forfeiture funds. Approved 9/10/13, Item #31. Appropriate additional funds to cover estimated costs of completing the Narcotics Unit office space at the Sheriff's Main Office (Phase I) (\$424,268) and estimated costs of further build-out of the MAGNET and Internal Affairs Unit offices (Phase II) (\$615,459). The project is funded by asset forfeiture funds. Approved 7/30/13, Item #32. Appropriate 2013 Justice Assistance Grant (JAG) expenditures and revenue for the purchase of body worn cameras (\$21,000), tasers and supplies (\$20,895). Approved 9/10/13, Item #30.	1,149,772	41,895	1,107,877

Exhibit A

FY 2013-14 First Quarter Consolidated Budget Adjustments

	Gross Expenditure	Revenue and Reimbursement	Net Cost
Health and Human Services			
HEALTH SERVICES - GENERAL FUND	90,573	(1,910)	92,483
HEALTH SERVICES - OTHER FUND	202,505	202,505	0
Rebudget appropriations for Animal Care and Control (ACC) emergency lighting project, rolled over from FY 11-12 (\$14.7k); and update costs for ACC workgroup efforts (\$83.2k), as approved on 8/13/13 item 22, (\$278k). Offset with improved funding support and recognizing \$1,910 revenue decrease for Board approved 8/20/13 item 33 waiver to City of Cloverdale.			
Increase appropriations as follows: capital and service expansion grants to health centers and health service providers to improve access to care for Sonoma County residents under the Affordable Care Act, 9/24/13 #12 (\$900k); Health Care Act, 9/10/13 #41 (\$2.9M); CARES matching grant award from First 5, 9/10/13 #23 (\$597k); Environmental Health River Sampling, 6/18/13 (\$18.5k); and rebudgeting of various grant funds including Community Transformation Grant and Safe Routes to School (\$1.6M). Offset by reductions in available funds for Behavioral Health SUDS/Healthy Communities (\$34k) and cancellation of Hospital Close-out budget (\$126k).	5,892,238	4,959,715	932,523
HUMAN SERVICES - OTHER FUND			
(1) To record actual revenue to be received by the California Department of Aging including sequester reduction of \$98k (2) Adjust MSSP contract payments to service providers for Mental Health Services Act in the amount of \$54k - included in FY 13/14 final budget. (3) Add revenues and expenditures for Chronic Disease Management Education Grant in the amount of \$31k - Board item date of 5/7/13, item #18. (4) Add revenues and expenditures for Care Transitions Grant in the amount of \$515k and adding <u>0.5 PPEA</u> and <u>2.0 FTE SW IV</u> beginning October 1, 2013 - Board item date of 6/25/13, item #42.	701,472	603,429	98,043
Revenues and expenditures for the Road to the Early Achievement and Development of Youth (READY) grant in the amount of \$716k including the addition of <u>1.0 Program Planner & Evaluation Analyst</u> . Board item date of 6/25/13, item #51.	716,185	716,185	0
Final expenditures for the Supplemental Nutrition Assistance Program-Education (Snap-Ed) Grant in the amount of \$58k. Board item date of 6/25/13, item #50.	58,200	58,200	0

Exhibit A

FY 2013-14 First Quarter Consolidated Budget Adjustments

	Gross Expenditure	Revenue and Reimbursement	Net Cost
Development Services			
COMMUNITY DEVELOPMENT COMMISSION - OTHER FUND			
Reinvestment & Revitalization (R & R) funds in the amount of \$3.4M were added to the CDC FY13/14 budget. The adjustment segregates to a separate budget unit the funds programmed to be received. (BOS budget hearings 6/11/13).	(3,370,094)	(3,370,094)	0
	3,370,094	3,370,094	0
FIRE & EMERGENCY SERVICES - GENERAL FUND			
Rebudget remaining 2011 and 2012 Homeland Security Grants (\$277k), and Urban Area Shield Initiative Grant (\$232k) previously budgeted in FY 2012-2013, and grant performance continues into FY13-14.	509,875	643,369	(133,494)
FIRE & EMERGENCY SERVICES - OTHER FUND			
Rebudget SAFER Volunteer Recruitment and Retention Grant (\$255,138) and FEMA Assistance to Fire Grant (\$3,230)- grants previously budgeted in FY 12-13 and grant performance continues into FY 13-14. Appropriate revenue and contract expenditures related to the provision of ambulance services to the Graton Rancheria (\$250,000).	508,368	552,638	(44,270)
Hazardous Materials Fund- Rebudget Electronic Reporting Grant previously budgeted in FY 12-13 and grant performance continues into FY 13-14.	54,293	54,293	0
PRMD - GENERAL FUND			
	1,050,078	1,050,078	0
PRMD - OTHER FUND			
Rebudget consultant services and corresponding revenue financed 100% by applicants for EIR contracts for ongoing projects, including: Leonard Charles contract for Mark West Quarry for \$179k; ESA Contract for Roblar Quarry for \$65k ; ESA Contract for Cornell Winery for \$16k; and Cardo Entrix for Preservation Ranch retention final payment of \$58k. Re-budget consultant services by ICF Jones and corresponding revenue financed by Climate Action Grant (\$481k). Transfer mitigation fee collections (\$281k) to DPTW-Roads received late in FY 12/13 and beyond what was budgeted. Accounting transfer to cover prior year ISD expense and the purchase of 2 new printers and scanner. Allocation of \$250k from the Advertising Fund designated for the permit software system upgrade.	280,780	280,780	0
REGIONAL PARKS - OTHER FUND			
CSA41 Larson - re-budget CIP revenue and expenditure.	12,194	10,720	1,474
Doran ADA -decrease Prior Year encumbrance expense to move a contract to the correct index.	(52,947)	0	(52,947)
Spud Point Transformer Replace - eliminate expenditures due to closeout of fund per FY 12-13 post-audit adjustment.	(43,944)	0	(43,944)

Exhibit A

FY 2013-14 First Quarter Consolidated Budget Adjustments

	Gross Expenditure	Revenue and Reimbursement	Net Cost
Doran Boat Launch - increase Prior Year encumbrance expense to move a contract to the correct index.	52,947	0	52,947
Re-budget expenditures for CIPs in various mitigation areas.	(89,821)	0	(89,821)
TRANSPORTATION AND PUBLIC WORKS - OTHER FUND			
Re-budget of expenditures for Pavement Presevation contracts funded with one-time GF received in FY 12-13 and Federal surface treatment dollars . Addition of <u>1.0 Maint. Sup; 1.0 Eng Tech III, 1 Maint. Wrk III, and 2.0 Maint. Worker II</u>), along with equipment and materials for the re-establishment of the Culvert Crew in Road Maintenance division.	2,550,000	1,268,780	1,281,220
Northern Sonoma County Air Polution Control District (NSCAPCD) - Re-budget to reconcile with FY 12/13 actuals and maximize availability of pollution-reducing grant program funds (\$608k). Additional adjustments are being made to allow for the implementation of the new clean logging truck program (TIMBER) BOS 6/25/13 (\$132k), participation in the County On-Base system (\$15k), and the implementation of a clean woodstove changeout program (\$44k).	780,031	176,761	603,270
Integrated Waste Division -An increase in the Operating Transfers from Refuse Administration to Central Closure Fund for Landfill Closure Deposit as determined by the revised Financial Assurance calculations (\$20k); FY 12-13 deposit final calculations (\$529k), and increase to the Healdsburg Post-Closure Maintenance fund based on prior year actual expenditures (\$100k).	649,023	649,023	0
Lighting - Increase appropriations to finalize the installation of the traffic radar system in Rio Nido.	5,000	0	5,000
Airport -Re-budget of appropriations planned for FY 12/13 that will now occur in FY 13/14 including the purchase of a tractor (\$30k), property acquisition (\$400k), treasury note interest (\$12k) and the security system lease purchase payoff (\$337k). Decrease in revenue in Passenger Facility Charges (PFC) due to a gap between the previous application and the FAA approval of the new project applications. Adjustments of operating transfers between the Airport indices based on the actuals from FY 12-13. Offset in part with available fund balance.	1,345,349	424,350	920,999
Transit -Adjustments to match the budget to the Metropolitan Transportation Commission, actual FY 13/14 grant balances, and to account for rollover encumbrances. Also, replacing operating transfers revenues with grant reimbursement revenue for better tracking.	(5,420,872)	(4,739,673)	(681,199)
Water Districts -Appropriation adjustments for the Salmon Creek Water District (S.C.W.D.) System Improvement Project. BOS approved resolutions accepting the U.S.D.A. loan/grant package on 7/30/13.	1,478,746	1,342,703	136,043

Exhibit A

FY 2013-14 First Quarter Consolidated Budget Adjustments

	Gross Expenditure	Revenue and Reimbursement	Net Cost
WATER AGENCY- OTHER FUND			
General - Rebudget expense appropriation for: composting toilet project in Occidental County Sanitation District (\$160k); treatment plant maintenance services (\$125k) and offsetting revenue (\$125k) (Board date 9/17/13); software and hardware projects (\$472k); accounting correction to move appropriations from Contribution to Non-Co Gov't (-\$200k) to Consultant Services (\$200k), and to move appropriations from Operating Transfer (-\$350k) to Contribution of Non Co Gov't (\$350k); increase for the NOAA Quantitative Perception (\$200k) (BOD 6/25/13 #9); and various consultant service agreements (-\$52k).	904,469	125,000	779,469
Flood Control - Rebudget expense appropriation in Flood Zone 1A for: Hewett Street Project (\$244k); E Street Fish Ladder (\$372k); Copeland Creek Detention Flood Control - Recharge (\$604k) (BOD 5/14/13 #11); Storm Management/Ground Water Recharge Project (\$139k) (BOD 5/14/13 #11); various other projects (\$203k) such as Flood Control Design Criteria, Documentation Modernization, and Water Smart. Offset with revenue (\$1,7M) due to reimbursements from various State grants. In Flood Zone 2A for: Upper Petaluma River Project (\$908k); Denman Reach Flood Terrace Phase 3 Project (\$384k); Petaluma River Overflow Channel Feasibility Study (\$122k); Washington Creek Repair \$180k); Lichau Creek Analysis & Reveg (\$190k); and various other projects (\$543k) such as Document Modernization, Adobe Creek Sediment Basin Feasibility Study, Kelly Creek Project, and the Capri Creek Flood Study. In Flood Zone 3A for: Upper Sonoma Creek Channel Improvements (\$393k); Stormwater Detention (\$257k); Low Impact Development/Sonoma Garden Park (\$120k) (BOD 9/10/13 #9); and various other projects (\$92,711) such as the Document Modernization and Water Smart Project. In Flood Zone 5A for: Estuary Management and Monitoring Flood Risk Feasibility Study (\$82k). Warm Springs Dam Special Revenue Fund for: various Dry Creek Projects (\$2.5M); multi-year agreement with Sotoyome for Russian River Watershed (\$10k); Coastal Monitoring Program with UC Cooperative Extension (\$365k) (BOD 5/21/13 #8); and underwater video and antenna system (\$35k) (BOD 5/21/13 #8); offset by revenue from Dept of Fish and Wildlife (\$400k).	7,768,225	2,152,997	5,615,228
WATER AGENCY- OTHER FUND			
Water Supply - Rebudget appropriation for various projects (\$98,960) including Statewide Groundwater Elevation Monitoring. Recycled water projects funded under the USBR WaterSmart grant (\$1,886,500). Recycled Water Fund: Grant revenue from USBR WaterSmart grant and revenue from North Bay Water Reuse Authority for recycled water program (\$2,244,115).	1,985,460	2,244,115	(258,655)

Exhibit A**FY 2013-14 First Quarter Consolidated Budget Adjustments**

	Gross Expenditure	Revenue and Reimbursement	Net Cost
Water Transmission - Rebudget expense appropriations for: Santa Rosa Acq Cathodic Protection upgrade (\$393k); Cotati Acq Cathodic Protection (\$393k); Condition Assessment Study (\$345k); Cotati Tank #3 Coating Project (\$300k); Mirabel Dam Emergency Response Plan (\$175k); Kawana to Ralphine Pipeline Study (\$373k); Air Valve Replacement (\$366k); Mark West Creek Crossing (\$424k) (Board 8/8/13); Collector 3 & 5 Liquefaction Mitigation (\$394k); Isolation valves (\$224k); Mirabel Surge Tanks (\$189k); Russian River Crossing (\$182k); Sonoma Booster Station Upgrade & Pump Reliability (\$241k); Petaluma Acq Cathodic Protection Upgrade (\$751k) (BOD 6/25/13 #8); and various other projects (\$875k) such as the LHMP Program design, Water Smart, Petaluma Water Conservation Program, Estuary Management Project, Estuary CEQA Litigation, Sonoma Valley Groundwater Model Upgrade, and Collector 6 Liquefaction Mitigation. Increase revenue from CA Dept of Fish and Wildlife for Mirabel Fish Screen/Ladder (\$1.27M), DWR Local GW Assistance (\$158k), NFWF Russian River Salmonids (\$18.6k) and Cal Trans Petaluma AQ (\$240k).	5,626,523	1,685,820	3,940,703
Rebudget expense appropriations for service center relocation (\$200k); 12KV power distribution Sonoma Valley CSD (\$138k); 12KV power distribution Russian River County Sanitation District (\$221k) and Aviation roof replacement (\$70k).	629,082	0	629,082
Airport/Larkfield/Wikiup Sanitation Zone - Rebudget expense appropriations for microfiltration building drain improvements (\$75k), permitting assistance (\$75k) and various other projects (\$169k) such as the Water Conservation Program and Chlorine Scrubber; accounting correction to move appropriations from Consultant Services (-\$6k) to Intangible Assets (\$65k).	318,795	0	318,795
Geyserville Sanitation Zone - Rebudget expense appropriations for the expanded Water Conservation Program (\$30,000) and Regulatory Assistance (\$25,000). Sea Ranch Sanitation Zone - Rebudget expense appropriations for the expanded Water Conservation Program (\$54,160).	109,160	0	109,160
Penngrove Sanitation Zone - Rebudget expense appropriations for the expanded Water Conservation Program (\$50,000) and the motor control cabinets (\$50,000).	100,000	0	100,000
Occidental CSD - Rebudget expense appropriation for the Lift Station Upgrades (\$100,000), Water Conservation Program (\$40,000), and replacement of damaged laterals (\$45,982).	185,982	0	185,982

Exhibit A**FY 2013-14 First Quarter Consolidated Budget Adjustments**

	Gross Expenditure	Revenue and Reimbursement	Net Cost
Russian River CSD - Rebudget expense appropriation for the Bio-Nutrient Removal Projects (\$2.8M) (BOD 7/30/13 #7), lift station upgrades (\$100k), various projects (\$182k), and accounting correction to move appropriations from Consultant Services (-\$73k) to Intangible Assets (\$73k).	3,049,746	0	3,049,746
Sonoma Valley CSD - Rebudget expense appropriation for: Auga Caliente Pipeline Creek Crossing (\$910k); Recycled Water Service (\$186k); North Bay Water owed to trust (\$243k); Sonoma Creek bank repair (\$200k); various other ongoing projects (\$265k); accounting correction to move appropriations from Consultant Services (-\$266k) to Intangible Assets (\$266k); and interfund transfer (\$200k) from construction to operations for the Sonoma Creek bank repair. Increase revenue from USBR WaterSmart grant (\$1.34M), and Proposition 84 BAIWMP Salt and Nutrient Management Plan (\$20k).	2,003,757	1,557,500	446,257
South Park CSD - Rebudget expense appropriation for the Blackwell Tract Collection System (\$246k)(BOD 2/5/13 #10), East Robles Collection System (\$77.5k), West Robles Collection System (\$126k), Gloria Meekland Collection System (\$2.5M) (BOD 8/13/13 #7), Gloria-Valerie Water Main Replacement (\$804k) and easement costs (\$14k).	3,796,392	0	3,796,392
South Park CSD - Additional appropriations are requested for costs associated with the Burbank Avenue Improvement Project (\$15k) (BOD 10/22/13).	15,000	0	15,000
Airport/Larkfield/Wikiup Sanitation Zone -Additional appropriations are requested for Cal Trans Hwy 101 Airport Blvd construction in progress (\$141k) with increased revenue from the reimbursement of this project by Cal Trans (\$141k) and transfer from SCWA General Fund (\$250k) to maintain a positive fund balance.	141,205	391,205	(250,000)
Penngrove Sanitation Zone-Additional appropriations are requested for the agreement with Public Works for the Old Redwood Highway Improvement Project (\$23,500) (Board date 10/22/13).	23,500	0	23,500
Other County Services			
ADVERTISING -OTHER FUND			
Rebudget \$7k to complete 2012 Advertising Program Audit. Rebudget \$20k for Geyserville Fire Protection District FY 12/13 grant award and \$150k for Sonoma County AgGregarate FY 12/13 grant award for which funds were not encumbered due to lack of returned signed contract. Rebudget district funds for awards made in FY 12/13 and signed contracts have not yet been received for payment: District 2, \$5,560; District 3, \$500; District 4, \$580; District 5, \$2,950.	186,590	0	186,590

Exhibit A**FY 2013-14 First Quarter Consolidated Budget Adjustments**

	Gross Expenditure	Revenue and Reimbursement	Net Cost
AG PRES & OPEN SPACE - OTHER FUND			
Administrative adjustment to consolidate budget units to the main APOSD Operating Index.	606,916	606,916	0
AG COMM/SEALER - GENERAL FUND			
Increase revenues and corresponding expenditures for various local, state and federal contracts and services previously approved by the Board (\$132,000). Increase appropriations by \$343,000 to utilize fund balance allocated for building lease costs (\$267,000) and previously authorized contracted services (\$76,000). Administrative allocation change, adding end date of 6/30/14 to 2.0 FTE term limited Agricultural Biologist III (no net cost impact).	475,375	132,116	343,259
Release of General Fund year-end assigned balance for rebudget.	0	343,259	(343,259)
Capital Projects			
GENERAL SERVICES- OTHER FUNDS			
Capital Projects:- REDCOM Expansion: Rebudget ending project balances as of 6/30/13. This project was approved by the Board of Supervisors in April 2013.	1,106,383	1,193,583	(87,200)
New State Courthouse Coordination Support: Move non-capital appropriations from fixed assets to services/supplies expense.	50,000 (50,000)	0 0	50,000 (50,000)
Capital Projects - Other Funds rebudgeted projects (see list)	(1,724,918)	(2,677,171)	952,253
ISD-General Fund rebudgeted projects (see list)	477,560	0	477,560
ISD-Other Fund rebudgeted projects (see list)	64,913	0	64,913
Sub-Total Adjustments Reflecting Prior Board Direction	151,640,257	125,644,053	25,996,204
Total Requested Adjustments	179,531,435	136,454,169	43,077,266
Total General Fund Adjustments	15,857,333	15,857,333	0
Total Special Revenue Fund/Enterprise Funds Adjustments	163,674,102	120,596,836	43,077,266

Exhibit A**FY 2013-14 First Quarter Consolidated Budget Adjustments**

	Gross Expenditure	Revenue and Reimbursement	Net Cost
Information Systems - Rebudgeted Projects			
Records	31,086	0	31,086
Purchasing Agent	32,629	0	32,629
Registrar of Voters	811	0	811
Tax Collector	22,619	0	22,619
PRMD-Administration	13,729	0	13,729
Prob-Administration	123,894	0	123,894
Probation Adult Realignment	79,127	0	79,127
Probation Juvenile Halls	3,224	0	3,224
Agricultural Commissioner	144,171	0	144,171
Sealer Weights and Measures	26,270	0	26,270
Hazardous Materials Fund	3,138	0	3,138
PH-MCH	1,155	0	1,155
Workers' Comp-ISF	28,743	0	28,743
SC Ag Pres/Open Space Dist	22,000	0	22,000
DHS - First Five	564	0	564
DHS - AODS DUI Program	953	0	953
Health Services Administration	3,312	0	3,312
Animal Care and Control	493	0	493
PH Mental Health Services	2,583	0	2,583
BH-AODS-Treatment & Case Mgmt	1,111	0	1,111
Health Policy Planning and Eval	861	0	861
Total	542,473	0	542,473
Capital Projects - Rebudgeted Projects			
Co Ctr Bldg Utilization Plan	0	(3,072)	3,072
2755 Mendocino Avenue Office Building	(166,453)	(748,112)	581,659
DP Bldg Seismic Retrofit	(17,069)	(26,305)	9,236
Sheriff Bldg Server Room Expansion	(6,378)	0	(6,378)
La Plaza A & B Space Reorg	21,589	0	21,589
AC-American With Disabilities Act	249	0	249
BOS A/V Project	(328,890)	0	(328,890)
CMP Energy Improvements	110,581	(47,408)	157,989
370 Administration Drive	(79,805)	(91,268)	11,463
CCFP	(14,010)	(44,329)	30,319
Criminal Justice Expansion	(52,503)	81,523	(134,026)
HOJ Elevator Repair	(5,653)	(9,233)	3,580
MADF MH Touchscreens	(12,086)	(8,108)	(3,978)
MADF HVAC Controls	(1,326)	0	(1,326)
MADF Doors	(20,100)	(150,000)	129,900
MADF Sewer Improvements	(990)	(31,924)	30,934
MADF PTZ Cameras	(6,763)	(11,346)	4,583
MADF Air Flow Improvements	(10,580)	(82,122)	71,542
MADF Fire System Upgrade	(18,827)	0	(18,827)
MADF Court Holding Area	(13,237)	(33,473)	20,236
MADF Toilets/Sinks	(10)	(1,002)	992
MADF Elevator Repair	(2,305)	(3,667)	1,362
MADF A&B Dayroom & Rec Yard Subdivision	69,474	0	69,474
MADF Grinder/Auger System	(16,187)	0	(16,187)
MADF R-Mod Dayroom Divider	(7,995)	0	(7,995)
MADF R-Mod Metal Door Replacement	(13,119)	0	(13,119)
Adult Detention Planning	(63,682)	3,548	(67,230)
NSDF 300 Unit Re-Roof	(11,822)	(1,022)	(10,800)

Exhibit A**FY 2013-14 First Quarter Consolidated Budget Adjustments**

	Gross Expenditure	Revenue and Reimbursement	Net Cost
JJC Flooring Repairs	(404)	0	(404)
VMCH Phase III	(35,517)	0	(35,517)
LG Water System Replace	(13,425)	(7,721)	(5,704)
LG Photovoltaic System	1,857	(33,826)	35,683
Hood Expansion	69,033	(1,837)	70,870
Helen Putnam Memorial	(3,786)	0	(3,786)
Hood Hwy 12	102,650	(6,297)	108,947
Hood Lawson	44,803	0	44,803
Hood Mountain	57,614	0	57,614
Doran Boat Launch	(17,191)	21,381	(38,572)
Sea Ranch	1,216	0	1,216
Doran Park	153,569	109,427	44,142
Mark West Creek	11,056	0	11,056
Healdsburg Ridge	(5,561)	1,758	(7,319)
Laguna De Santa Rosa Trail	(132,671)	24,916	(157,587)
Copeland Creek Trail	(668)	0	(668)
Doran Jetty Restroom	(8,767)	(12,882)	4,115
North Sonoma Mountain Trail	6,600	(74,936)	81,536
Stillwater Cove	(90)	(89)	(1)
Russian River Water Trail - Lower	3,228	(2,915)	6,143
Los Guillicos: Hood House	4,000	4,000	0
Ragle Ranch	1,000	1,000	0
Mark West Creek Trail	3,152	0	3,152
Smart Trail SW-Santa Rosa	(17,962)	80,030	(97,992)
Timber Cove Trail Plan	71,082	(30,702)	101,784
Hodeman Slough	(14,764)	32,830	(47,594)
West County Trail	11,781	5,000	6,781
Crane Creek Park	(2,460)	0	(2,460)
Foothill Park	(5,377)	0	(5,377)
Sonoma-Schellville Bike Trail	7,589	8,307	(718)
Sonoma Valley Trail	(2,601)	(3,194)	593
Estero Trail	20,770	0	20,770
Occidental Community Center	340	(18,253)	18,593
Petaluma-Sebastopol Trail	(2,691)	(3,030)	339
SR Creek Trail	62	(601)	663
Westside Boat Launch	(33,553)	21,812	(55,365)
Kenwood Plaza Park	4,819	7,489	(2,670)
Steelhead Beach	15,709	25,732	(10,023)
Cloverdale Regional Park	33,567	0	33,567
Sonoma Valley Regional Park	12,286	0	12,286
Tolay Lake	(303,192)	(150,000)	(153,192)
Schopflin Fields	(25,000)	(25,000)	0
Bodega Bay Bike/Ped Trail Ph 3	(3,556)	0	(3,556)
Guerneville River Park	(1,349)	(324,557)	323,208
Taylor Mtn Regional Park	2,791	45,000	(42,209)
Bodega Bay Bike/Ped Trail Ph 2	(11,716)	(20,000)	8,284
Bodega Bay Breakwater	(134)	0	(134)
SF Bay Trail	2,000	(118)	2,118
Riverfront Park	(12,403)	(22,341)	9,938
Healdsburg Vets Memorial Beach Dam	3,692	3,692	0
Central Sonoma Valley Trail	(50,964)	(40,000)	(10,964)
Watson School	876	876	0
Bodega Bay Bike/Pedestrian Trail	7,041	6,000	1,041
Russian River Access Sites	1,361	(1,056)	2,417

Exhibit A**FY 2013-14 First Quarter Consolidated Budget Adjustments**

	Gross	Revenue and	
	Expenditure	Reimbursement	Net Cost
Storm Damage Projects	(51,674)	(253,172)	201,498
Vets Bldg Repairs	(20,197)	(19,296)	(901)
Animal Shelter	0	19,500	(19,500)
Electrical Vehicle Infrastructure	(560)	0	(560)
Facility Planning	(29,763)	58,618	(88,381)
2009 ADA SETP Improve	(818,261)	(107,000)	(711,261)
Haz Mat Management/Abatement	(32,068)	(83,713)	51,645
Grnd Wtr Contam Mon/Rem	0	2,653	(2,653)
Communications-Towers	(295,935)	(514,078)	218,143
Human Services Improvement Projects	453,217	0	453,217
Emergency Generator Projects	(3,116)	(67,513)	64,397
Water Hazards - Electrical Rooms	(58,618)	(58,618)	0
TPW Sonoma Road Yard Ren	(15,941)	0	(15,941)
Emergency Services Warehouse	(12,466)	0	(12,466)
Smoking Ordinance	(4,205)	(26,879)	22,674
Fleet/Materials Lab Relocation	(15,854)	0	(15,854)
FES CSA #40 Equip Storage Bldg	(101,322)	(40,248)	(61,074)
Total Capital Project Rebudgeting Adjustments	(1,724,918)	(2,677,171)	952,253

Exhibit A**FY 2013-14 First Quarter Consolidated Budget Adjustments**

	Gross Expenditure	Revenue and Reimbursement	Net Cost
MADF R-Mod Metal Door Replacement	(13,119)	0	(13,119)
Adult Detention Planning	(63,682)	3,548	(67,230)
NSDF 300 Unit Re-Roof	(11,822)	(1,022)	(10,800)
JJC Flooring Repairs	(404)	0	(404)
VMCH Phase III	(35,517)	0	(35,517)
LG Water System Replace	(13,425)	(7,721)	(5,704)
LG Photovoltaic System	1,857	(33,826)	35,683
Hood Expansion	69,033	(1,837)	70,870
Helen Putnam Memorial	(3,786)	0	(3,786)
Hood Hwy 12	102,650	(6,297)	108,947
Hood Lawson	44,803	0	44,803
Hood Mountain	57,614	0	57,614
Doran Boat Launch	(17,191)	21,381	(38,572)
Sea Ranch	1,216	0	1,216
Doran Park	153,569	109,427	44,142
Mark West Creek	11,056	0	11,056
Healdsburg Ridge	(5,561)	1,758	(7,319)
Laguna De Santa Rosa Trail	(132,671)	24,916	(157,587)
Copeland Creek Trail	(668)	0	(668)
Doran Jetty Restroom	(8,767)	(12,882)	4,115
North Sonoma Mountain Trail	6,600	(74,936)	81,536
Stillwater Cove	(90)	(89)	(1)
Russian River Water Trail - Lower	3,228	(2,915)	6,143
Los Guilicos: Hood House	4,000	4,000	0
Ragle Ranch	1,000	1,000	0
Mark West Creek Trail	3,152	0	3,152
Smart Trail SW-Santa Rosa	(17,962)	80,030	(97,992)
Timber Cove Trail Plan	71,082	(30,702)	101,784
Hodeman Slough	(14,764)	32,830	(47,594)
West County Trail	11,781	5,000	6,781
Crane Creek Park	(2,460)	0	(2,460)
Foothill Park	(5,377)	0	(5,377)
Sonoma-Schellville Bike Trail	7,589	8,307	(718)
Sonoma Valley Trail	(2,601)	(3,194)	593
Estero Trail	20,770	0	20,770
Occidental Community Center	340	(18,253)	18,593
Petaluma-Sebastopol Trail	(2,691)	(3,030)	339
SR Creek Trail	62	(601)	663
Westside Boat Launch	(33,553)	21,812	(55,365)
Kenwood Plaza Park	4,819	7,489	(2,670)
Steelhead Beach	15,709	25,732	(10,023)
Cloverdale Regional Park	33,567	0	33,567
Sonoma Valley Regional Park	12,286	0	12,286
Tolay Lake	(303,192)	(150,000)	(153,192)
Schopflin Fields	(25,000)	(25,000)	0
Bodega Bay Bike/Ped Trail Ph 3	(3,556)	0	(3,556)
Guerneville River Park	(1,349)	(324,557)	323,208
Taylor Mtn Regional Park	2,791	45,000	(42,209)
Bodega Bay Bike/Ped Trail Ph 2	(11,716)	(20,000)	8,284
Bodega Bay Breakwater	(134)	0	(134)
SF Bay Trail	2,000	(118)	2,118

Exhibit A**FY 2013-14 First Quarter Consolidated Budget Adjustments**

	Gross	Revenue and	
	Expenditure	Reimbursement	Net Cost
Riverfront Park	(12,403)	(22,341)	9,938
Healdsburg Vets Memorial Beach Dam	3,692	3,692	0
Central Sonoma Valley Trail	(50,964)	(40,000)	(10,964)
Watson School	876	876	0
Bodega Bay Bike/Pedestrian Trail	7,041	6,000	1,041
Russian River Access Sites	1,361	(1,056)	2,417
Storm Damage Projects	(51,674)	(253,172)	201,498
Vets Bldg Repairs	(20,197)	(19,296)	(901)
Animal Shelter	0	19,500	(19,500)
Electrical Vehicle Infrastructure	(560)	0	(560)
Facility Planning	(29,763)	58,618	(88,381)
2009 ADA SETP Improve	(818,261)	(107,000)	(711,261)
Haz Mat Management/Abatement	(32,068)	(83,713)	51,645
Grnd Wtr Contam Mon/Rem	0	2,653	(2,653)
Communications-Towers	(295,935)	(514,078)	218,143
Human Services Improvement Projects	453,217	0	453,217
Emergency Generator Projects	(3,116)	(67,513)	64,397
Water Hazards - Electrical Rooms	(58,618)	(58,618)	0
TPW Sonoma Road Yard Ren	(15,941)	0	(15,941)
Emergency Services Warehouse	(12,466)	0	(12,466)
Smoking Ordinance	(4,205)	(26,879)	22,674
Fleet/Materials Lab Relocation	(15,854)	0	(15,854)
FES CSA #40 Equip Storage Bldg	(101,322)	(40,248)	(61,074)
Total Capital Project Rebudgeting Adjustments	(1,724,918)	(2,677,171)	952,253

**Exhibit "B" Position Allocations
FY 2013-2014 1st Quarter Consolidated Adjustments**

Index	Job Class	Job Title	Existing Allocation (FTE)	Change in Allocation (FTE)	New Total Allocation	Effective Date	Salary Range
Agricultural-Commissioners Office							
070102	1125	AGRICULTURAL BIOLOGIST-STANDARD SPECIALIST III	7.75	-	7.75	07/01/13	25.59
		Above - end dates of 6/30/14 added to two positions					
Department of Health Services							
068312	0810	ADMINISTRATIVE AIDE	0.00	1.00	1.00	01/15/14	23.33
161101	0416	ACCOUNTANT II	8.90	0.10	9.00	10/24/13	28.09
164402	3372	PUBLIC HEALTH AIDE II	8.20	-1.00	7.20	10/24/13	14.99
164402	3375	PUBLIC HEALTH ASSISTANT	4.00	1.00	5.00	10/24/13	18.61
164756	2565	SENIOR PUBLIC HEALTH NURSE	2.00	1.00	3.00	10/24/13	36.56
165219	2471	MARRIAGE FAMILY THERAPIST	6.73	2.45	9.18	11/01/13	30.30
165219	2537	FORENSIC PSYCHIATRIST	1.33	0.70	2.03	01/01/14	87.96
165219	1916	NURSE PRACTITIONER/PHYSICIAN'S ASSISTANT	0.65	0.35	1.00	01/01/14	39.16
165219	0003	SENIOR OFFICE ASSISTANT	2.25	0.40	2.65	01/01/14	18.26
District Attorneys Office							
042127	3222	VICTIM WITNESS ADVOCATE II	8.00	1.00	9.00	10/01/13	24.25
Fairgrounds							
315010	5226	HEAVY EQUIPMENT MECHANIC II	0.00	1.00	1.00	10/01/13	29.73
General Services Department							
010124	1050	COUNTY ARCHITECT	1.00	-1.00	0.00	10/22/13	47.96
Human Resources Department							
006015	0807	HUMAN RESOURCES ANALYST III	9.50	1.00	10.50	10/15/13	34.86
596023	7003	SENIOR OFFICE ASSISTANT CONFIDENTIAL	6.50	-2.00	4.50	10/15/13	18.81
596023	7803	HUMAN RESOURCES TECHNICIAN CONFIDENTIAL	0.00	2.00	2.00	10/15/13	22.44
Human Services Department							
159014	0826	DEPARTMENT ANALYST	2.00	-1.00	1.00	09/30/13	29.52
159014	0827	ADMINISTRATIVE SERVICES OFFICER I	3.00	1.00	4.00	10/01/13	34.86
159014	0476	ELIGIBILITY SUPERVISOR	19.00	2.00	21.00	10/01/13	25.52
159014	0472	ELIGIBILITY WORKER II	137.25	15.00	152.25	10/01/13	20.83
159014	0474	ELIGIBILITY WORKER III	30.00	3.00	33.00	10/01/13	22.59
159014	3352	HUMAN SERVICES AIDE II	16.00	2.00	18.00	10/01/13	17.30
159014	0002	OFFICE ASSISTANT II	20.50	2.00	22.50	10/01/13	16.03
159014	0007	OFFICE SUPPORT SUPERVISOR	12.00	2.00	14.00	10/01/13	21.63
159014	0880	PROGRAM PLANNING AND EVALUATION ANALYST	24.50	3.50	28.00	10/01/13	30.59
159014	0176	PUBLIC ASSISTANCE SYSTEMS SPECIALIST	4.00	1.00	5.00	10/01/13	32.25
159014	0003	SENIOR OFFICE ASSISTANT	55.00	1.00	56.00	10/01/13	18.26
159014	3010	SOCIAL SERVICE SUPERVISOR I	5.00	1.00	6.00	10/01/13	30.68
159014	3004	SOCIAL SERVICE WORKER IV	103.25	2.00	105.25	10/01/13	28.79
Information Systems Department							
007104	7025	EXECUTIVE SECRETARY CONFIDENTIAL	1.00	-1.00	0.00	10/29/13	23.14
007104	0152	INFORMATION TECHNOLOGY ANALYST II	1.75	-0.75	1.00	10/29/13	30.34
007104	0810	ADMINISTRATIVE AIDE	2.00	1.00		10/29/13	23.33
007104	0810	ADMINISTRATIVE AIDE		1.00	4.00	01/01/14	23.33

Exhibit "B" Position Allocations
 FY 2013-2014 1st Quarter Consolidated Adjustments

Index	Job Class	Job Title	Existing Allocation (FTE)	Change in Allocation (FTE)	New Total Allocation	Effective Date	Salary Range
007104	0827	ADMINISTRATIVE SERVICES OFFICER I	0.00	1.00	1.00	10/29/13	34.86
007104	0003	SENIOR OFFICE ASSISTANT	0.00	0.75	0.75	10/29/13	18.26
007112	0129	SENIOR PROGRAMMER ANALYST	14.50	2.00	16.50	10/29/13	38.31
007138	0152	INFORMATION TECHNOLOGY ANALYST II	12.25	1.75	14.00	10/29/13	30.34
007138	0003	SENIOR OFFICE ASSISTANT	0.00	0.25	0.25	10/29/13	18.26
007138	0140	SENIOR NETWORK ANALYST	2.00	1.00	3.00	01/01/14	42.00
Probation Department							
043109	3227	PROBATION OFFICER III	22.00	-	22.00	09/30/13	29.62
		Above - end date changed from 9/30/13 to 6/30/14					
Transportation and Public Works							
035014	1007	ENGINEERING TECHNICIAN III	6.00	1.00	7.00	10/22/13	27.68
035014	5050	MAINTENANCE SUPERVISOR	4.50	1.00	5.50	10/22/13	28.66
035014	5015	MAINTENANCE WORKER II	23.00	2.00	25.00	10/22/13	20.29
035014	5017	MAINTENANCE WORKER III	25.50	1.00	26.50	10/22/13	23.48
Water Agency							
672105	1035	ASSISTANT PROJECT SPECIALIST	1.00	-1.00	0.00	10/22/13	28.02
672105	0988	ENVIRONMENTAL SPECIALIST - End Date 6/30/15	2.00	1.00	3.00	10/22/13	29.72
672105	0985	TECHNICAL WRITING SPECIALIST	7.75	1.00	8.75	10/22/13	30.50
			623.56	55.50	679.06		

Department of Health Services

Sonoma County Jail Mental Health Services Report

Executive Summary:

This item requests the Board authorize the Department of Health Services (Department) through the 1st Quarter Consolidated Budget Process to add 3.85 FTE positions, effective January 1, 2014, in the Jail Mental Health Program at an annualized cost of \$739,875 to be funded by the Sheriff's Office. If approved, the Sheriff's Office will include additional General Fund appropriations of \$739,875 in the 2nd quarter consolidated budget adjustments.

The Sonoma County Department of Health Services Behavioral Health Division's Jail Mental Health Program provides mental health services, ranging from medication management to suicide prevention, and treatment, at Sonoma County's Main Adult Detention Facility (MADF). Over the past four years, the number of inmates in the Jail Mental Health Program has risen from 220 to 350, an increase of 130 individuals, or 59 percent. During the same period, the seriously mentally ill inmate population has risen from 130 to 150, an increase of 15 percent.

To address the increased need for mental health services and ensure the provision of consistent and adequate levels of mental health services in Sonoma County's MADF, the Sonoma County Sheriff approached the Department to identify an appropriate increase in staffing in the Department's Jail Mental Health Program to address the increase in inmates needing services. In consultation with the Department, a proposed staffing increase was developed which includes the following classifications: Behavioral Health Clinicians (+ 2.40 FTE); Senior Office Assistant (+ 0.40 FTE); Nurse Practitioner (+ 0.35 FTE); and Forensic Psychiatrist (+ 0.70) for a total additional allocation of 3.85 FTE positions. Current staffing allocations in the Jail Mental Health Program include the following classifications: Client Care Manager (1.00 FTE); Behavioral Health Clinicians (6.83 FTE); Senior Office Assistant (1.00 FTE); Eligibility Worker (0.50 FTE); Nurse Practitioner (0.65 FTE); Psychiatric Technician (0.50 FTE); Forensic Psychiatrist (1.20 FTE); and Section Manager (0.10 FTE) for a total allocation of 11.78 FTE positions. Extra help and contract doctors are used on an as needed basis.

The additional Behavioral Health Clinicians will increase the Jail Mental Health Program's service capacity during peak jail mental health service demand hours (1:00 PM to 9:00 PM (M-F)); increase service capacity during weekends; create a full-time Suicide Prevention Specialist (currently 0.50 FTE); and create a full-time Court Liaison (currently 0.50 FTE) to improve the communication with Courts related to Section 1370 inmates. Behavioral Health Clinicians provide assessment, counseling, and crisis intervention services.


The additional Senior Office Assistant position will expand support for mental health service staff on weekends.

The additional Psychiatric Nurse Practitioner (PNP) will be added to create a full time position (currently 0.65 FTE) to expand capacity. Psychiatric Nurse Practitioners assess individuals in need of medication evaluation, prescribe psychoactive medications, monitor for medication side effects and treatment effects, and manage presenting symptoms as they relate to medication support.

The additional Forensic Psychiatrist will create a full-time MD allocation (currently 0.30 FTE) that will increase the Program's capacity to assess inmates for mental illness and provide appropriate intervention and treatment, including medication management.

The FY 13-14 Jail Mental Health Program costs are comprised of \$1,874,884 in Salaries & Benefits and \$681,592 in Services & Supplies for a total cost of \$2,556,476. The program is currently funded by a \$2,003,402 reimbursement from the Sheriff's Department, \$352,948 of AB 109 funding, and \$119,054 of General Fund (for Discharge Planner). For FY 13-14 this Board Item requests \$369,938 (\$739,875 annualized ongoing) in County General Fund to increase the staffing of the Jail Mental Health Program as described above.

The addition of 3.85 FTE positions in the Health Department will be added through the 1st Quarter Consolidated Budget Adjustment process. The addition of \$369,938 in General Fund support to cover these costs in FY 13-14 (ongoing increased General Fund support if approved will be \$739,875 annually) will be added to the Sheriff's Office budget in the 2nd Quarter Consolidated Budget Adjustments.

 <p>County of Sonoma Agenda Item Summary Report</p> <p>Clerk of the Board 575 Administration Drive Santa Rosa, CA 95403</p>	<p>Agenda Item Number: (This Section for use by Clerk of the Board Only.)</p>
<p>To: Board of Supervisors of Sonoma County</p>	
<p>Board Agenda Date: September 10, 2013</p>	<p>Vote Requirement: Majority</p>
<p>Department or Agency Name(s): Department of Health Services</p>	
<p>Staff Name and Phone Number: Rita Scardaci, 565-7876</p>	<p>Supervisorial District(s): Countywide</p>
<p>Title: County of Sonoma Affordable Care Act Implementation Quarterly Update</p>	
<p>Recommended Actions:</p>	
<p>Receive update on Sonoma County Implementation of the Patient Protection and Affordable Care Act.</p> <p>Adopt a Personnel Resolution effective September 10, 2013 adding 25.15 FTE positions as detailed in the attached resolution - Department of Health Services.</p> <p>Authorize the Director of Health Services to execute Blue Shield of California Foundation Grant Agreement Number 8571551 to receive revenue from the Blue Shield of California Foundation for the period July 1, 2013 through June 30, 2014 to provide insurance enrollment assistance in an amount not to exceed \$100,000.</p> <p>Authorize the Director of Health Services to execute an agreement with Redwood Community Health Coalition to provide health insurance enrollment assistance services for the period July 1, 2013 through June 30, 2014, in an amount not to exceed \$30,000.</p>	
<p>Executive Summary:</p>	
<p>Implementation of the Patient Protection and Affordable Care Act (ACA) will continue to have a significant impact on the County of Sonoma (County) and its community partners. As requested by the Sonoma County Board of Supervisors in April 2013, the Department of Health Services (DHS) has worked with other County Departments and partner agencies to develop a quarterly report to keep the Board of Supervisors apprised of the progress of County departments and community partners in the successful implementation of the ACA in Sonoma County.</p> <p><u>ACA's Impact on the County of Sonoma</u></p> <p>The ACA's impact on the County crosses departmental lines impacting a broad sector of County operations. The Human Services Department has prepared for its changing role in determining eligibility and enrollment of individuals qualifying for coverage under the ACA's expanded Medi-Cal and Covered California provisions, including to date hiring 54 FTE ACA related positions of which 21 FTE are extra help. The Human Resources Department has assessed the impact of the ACA on the County as an employer including implementing ACA provisions that have already gone into effect, including benefit</p>	

and coverage mandates. The Department of Health Services has facilitated community education and outreach on ACA; been awarded over \$3 million in funding under the ACA's Community Transformation Grant program to support county health prevention activities; and worked closely Partnership HealthPlan of California (PHP); California Medical Services Program (CMSP); and community health centers to ensure access to care for the medically underserved. The Economic Development Board has supported local businesses through education and outreach efforts and the Department of Child Support Services continues to assess the ACA's impact on medical orders and child support services.

This September 2013 Quarterly Update highlights recent activities of these County departments related to ACA implementation as well as the activities of key health care partners including PHP, CMSP, Covered California, local hospitals, Redwood Community Health Coalition, and Covered Sonoma County. In addition, pages 8 -10 of the Quarterly Update highlight aspects of the ACA that impact the County as an employer and the requirements the County must comply with as it provides health insurance benefits to its employees and their dependents.

The following provides a brief summary of recent County ACA related activities described in the attached September Quarterly Update (Attachment 1).

- The Human Services Department will be coordinating enrollment opportunities in order to determine eligibility for more than 18,000 individuals in Sonoma County who will be newly eligible for Medi-Cal beginning in January 2014. The Department will also serve as an enrollment conduit for more than 21,000 uninsured individuals who will qualify for the tax-based subsidies through the Covered California health benefit exchange. In addition, the Human Services Department is leading Care Transitions efforts to reduce avoidable hospital admissions for high risk Medicare beneficiaries through Adult and Aging Services. In addition to the 54 FTE ACA related positions identified above, HSD anticipates adding an additional 26 FTE through the first quarter consolidated budgeting process.
- The Economic Development Board has been reaching out to employers to educate them about the opportunities and tax credits available to small businesses, as well as answer questions about compliance and other aspects of employer interests and concerns related to the ACA.
- The Department of Child Support Services obtains and enforces medical orders as a component of child support services, and has been working with state and federal entities to clarify the role of and opportunities for the Department of Child Support Services through the ACA.
- The Department of Human Resources is providing information about the postponement of the employer mandate to share responsibility for coverage, employer fees and expenses, overview of the excise tax "Cadillac Tax" and its potential liability of \$4.1 million, tracking and reporting requirements of the ACA, and communications that have been provided to employees about their coverage and benefits.
- The Department of Health Services, in its role as the local health jurisdiction and health care provider, a conduit for health prevention and community health resources, and facilitator of public education and information, continues to assure access to a prevention focused, integrated health home, and to strengthen the local collaborative health system. This Board item serves to add revenue and the resources needed to serve the expanded population that will be newly enrolled for services in January 2014, and to expand collaboration and coordination efforts to assure that new health insurance coverage leads to access, quality and reliability in the health care system.

As mentioned above and discussed at the April 2013 Board presentation, the Department of Health

Services has completed its initial analysis of staffing needs for the expansion of services that will begin for currently uninsured and underinsured individuals in January 2014. The Department is requesting the approval of 25.15 new positions to meet the increased demand for services and helps assure that access to health coverage is maximized to improve quality and outcomes. The Department is requesting the addition of these positions at this time in order to initiate the recruitment process, and fill and train new employees prior to January 2014. The Department has identified new and continuing revenue sources in excess of \$1.7 million to support these positions, primarily through increased federal reimbursement associated with newly eligible Medi-Cal beneficiaries. The Department has been conservative in these initial requests, and will closely monitor the demand for services, community capacity and revenue development strategies going forward, returning to your Board with additional requests as needed. The Department of Health Services is also using this opportunity to bring two additional ACA related actions to the Board, requesting the Board's authorization to accept a contract with the Blue Shield of California Foundation and execute an associated contract with Redwood Community Health Coalition in their efforts to increase enrollment under the ACA.

Behavioral Health Services

Of the 25.15 positions requested, 17.15 are associated with expanded Behavioral Health Services. These direct services are billable through the Mental Health Cost Plan and Substance Use Disorder Services. DHS is the state designated Mental Health Plan, responsible for approving, providing or arranging for mental health services for Medi-Cal enrollees in Sonoma County who have a serious and persistent mental illness. According to the California Institute for Mental Health: *Workforce Issues Today and in the Future - Workforce Implications of Increased Demand for Mental Health and Substance Use Service, June 2012*, as many as 1,669 additional Medi-Cal enrollees in Sonoma County with serious and persistent mental illness will be identified as a result of implementation of the ACA. To meet the corresponding increase in demand for behavioral health services, DHS is recommending an additional 12.15 FTE direct service positions in the Behavioral Health Division. In support of the additional direct service staff and increased caseload the Department will require 5 additional staff in the areas of claiming, billing, auditing, program support, and information systems. The additional staff will allow the Department to meet increased service demands, maintain compliance, and support the full development and implementation of improved billing processes and electronic behavioral health records necessary as part of a robust, quality health information exchange among health care providers in Sonoma County. As the ACA expansion provisions are implemented, the Department will closely monitor enrollment in the Mental Health Plan and utilization of behavioral health services, and make necessary additions to service related staffing.

Health Access, Communication, and Planning

Of the 25.15 positions requested, 8.0 FTE are related to increased support for health access, communication, planning and evaluation efforts in Health Policy Planning and Evaluation (HPPE) and Public Health divisions. The current reality is that despite per capita expenditures for health care that far exceed other countries, the health care system in the United States has delivered poor outcomes for the population as a whole. Although national health care reform and the implementation of the ACA have raised hopes for broad improvements to our health care system, many experts recognize that efforts to improve care and reduce overall spending requires collaboration and coordination at the local level. The proposed addition of staff in HPPE and Public Health will support DHS's role as a conduit for health prevention and community health resources and facilitator of education and information to

assure access to care and to integrate and strengthen the local collaborative health system.

- *Health Policy, Planning and Evaluation Division.* The four additional positions in the Health Policy, Planning and Evaluation division will support improved health access, communications and planning. This effort is particularly timely with the implementation of the ACA, and aligns with and builds upon the collaborative work of Health Action and Upstream Investments with the County's many community partners. Sonoma County's Health Action partners have adopted the Institute for Healthcare Improvement's Triple Aim as the framework for this local collaboration and coordination: (1) Improve the patient experience of care (including quality, access and reliability); (2) Improve health outcomes for Sonoma County's populations; and (3) Lower per capita costs. Supporting community stakeholder efforts and aligning DHS programs and services to best leverage implementation of the ACA in Sonoma County are essential components to successfully inform, educate and empower the community to address health issues.
- *Public Health Division.* The four additional positions in the Public Health Division will expand nursing capacity to support Sonoma County's Community-based Care Transitions Program, which is a new funding opportunity provided through the ACA, and will help support health access, planning and communication needs throughout Public Health's diverse program areas.

Of the proposed 25.15 FTE added positions, 2.0 FTE (8%) are management/supervisory positions and 23.15 FTE (92%) are non-management positions. DHS has worked closely with the Human Resources Department (HR) on the development of this item. HR has reviewed descriptions of the positions and duties to be performed for classification and span of control appropriateness and concurs with the proposal.

Funding for ACA Related Positions

This expansion of 25.15 FTE is funded through increased federal revenue. New federal and state revenue for FY 13-14 is anticipated to be \$1,491,739. Under the ACA the Department will receive 100% federal funding for Medi-Cal newly eligibles for 2014 through 2017. In addition DHS proposes the use of Intergovernmental Transfer (IGT) fund balance totaling \$195,097.

IGT revenue equals about 13% of the total proposed funding for the ACA related positions. IGT revenue are federal funds provided to DHS through its contract with Partnership HealthPlan of California. In the last three years the Department has received approximately \$12 million in IGT revenue. IGT revenue must be used consistent with the IGT Plan approved by the PHC Board and the Department's MOU with PHC. IGT revenue is used to support improved behavioral health, substance use, dental health, chronic disease, care coordination, health system development and access to specialty care for Medi-Cal beneficiaries and other underserved populations. On March 19, 2013, your board approved the Year 3 IGT agreements and received from DHS a detailed summary of Year 1 through Year 3 IGT revenue, Year 1 and Year 2 IGT funded expenditures, and proposed uses of Year 3 IGT revenue.

The Department has analyzed the proposed funding in light of enhanced federal reimbursement through the ACA and the ongoing nature of IGT revenue and determined that the proposed funding is sustainable.

Blue Shield Grant

The Department was also recently awarded a \$100,000 grant from the Blue Shield of California Foundation to support the collaborative work DHS has been doing with the Human Services Department and community partners in order to provide enrollment assistance in Sonoma County.

The key objective of the award from Blue Shield of California Foundation is to increase enrollment and retention of newly eligible individuals under health care reform. Key grant partners include the Human Service Department and Redwood Community Health Coalition (RCHC) and leverages the Health Action Chapters in order to smoothly and effectively transition existing County Medical Services Program (CMSP) clients to Medi-Cal Managed care through Partnership HealthPlan of California or to coverage through the Covered California health exchange.

In addition to accepting the attached report, which further details current County and community partner efforts, and approving positions and funding that support DHS implementation of the ACA, the Department requests authorization to execute the Blue Shield of California Foundation Grant Agreement Number 8571551 in the amount of \$100,000 to support the collaborative work DHS has been doing with the Human Services Department and an agreement with RCHC to provide health insurance enrollment assistance services, in an amount not to exceed \$30,000.

Prior Board Actions:

April 9, 2013- Received report on Sonoma County Implementation of the Patient Protection and Affordable Care Act; March 19, 2013 – Authorized execution of Year 3 IGT Agreements; February 21, 2012 – Accepted Sonoma County Health Care System Report; June 22, 2010 - Accepted National Health Care Reform Report; December 8, 2009 – Adopted Sonoma County Principles for Health Care Reform.

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

The ACA expands the health insurance coverage to the uninsured; invests in prevention; and focuses on improving the quality of health care while reducing its costs, all of which contribute to health of Sonoma County.

Fiscal Summary - FY 13-14

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 0	County General Fund	\$ 0
Add Appropriations Req'd.	\$ 1,786,836	State/Federal	\$ 1,491,739
	\$	Fees/Other	\$ 100,000
	\$	Use of Fund Balance	\$ 195,097
	\$	Contingencies	\$ 0
	\$		\$
Total Expenditure	\$ 1,786,836	Total Sources	\$ 1,786,836

Narrative Explanation of Fiscal Impacts (If Required):

Program expenditures of \$1,786,836, new revenue of \$1,591,739, and use of fund balance of \$195,097 will be added in 1st Quarter Consolidated Budget Adjustments.

Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Senior Office Assistant	3,175.90-3,861.17	3.25	
Account Clerk II	3,175.90-3,861.17	1.25	
Accountant II	4,885.60-5,937.86	1.00	
Department Information Specialist II	5,443.91-6,617.91	1.00	
Systems Software Analyst	6,997.07-8,505.01	1.00	
Department Analyst	5,134.31-6,242.23	2.00	
Administrative Aide	4,057.71-4,934.30	1.00	
Program Planning & Evaluation Analyst	5,320.42-6,468.33	2.00	
Public Health Nurse II	5,915.25-7,191.87		-1.00
Senior Public Health Nurse	6,358.76-7,731.04	2.00	
Senior Account Clerk	3,501.14-4,257.73	1.00	
Supervising Staff Nurse	6,751.83-8,207.60	1.00	
Marriage Family Therapist	5,269.98-6,405.72	5.50	
Client Support Specialist	3,219.38-3,913.35		-0.50
Nurse Practitioner	6,810.97-8,280.65	0.60	
Staff Psychiatrist	13,180.16-16,022.12	0.60	
Psychiatric Nurse	6,177.88-7,511.89	0.45	
Senior Client Support Specialist	4,073.36-4,951.69	1.00	
Marriage Family Therapist Specialist	5,670.01-6,892.71	1.00	
AODS Counselor II	4,501.22-5,471.73	1.00	
Office Assistant II	2,788.04-3,388.09		-1.00
Health Services Section Manager	7,598.86-9,235.51	1.00	
Narrative Explanation of Staffing Impacts (If Required):			
Narrative explanation of staffing impacts is included in the Executive Summary.			
Attachments:			
Patient Protection and Affordable Care Act Quarterly Update, Personnel Resolution, Blue Shield of California Grant Agreement Number 8571551, agreement with Redwood Community Health Coalition. [Please use http://sonoma-county.granicus.com/MetaViewer.php?view_id=2&clip_id=357&meta_id=120245 to view full report]			
Related Items “On File” with the Clerk of the Board:			
None			

10-22-2013 First Quarter FY 2013-14 Budget Update – Att. 3

DIRECTION DURING 2013-14 BUDGET HEARINGS	ASSIGNED TO	STATUS
Traffic Calming Approach - Return with Recommendations for Board Consideration	Sheriff/TPW	Underway.
Jail Mental Healthcare - Complete review of resources needed to address jail mental healthcare issues.	Sheriff/Health	Presented by Health Services in separate report as Att. 1
Review Sheriff's staffing levels at Mid-Year to identify if additional recruiting resources are needed.	Sheriff/CAO	Report underway-will be presented with Mid-Year Report in January.
Recommend necessary budget/program changes from State Budget impacts associated with 1991 state Realignment take back proposal.	Health Services	Report underway-will be presented with Mid-Year report in January.
Return with additional fiscal planning addressing the needs of our community's seniors, as well as State Budget impacts (during 1st Quarter FY 13-14 review).	Human Services	To be presented under separate cover on 10/22/13.
Return in the next 60-90 days with how to program O&M available funds incorporating a public input workshop; including a review of potentially increasing the Matching Grant Program from unanticipated sales tax growth. Finally, return in 6 months with a complete long term plan for public recreational lands.	Open Space	Report on O&M was presented to the Board on 10/15. Sales tax projections will be addressed at mid-year. Long term plan for recreational lands is underway.



FY 2013-14 1st Quarter Budget Update



Sonoma County Administrator's Office

We'll cover...

- Discuss \$179M in budget changes and Use of Contingencies.
- Receive program changes information from Sheriff and Health, Human Services, and Transportation & Public Works.
- Review updated 5-Yr Fiscal Forecast:
 - a) Improved General Fund revenues Estimates.
 - b) Updated baseline expenses.
- Recap & Looking Ahead.



Board's Prudent Management Through Time of Fiscal Crisis

- **Made difficult decisions to minimize service reductions.**
 - Sought assistance from all stakeholders to achieve cost savings.
 - Implemented Pension Reform.
- **Lived within our means.**
 - Collaborated with partners to select and implement reductions.
 - Used one-time funds to pay for one-time costs to allow for future investment.
- **Continued strategic investment as available resources increased – not just returned to where we were.**
 - Ensured new tasks come with adequate funding.
 - Invested in areas that will have future cost prevention benefits.



FY 2013-14 Revised

	FY 2013-14 Adopted	Approved Changes	Q1 Requested Changes	FY 2013-14 Revised
Expenditures	\$1,363,794,998	\$536,848	\$179,531,435	\$1,543,863,281
Revenues	<u>1,187,262,164</u>	<u>224,791</u>	<u>136,454,169</u>	<u>1,323,941,124</u>
Use of Balances	\$ 176,532,834	\$312,057	\$43,077,266	\$219,922,157
Positions	3,906.10	30.15	55.5	3,991.75



Budget and Position Changes

(\$ in millions)

	Expense	Revenue	Use of Balances	Positions
Admin & Fiscal	\$109.4	\$107.9	\$1.5	7.0
Crim. Justice	4.3	2.5	1.8	1.0
Health & Human	18.7	15.6	3.1	40.5
Development	45.2	10.3	34.9	6.0
Other	1.3	1.2	0.1	1.0
Cap & IT Proj.	<u>0.6</u>	<u>-1.2</u>	<u>1.8</u>	<u>n/a</u>
TOTAL	\$179.5	\$136.5	\$43.0	55.5
General Fund	\$15.0	\$15.0	\$0.0	3.85 (Health)
Contingency Use	\$0.9	\$0.0	\$0.9	



Administrative & Fiscal

ACTTC - EMPLOYER PENSION CONTRIBUTION \$92.4M

Establishing annual appropriations control in the Retirement Internal Service Fund to properly record current expenses for employer contributions to SCERA (\$65.1M), and Pension Obligation Bond debt service (\$27.3M). Appropriations are fully supported by revenue collected through payroll rates.

GENERAL SVCS - LONG TERM DEBT REFINANCE \$10.6M

Payoff of MADF Expansion and Russell Avenue Homeless Shelter debt financing. The former COP 2003 Series A debt is refunded by a borrowing from the Sonoma County Pooled Treasury Investment Fund providing more favorable financing terms



Sheriff Office & Health Services

Jail Mental Health Services \$369,938

INCREASE IN SERVICES OVER THE LAST 4 YEARS

Inmates in program increased by 130, from 220 to 350 (59% increase).

Seriously mentally ill inmates in program increased by 20, from 130 to 150 (15% increase).

ADDITIONAL POSITIONS REQUESTED

3.85 full time equivalent positions in the Health Department.

\$369,938 in General Fund Contingencies to cover costs in FY 13-14.

ONGOING GENERAL FUND SUPPORT INCREASE

\$739,875 annually





Jail Mental Health Program

Position Title	Current FTE	Additional Proposed FTE	Total Proposed FTE
Behavioral Health Clinician	6.83	2.40	9.23
Senior Office Assistant	1.00	0.40	1.40
Nurse Practitioner	0.65	0.35	1.00
Forensic Psychiatrist	1.20	0.70	1.90
Client Care Manager	1.00	-	1.00
Eligibility Worker	0.50	-	0.50
Psychiatric Technician	0.50	-	0.50
Section Manager	0.10	-	0.10
Total	11.78	3.85	15.63




Sonoma County Administrator's Office

Human Services Department

	Positions
ECONOMIC ASSISTANCE \$5,760,164	
Supporting Health Care reform, expanded Medi-Cal and CalFresh outreach.	28
ADULT & AGING \$909,069	
New federally funded Care Transitions program to assist older adults who are discharged from hospital to avoid readmission, expedite IHSS cases, provide staff training and fill required security officer and system administrator for CMIPS II system for IHSS.	4.5
	
PLANNING, RESEARCH, & EVALUATION \$819,568	
Adjustment will support the Upstream Investments Initiative by providing training and technical assistance to CBOs, Support READY grant by providing technical assistance to early childhood providers and to provide on-going evaluation, data analysis and planning to E&T Division.	2
	



Transportation & Public Works

ROAD PRESERVATION – \$500,000	Positions
CULVERT PROGRAM	
<p>These positions will facilitate formation of a county wide crew that will proactively address culvert and drainage issues. It will also free up the road yard crews and bridge crews such that it will enhance overall response time to public concerns.</p>	 <p>4</p>
ENGINEERING	
<p>The position will provide technical support for road maintenance activities, performing activities related to drainage design, storm water best management practices, and maintenance environmental permits.</p>	1



Information System Department

	Positions
TELECOMMUNICATIONS - \$2.3 Million	
New unified communications environment merging the Counties voice and data networks and related support responsibilities. The positions will provide ongoing support needs consistent with the converged technologies.	4
CASE MANAGEMENT (funds included in Adopted Budget)	
Case management system for the District Attorney and Public Defender. Functions to be performed on an ongoing basis include project development, analysis and integration work within suite of Integrated Justice applications. The positions will also address expanding reporting and data analytics work to support law and justice departments with realignment and evolving upstream programming and operations.	2
ADMINISTRATION (funds included in Adopted Budget)	
New position will support department personnel and accounting programs.	1



Improved FY 2013-14 General Fund Sources

as of 10/21/2013

Type	Increase Estimate (Millions)
Secured Property Tax	\$3.5
Unsecured Property Tax	0.3
Documentary Transfer Tax	0.3
Sales Tax	0.8
Transient Occupancy Tax	<u>0.1</u>
Total	\$5.0



Sonoma County Administrator's Office

Preliminary 5-Year GF Forecast

(As of October 2013)

5-YR Forecast Revised 10/16/13	Adopted FY 13-14	Updated FY 13-14	Projected FY 14-15	Projected FY 15-16	Projected FY 16-17	Projected FY 17-18
Taxes	201.5	206.9	209.8	214.4	219.7	225.5
State/Fed	82.2	83.7	84.7	86.8	89.0	91.2
Charges for Services	41.0	43.1	41.6	42.4	42.5	41.2
Other	44.1	55.2	47.0	47.6	48.0	48.3
Total Revenues	368.7	388.9	383.1	391.2	399.1	406.2
Salaries and Benefits	272.6	272.4	276.6	284.1	288.0	294.4
Services and Supplies	92.9	97.5	98.4	101.9	105.0	106.6
Other	101.8	112.4	93.6	95.6	97.1	99.3
Reimbursements	(76.0)	(77.1)	(79.4)	(81.0)	(82.7)	(84.3)
Total Expenditures	391.3	405.1	389.2	400.6	407.4	415.9
Accum. Leave Release	8.3	8.3				
Use of Fund Balance	14.3	14.6	10.0	10.0	10.0	10.0
FY 13-14 GF Savings		3.3				
Excess/(Shortfall)	-	10.0	3.9	0.6	1.7	0.3
Unmet Needs (see next)	-	-	39.7	33.3	35.3	40.2
Future Rev. Enhancement						
Revised Excess/(Shortfall)	-	10.0	(35.8)	(32.7)	(33.6)	(39.9)
Pension Reform Savings Included Above		2.5	3.2	4.0	4.9	5.8



Sonoma County Administrator's Office

Unmet Needs...

(Part 1)

	Adopted FY 13 14	Projected FY 14 15	Projected FY 15 16	Projected FY 16 17	Projected FY 17 18
Safe, Healthy & Caring Community					
Jail Management System	\$ -	\$ 2.4	\$ -	\$ -	\$ -
Health Care Reform	\$ -	\$ -	\$ -	\$ -	\$ 2.0
Community Corrections Center					\$5.6M in 18/19
Other					
Economic & Env. Stewardship					
Enterprise Financial System (1x)	\$ 3.0	\$ 3.0	\$ 1.5	\$ -	\$ -
EFS - ongoing maint. & support	\$ -	\$ 1.2	\$ 1.3	\$ 2.6	\$ 2.5
PRMD - New System	\$ 1.4	\$ 0.7	\$ -	\$ -	\$ -
Buy Down UAAL	\$ -	\$ 16.0	\$ 18.2	\$ 20.7	\$ 23.8
Build GF Reserves	\$ 2.0	\$ 2.7	\$ 2.4	\$ 2.1	\$ 2.0
Other					



Sonoma County Administrator's Office

Unmet Needs...

(Part 2)

	Adopted FY 13-14	Projected FY 14-15	Projected FY 15-16	Projected FY 16-17	Projected FY 17-18
Invest in the Future					
Roads System - Short Term Plan	\$ 8.0	\$ 8.0	\$ 8.0	\$ 8.0	\$ 8.0
Roads System - LongTerm Plan	Under Development				
Additional Fac. Maint & Inv.	\$ -	\$ 2.0	\$ 2.0	\$ 2.0	\$ 2.0
Comprehensive County Facilities Plan	Under Development				
Workforce Succession	\$ -	\$ 1.0	\$ 1.0	\$ 1.0	\$ 1.0
Other					
Civic Services & Engagement					
Ballot Voting System Replacement	\$ -	\$ 3.8	\$ -	\$ -	\$ -
Other					
Potential Add'l Labor Savings		\$ (1.1)	\$ (1.1)	\$ (1.1)	\$ (1.1)
TOTAL	\$ 14.4	\$ 39.7	\$ 33.3	\$ 35.3	\$ 40.2



Sonoma County Administrator's Office

Recapping Where We Are Today

- We've made significant progress addressing the items that drive cost in our system.
- Starting with the Board and Management, reached agreement with 4 of 11 employee organizations with another 3 subject to final ratification and Board approval – projected to achieve \$145.4 million out of \$150 million in 10 year goals.
- We've made the cuts, \$100 million and 600 full time positions from our pre-recession operations in order to live within available on-going resources.
- Thanks to the Board and Department Heads efforts additional resources secured for services, such as the Community Transformation Grant, and AB109.



The High & Low Reference Points Positions and Budget

Positions	High FY 07-08	Low FY 11-12	FY 13-14	Changes to Date	Q1 CBA	FY 13-14 Revised
Admin & Fiscal	617.09	521.60	549.30	0.00	7.0	556.30
Criminal Justice	1,198.11	1,030.40	1,064.90	0.00	1.0	1,065.90
Health & Human	1,416.07	1,233.00	1,421.20	29.15	40.50	1,490.85
Development Svcs	773.05	629.60	637.10	1.00	6.0	644.10
Other	<u>275.00</u>	<u>240.10</u>	<u>233.60</u>	<u>0.00</u>	<u>1.0</u>	<u>234.60</u>
Total	4,279.32	3,654.7	3,906.10	30.15	55.50	3,991.75

Budget	High FY 08-09	Low FY 10-11	Low FY 11-12	FY 13-14	Changes to Date	Q1 CBA	FY 13-14 Revised
GF	\$452.98	\$397.03	\$387.14	\$407.18	\$0.30	\$15.86	\$423.34
Other	<u>823.92</u>	<u>784.73</u>	<u>832.47</u>	<u>956.61</u>	<u>0.24</u>	<u>163.67</u>	<u>1,120.52</u>
Total	\$1,276.90	\$1,181.76	\$1,219.61	\$1,363.79	\$0.54	\$179.53	\$1,543.86

Ten Year Pension Cost Savings

Bargaining Unit	Pension Reform Savings	
WCE	\$1.9 million	(1.2%)
SCLEA	\$27 million	(18%)
SCLEMA	\$1.5 million	(1%)
Salary Resolution	\$32 million	(22%)
<u>SEIU MOU</u>	<u>\$83 million</u>	<u>(55%)</u>
Total	\$145.4 million	

Together agreements to date achieve 97% of the Board's 10 year (\$150 million) pension reform savings target



Total Compensation Changes

(2 FY, numbers in thousands)

	SAL RES	SEIU	SCLEA	SCLEMA	WCE
3% target (2 FY)	\$5,800	\$10,200	\$4,159	\$244	\$239
New Pension Tier	(\$1,200)	(\$2,000)	(\$700)	(\$40)	(\$80)
Eliminate Pension Spiking	(\$11,008)	(\$5,755)	(\$1,283)	(\$287)	(\$230)
Eliminating EPMC	(\$93)	(\$5,900)	(\$1,028)	(\$44)	N/A
Other Cost Reductions	(\$1,042)	(\$1,244)	(\$2,456)	(\$81)	(\$34)
Lump Sum Payments	\$290	\$ 2,500	\$0	\$72	\$0
Sub total \$	(\$13,000)	(\$12,400)	(\$5,467)	(\$381)	(\$344)
Sub total % of Comp Reduced	6.7%	3.6%	3.9%	4.7%	4.3%
1% COLA	\$680	\$1,100	\$525	\$30	\$50
Sub total \$	(\$12,300)	(\$11,300)	(\$4,942)	(\$351)	(\$294)
Total %	6.3%	3.3%	3.6%	4.3%	3.7%
County Contributions to HRA/or alternative	\$2,800	\$3,600	\$1,820	\$88	\$114
Grand Total \$	(\$9,500)	(\$7,700)	(\$3,122)	(\$263)	(\$180)
Total %	4.88%	2.25%	2.25%	3.2%	2.25%



Looking Ahead...

- Continue addressing the cost drivers in our system.
- Use dedicated resources to fund new programs.
- Use available General Fund resources to invest in strategic areas like Roads and Infrastructure.
- Provide more services through greater community partnerships and engagement.



Budget Next Steps

- Consider a 2-Year Budget Plan approach with Departments' staff input and participation.
- Present Budget Policy Workshop in Jan/Feb 2013, including:
 - ✓ Current Year Budget Estimates.
 - ✓ Updated 5-Year Fiscal Forecast Tool.
 - ✓ Revised Fund Balance Directory.
 - ✓ Specific Budget Policy Guidelines as needed.
- Complete 2014-15 Budget Hearings directions.
- Conduct Budget Hearings – tentatively scheduled from 6/16 to 6/27.



Thank You

- Board of Supervisors
- Departments' Budget teams and Department Heads
- County Administrator Deputies, Analysts, and Support Staff
- Human Resources
- Auditor-Controller-Treasurer-Tax Collector.



Requested Actions

1. Receive 1st Quarter Budget Update.
2. Adopt Concurrent Resolution adjusting the FY 2013-14 appropriations by \$15.9M in General Fund and \$164M in Other Funds (4/5 vote required).
3. Adopt Concurrent Resolution adding 9 positions in General Fund Dept. budgets, and 46.5 in non-GF budget programs.
4. Adopt Resolution of the Sonoma Valley County Sanitation District adjusting by \$2.5M FY 2013-14 appropriations.

