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

TUESDAY **APRIL 7, 2015** **2:00 P.M.**

(PLEASE NOTE: There is no morning session agenda. 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		
James Gore	Fourth District		
Efren Carrillo	Fifth District		

This is a simultaneous meeting of the Board of Supervisors of Sonoma County, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District, the Board of Directors of the Northern Sonoma County Air Pollution Control District, the Sonoma County Public Finance Authority, and as the governing board of all special districts having business on the agenda to be heard this date. Each of the foregoing entities is a separate and distinct legal entity.

The Board welcomes you to attend its meetings which are regularly scheduled each Tuesday at 8:30 a.m. Your interest is encouraged and appreciated.

AGENDAS AND MATERIALS: Agendas and most supporting materials are available on the Board's website at http://www.sonoma-county.org/board/. Due to legal, copyright, privacy or policy considerations, not all materials are posted online. Materials that are not posted are available for public inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, at 575 Administration Drive, Room 100A, Santa Rosa, CA.

SUPPLEMENTAL MATERIALS: Materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the Board of Supervisors office at 575 Administration Drive, Room 100A, Santa Rosa, CA, during normal business hours.

DISABLED ACCOMMODATION: If you have a disability which requires an accommodation, an alternative format, or requires another person to assist you while attending this meeting, please contact the Clerk of the Board at (707) 565-2241, as soon as possible to ensure arrangements for accommodation.

Public Transit Access to the County Administration Center:
Sonoma County Transit: Rt. 20, 30, 44, 48, 60, 62
Santa Rosa CityBus: Rt. 14
Golden Gate Transit: Rt. 80
For transit information call (707) 576-RIDE or 1-800-345-RIDE or visit or http://www.sctransit.com/

APPROVAL OF THE CONSENT CALENDAR

The Consent Calendar includes routine financial and administrative actions that are usually approved by a single majority vote. There will be no discussion on these items prior to voting on the motion unless Board Members or the public request specific items be discussed and/or removed from the Consent Calendar.

PUBLIC COMMENT

Any member of the public desiring to address the Board on a matter on the agenda: Please walk to the podium and after receiving recognition from the Chair, please state your name and make your comments. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the subject under discussion. Each person is usually granted 3 minutes to speak; time limitations are at the discretion of the Chair. While members of the public are welcome to address the Board, under the Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally may only listen.

2:00 P.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. 2:00 P.M. PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA

(Comments are restricted to matters within the Board's jurisdiction. The Board will hear public comments at this time for up to thirty minutes. Please be brief and limit your comments to three minutes. Any additional public comments will be heard at the conclusion of the meeting. While members of the public are welcome to address the Board, under the Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally may only listen.)

III. BOARD MEMBER ANNOUNCEMENTS

IV. CONSENT CALENDAR

(Items 1 through 26)

PRESENTATIONS/GOLD RESOLUTIONS

(Items 1 through 5)

PRESENTATIONS AT THE BOARD MEETING

1. Adopt a Gold Resolution proclaiming April 7, 2015 as National Service Recognition Day. (First District)
2. Adopt a Gold Resolution proclaiming the week of April 6 to April 12, 2015 as Public Health Week in Sonoma County. (Health)
3. Gold Resolution for Week of the Young Child - Adopt a Gold Resolution recognizing the importance of high-quality early childhood education, and the people, programs and policies in Sonoma County that support early learning for all young children. (Human)

PRESENTATIONS AT A DIFFERENT DATE

4. Adopt a Gold Resolution honoring William Coole for achieving the rank of Eagle Scout. (Second District)
5. Adopt a Gold Resolution honoring Maxwell Hyde for achieving the rank of Eagle Scout. (Second District)

AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

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

6. Adopt a Resolution authorizing the Chair to execute a second amendment to the Flocchini Conservation Easement updating the Baseline Site Map to delineate the "Ag/Residential Area" as referenced in the Easement language. (Second District)

CONSENT CALENDAR (Continued)

COMMUNITY DEVELOPMENT COMMISSION

(Commissioners: Gorin, Rabbitt, Zane, Gore, Carrillo)

7. Authorize the Executive Director to execute a Professional Services Agreement with Burbank Housing Management Corporation for management of the Village Green II affordable housing development. (First District)

SONOMA COUNTY WATER AGENCY

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

8. Authorize the General Manager to execute Amendment No. 1 to the agreement with Regents of the University of California for assistance in the Russian River Watershed Fisheries Monitoring Program, increasing the amount by $61,355, for a new not-to-exceed agreement total of $423,452. (Third and Fifth Districts)

9. Authorize the Chair to execute an agreement with Friends of the Petaluma River to provide fall and spring watershed trash cleanup events in the amount of $37,750; agreement terminates on March 31, 2017. (Second District)

10. Authorize the Chair to execute a consent agreement with the Sonoma-Marin Area Rail Transit District (SMART) to permit SMART to construct a pedestrian and bicycle trail on a portion of Sonoma County Water Agency's Petaluma Aqueduct easement; and Authorize the Water Agency's General Manager to file a Notice of Determination in accordance with the California Environmental Quality Act. (Third District)

AUDITOR CONTROLLER-TREASURER TAX COLLECTOR

11. Accept the audit report of the Sonoma County Treasury Treasurer Investment Pool for the quarter ended September 30, 2014.

BOARD OF SUPERVISORS

12. Approve Advertising Program grant award and Authorize the County Administrator to execute a contract with the Petaluma City Ballet/Ballet Brillant for advertising and promotions activities for Fiscal Year 2014-15 in the amount of $500. (Second District)

COUNTY ADMINISTRATOR/ AUDITOR CONTROLLER-TREASURER TAX COLLECTOR/INFORMATION SERVICES/ GENERAL SERVICES

13. Accept a quarterly update on the Enterprise Financial System Project Implementation and Authorize two planned agreements:
    (A) Authorize the Auditor-Controller-Treasurer-Tax Collector to execute an agreement with CherryRoad Technologies, Inc., not-to-exceed $820,600 for PeopleSoft and Hyperion consulting services for the period April 7, 2015 through April 7, 2016 with two options to extend for one year each.
    (B) Authorize the Information Systems Department Director to execute amendment number 2 to the agreement with NexLevel Information Technology, Inc., not-to-exceed $520,000 for EFS project management services for the period October 9, 2015 through October 31, 2016.

CONSENT CALENDAR (Continued)

COUNTY ADMINISTRATOR
AND
AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT
COMMUNITY DEVELOPMENT COMMISSION
SONOMA COUNTY WATER AGENCY
(Directors/Commissioners: Gorin, Rabbitt, Zane, Gore, Carrillo)

14. Marin Sonoma Mosquito and Vector Control District assessment vote –
Authorize the Chair to vote affirmatively for the assessment proposed by the Marin Sonoma Mosquito and Vector Control District for parcels owned by Sonoma County, Sonoma County Agricultural Preservation and Open Space District, Sonoma County Community Development Commission, and the Sonoma County Water Agency.

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, Gore, Carrillo)

15. Employee Medical Benefit Enhancements –
(A) Authorize amendments to the County Health Plan Summary Plan Description in compliance with the Federal Patient Protection and Affordable Care Act, effective June 1, 2015.
(B) Authorize amendments to the agreement with Kaiser Permanente, Inc. adding a Deductible HMO and HAS-Qualified Deductible HMO plans, effective June 1, 2015.

PERMIT AND RESOURCE MANAGEMENT

16. Authorize the Director to execute agreements with Transpedia Consulting Engineers and Omni Means Engineering Solutions to provide traffic study peer review services on an as-needed basis, for a not-to-exceed amount of $60,000 for each contract, for a three-year term beginning April 7, 2015 and ending April 6, 2018.

17. Authorize the Director to:
(A) Accept $991,119 in grant funds from the Environmental Protection Agency San Francisco Bay Water Quality Improvement Fund for drainage and storm water activities, and
(B) Execute the grant agreement for Federal and State ordered storm water regulatory permit requirements for the period May 1, 2015 through April 30, 2019. (First and Second Districts)

SHERIFF'S OFFICE

18. Adopt a Resolution authorizing the Sheriff to accept an equipment grant award from the California Department of Parks and Recreation, Division of Boating and Waterways, and sign contract documents and requests for reimbursement.

CONSENT CALENDAR (Continued)

19. Authorize the Sheriff to execute first amendments to Inmate Program Agreements to extend the term from June 30, 2015 to June 30, 2016 with:
(A) Law Research Associates, doing business as Legal Research Associates, for legal research services for inmates increasing the contract by $60,000 resulting in a new total not-to-exceed $240,000.
(B) Friends Outside in Sonoma County for inmate services increasing the contract by $29,000 resulting in a new total not-to-exceed $116,000.
(C) Friends Outside in Sonoma County for constructive conflict resolution workshops increasing the contract by $18,000, maintaining the originally approved total not-to-exceed $54,000.
(D) Sonoma County Library for inmate literacy and language skills classes increasing the contract by $10,220 resulting in a new total not-to-exceed $40,220.
(E) Goodwill Industries for inmate job skills training classes, increasing the contract by $15,000, maintaining the originally approved total not-to-exceed $45,000.

TRANSPORTATION AND PUBLIC WORKS

20. Authorize the Chair to execute an agreement with SCS Field Services to provide ongoing operation, monitoring, maintenance and reporting services for the landfill gas collection system located at the Healdsburg Closed Landfill for the period April 1, 2015 through March 31, 2019, in the amount of $33,400 for the first year, and adjusted annually thereafter, based on the percentage change in the San Francisco-Oakland-San Jose Consumer Price Index, not-to-exceed three percent per year. (Second District)

MISCELLANEOUS

21. Approve the Minutes of the Meetings of March 10, 2015 and March 17, 2015 for the following: 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, South Park County Sanitation District, Sonoma County Water Agency, and Board of Supervisors; and Approve the Minutes of the Meetings of March 10, 2015 and March 17, 2015 for the Sonoma Valley County Sanitation District.

APPOINTMENTS/REAPPOINTMENTS

(Items 22 through 26)

22. Approve the re-appointment of Cynthia Woods to the Sonoma Valley Citizens Advisory Commission, South Valley, ending on April 7, 2018. (First District).

23. Approve the appointment of Gonzalo Romo to the Sonoma County Community Development Committee beginning on April 7, 2015 as a coterminous appointment. (Second District)

24. Approve the appointment of Shellie Hadley to the Mental Health Board for a three-year term beginning on April 7, 2015 and ending on December 31, 2018. (Third District)

CONSENT CALENDAR (Continued)

25. Upstream Investments Portfolio Review Committee Appointments –
(A) Approve the re-appointment of B.J. Bischoff, Julie Sabbag-Maskey, Katie Greaves, Leo Tacata, Robert Halverson and Carlos Ayala to the Upstream Portfolio Review Committee for two-year terms ending on March 30, 2017.
(B) Approve the appointment of Megan Sirna to the Upstream Portfolio Review Committee for a two-year term beginning on April 1, 2015 and ending on March 31, 2017. (Human Services)

26. Adopt a Resolution re-appointing Mich Riccioni and Rita Scardaci to the Partnership HealthPlan of California Commission for four-year terms beginning on January 1, 2015 and ending on December 31, 2018. (Health Services)

V. REGULAR AFTERNOON CALENDAR

(Items 27 through 31)

AUDITOR CONTROLLER-TREASURER TAX COLLECTOR/ ECONOMIC DEVELOPMENT BOARD

27. **3:00 P.M** Sonoma Country Day School – Issuance of Association of Bay Area Governments (ABAG) Revenue Bonds –
(A) Conduct a Public Hearing on approval of issuance of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations.
(B) Adopt a Resolution approving the issuance of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an amount not-to-exceed $18,000,000 for the benefit of Sonoma Country Day School, a California nonprofit public benefit corporation. (Fourth District)

AUDITOR CONTROLLER-TREASURER TAX COLLECTOR

28. Pursuant to Government Code §7522.56 approve the appointment of Joseph Loomis as an accounting assistant Retiree Extra-Help, in order to fill a critically needed position within 180 days of his retirement, with an appointment date as early as April 14, 2015.

HEALTH SERVICES

29. Adopt a Resolution introducing, reading the title of, and waiving further reading of a proposed ordinance amending Chapter 34 of the Sonoma County Code, County Organized Health System, to revise the criteria to be eligible for appointment to the multi-county Partnership HealthPlan of California Commission. (First Reading)

30. Adopt a Resolution introducing, reading the title of, and waiving further reading of a proposed ordinance adding Chapter 32A (Licensure of Tobacco Retailers) to the Sonoma County Code to require the licensure of tobacco retailers within unincorporated Sonoma County. (First Reading)

PERMIT AND RESOURCE MANAGEMENT

31. 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

(All materials related to these actions and determinations can be reviewed at: http://www.sonoma-county.org/prmd/b-c/index.htm)

VI. CLOSED SESSION CALENDAR

(Items 32 through 34)

32. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation – Hollynn Delil v. County of Sonoma, consolidated U.S. Northern District Court Case Nos. C13-0423 and 14-00445. (Gov't. Code Section 54956.9(d)(1)).

33. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation – Daren Heatherly, et al. v. County of Sonoma, et al., Northern District Court Case No. CV 13 4327. (Gov't. Code Section 54956.9(d)(1)).

34. The Board of Supervisors will consider the following in closed session: Public Employee Performance Evaluation – Permit and Resource Management Director. (Gov't. Code Section 54957(b)(1)).

RECONVENE FROM CLOSED SESSION

35. Report on Closed Session.

36. **ADJOURNMENTS**

NOTE: The next regular meeting will be held on April 14, 2015.

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

1. April 14 (PM) – Sea Ranch Wastewater Fees.
2. April 21st (PM) – Fee Hearings.
3. April 28th (PM) - Hinkle Minor Subdivision MNS14-0008.
4. May 5th (PM) – Zone Change; Mike Myer, ZCE14-0010.
5. May 19th (AM) – Sewer Service Rates.
6. May 19th (PM) – Roberts Road Subdivision; PLP14-0046.
7. May 19th (PM) – Use Permit modification Novato Disposal Service; PLP02-0072.
8. June 9th (PM) – Freestone Water District Financing.
9. June 9th (PM) – Jenner Water District Financing.

County of Sonoma Agenda Item Summary Report

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

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

To:	Board of Supervisors
Board Agenda Date:	April 7, 2015
Vote Requirement:	Majority
Department or Agency Name(s):	Board of Supervisors
Staff Name and Phone Number:	Supervisor Susan Gorin, 707/565-2241
Supervisorial District(s):	First
Title:	Gold Resolution

Recommended Actions:

Adopt a Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, proclaiming April 7, 2015, as National Service Recognition Day

Executive Summary:

Prior Board Actions:

Strategic Plan Alignment Not Applicable

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	$		$
Add Appropriations Reqd.	$	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

Item Number: _____

Date: April 7, 2015 Resolution Number: _____

☐ 4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, do hereby proclaim April 7, 2015, as National Service Recognition Day

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and

WHEREAS, the nation's counties are increasingly turning to national service and volunteerism as a cost-effective strategy to meet county needs; and

WHEREAS, AmeriCorps and Senor Corps participants address the most pressing challenges facing our communities, from educating students for the jobs of the 21st century and supporting veterans and military families to providing health services and helping communities recover from natural disasters; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS, AmeriCorps and Senior Corps participants serve in more than 60,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, national service participants increase the impact of the organizations they serve, both through their direct service and by managing millions of additional volunteers; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, the Corporation for National and Community Service shares a priority with county executives nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National Association of Counties and county executives across the country for the County Day of Recognition for National Service on April 7, 2015.

Now, Therefore, Be It Resolved the Sonoma County Board of Supervisors do hereby proclaim April 7, 2015, as National Service Recognition Day, and encourage residents to recognize the positive impact of national service in our county; to thank those who serve; and to find ways to give back to their communities.

Supervisors:

Rabbitt: Zane: Gore: Carrillo: Gorin:

Ayes: Noes: Absent: Abstain:

So Ordered.

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

To: Board of Supervisors of Sonoma County

Board Agenda Date: April 7, 2015

Vote Requirement: Majority

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

Staff Name and Phone Number:	**Supervisorial District(s):**
Rita Scardaci, 565-7876	Countywide

Title: National Public Health Week 2015

Recommended Actions:

Adopt a Resolution proclaiming the week of April 6 to April 12, 2015 as Public Health Week in Sonoma County.

Executive Summary:

By Presidential Proclamation, Public Health Week is celebrated nationally in the first week of April every year. The theme for 2015 is "Healthiest Nation 2030." Public health programs have been serving communities across the country for many decades through efforts that range from helping individuals make healthy life choices to organizing efforts to build safer and healthier neighborhoods.

This year's theme focuses on five key areas:

1. Raising the Grade. Although progress has been made, the U.S. still lags behind peer countries in health and quality-of-life measures such as life expectancy and infant mortality. "Raising the Grade" is about confronting the data on these issues to move towards becoming the Healthiest Nation by 2030. Locally, the Department of Health Services (DHS) is working towards improving health outcomes for Sonoma County residents at various life stages through programs such as Nurse Family Partnership; Crisis Assessment, Prevention, and Education (CAPE) Team; and Healthy Aging, and in partnership with health system leaders through the Committee for Healthcare Improvement and the Human Services Department.
2. Starting from Zip. Studies have shown that the zip code a person lives in describes a lot more than their neighborhood. Unfortunately, zip code all too often correlates to measures of health such as life expectancy and access to health care. As illustrated in *A Portrait of Sonoma County*, a two-mile difference in address location can result in an average 10-year life expectancy variance. Through Health Action Cradle to Career and the many DHS partnerships, including collaboration with the local place-based health improvement efforts of Health Action Chapters, the County is committed to minimizing health disparities and increasing equity among Sonoma County residents.
3. Building Momentum. Passage of the ACA has signified a national shift in public health policy; from

a "sick-care," disease-focused model towards one that emphasizes prevention and an integrative view of health. Efforts to improve access to healthier foods and increase physical activity include Healthy Eating, Active Living and Safe Routes to School Health Initiatives; the Women, Infants, and Children (WIC) program; and the Sonoma County Healthy and Sustainable Food Action Plan. Along with the County's effort to adopt tobacco retailer licensing, these programs focus on systems level disease prevention. In addition, California Children's Services, Drug-Free Babies, and Avance Parent-Child Education Program focus on early childhood experiences to prepare the youngest residents of Sonoma County for a successful, active, and healthy life.

4. Building Broader Connections. Becoming the healthiest nation by 2030 requires collaboration between policymakers, governments, providers, non-profits, businesses and individuals. Locally, the Department provides backbone support to Health Action, which establishes our collective vision and commitment to address key drivers of health. In order to meet our goal of becoming the healthiest county in the state, Health Action is currently working to address priorities identified in its Action Plan (2013-16): economic security, educational attainment, and health system improvement. DHS also actively collaborates with and supports many community partners in efforts to improve public health outcomes around issues such as health care access, alcohol and other drug use prevention, mental health, and dental health.
5. Building on 20 Years of Success. Over the past 20 years, the public health community both nationally and locally has made significant progress in improving the health and wellbeing of individuals and communities – but we still have far to go. Looking forward, DHS will focus on addressing the determinants of health and improving health equity in pursuit of Sonoma County becoming the healthiest county in California to live, work, and play.

The Department of Health Services works throughout the year to provide a broad range of innovative and creative services designed to protect, promote, and achieve health for individuals, families, and communities. Since the last Public Health Week, DHS commissioned *A Portrait of Sonoma County,* released in May 2014, to document disparities in health, income and education outcomes across geographic locations and populations. Cross-sector work groups of Health Action have utilized this report during the past year to launch Hearts of Sonoma County, a countywide initiative to reduce the risk of cardiovascular disease, a leading cause of death in Sonoma County. In addition, Cradle to Career, in collaboration with First 5 and a host of community partners, has developed strategies to expand and strengthen access to early childhood care and education, including a focus on facilities, professional development for providers, and promoting literacy and parent engagement. The Department continues to promote opportunities to utilize the *Portrait* to focus efforts on areas of unmet potential in order to meet our collective vision.

Prior Board Actions:

1999 through 2014 - Annual recognition of Public Health Week

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

Public health programs improve the health of the community, reduce the number of persons afflicted with injuries or illness, and reduce the spread of infectious, foodborne, and waterborne illnesses.

Fiscal Summary - FY 14-15			
Expenditures		**Funding Source(s)**	
Budgeted Amount	$ 0	County General Fund	$ 0
Add Appropriations Reqd.	$ 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 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:

Resolution

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

None

County of Sonoma
State of California

Item Number: _____

Date: April 7, 2015 Resolution Number: _____

☐ 4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Proclaiming April 6 to April 15, 2015 As Public Health Week In Sonoma County.

Whereas, since 1995, by Presidential proclamation, the first week in April has been designated as National Public Health Week, and this year's theme of "Healthiest Nation 2030" mirrors the County's efforts to become the healthiest county in California;

Whereas, an effective and robust public health system is essential to ensure that our food and water are safe, our community is prepared in the event of a disaster, and our neighborhoods are free from environmental hazards;

Whereas, the County aims to protect, promote, and achieve healthy individuals, families, and communities through data analysis and surveillance, health education, health system coordination, policy change, and a broad range of innovative and creative services; and

Whereas, in pursuit of the goal to be the healthiest county and in line with the theme of this year's National Public Health Week, the County will continue work on original public health initiatives designed to decrease health disparities, increase health access and health equity, improve health outcomes for all members of the community, and advance the state of health and wellness in the County.

Now, Therefore, Be It Resolved that the Board of Supervisors of the County of Sonoma proclaims April 6 to April 12, 2015 to be Public Health Week in Sonoma County, and call upon all County Departments to join with private organizations and community members to celebrate with activities that recognize the value of public health and prevention in keeping all communities healthy and safe.

Supervisors:

Rabbitt: Zane: Gore: Carrillo: Gorin:

Ayes: Noes: Absent: Abstain:

County of Sonoma Agenda Item Summary Report

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

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

To: Board of Supervisors

Board Agenda Date: April 7, 2015

Vote Requirement: Majority

Department or Agency Name(s): Human Services

Staff Name and Phone Number:
Sherry Alderman – (707) 565-8501

Supervisorial District(s):
All

Title: Gold Resolution for Week of the Young Child

Recommended Actions:

Adopt a Gold Resolution proclaiming April 12 through 18 as the Week of the Young Child , a national effort to recognize the importance of high-quality early childhood education, and the people, programs and policies in Sonoma County that support early learning for all young children.

Executive Summary:

The Week of the Young Child (April 12-18, 2015), sponsored nationally by the National Association for the Education of Young Children, is a time to recognize the importance of early learning and early literacy, to celebrate the teachers and the policies that bring early childhood education to young children, and to bring local communities together to help give all young children a great start. Young children and their families depend on high-quality education and care, which bring lasting benefits to them, their families, and communities.

This Week of the Young Child is an opportunity to reaffirm and celebrate the Board's ongoing recognition and commitment to early childhood education, which has been mirrored in the findings and recommendations of the Portrait of Sonoma, and in the Board's priority intent to address funding shortages in assuring access to quality early learning for Sonoma County children.

Prior Board Actions:

- December 2, 2014: Appointed/reappointed members of the Sonoma County Child Care Planning Council and approved by-laws which established term of membership.
- June 10, 2014: Approved the Child Care Planning Council of Sonoma County Advocacy Priorities and the Sonoma County Child Care Planning Council's Funding Priorities by Zip Code.
- January 14, 2014: Appointed/reappointed members of the Sonoma County Child Care Planning Council and approved by-laws which established term of membership.
- December 10, 2013: Accepted an Annual Report on the status of child care planning and approved the Child Care Planning Council of Sonoma County Advocacy Priorities.

- June 25, 2013: Approved the Sonoma County Child Care Planning Council's Funding Priorities by Zip Code.
- May 21, 2013: Appointed/reappointed members of the Sonoma County Child Care Planning Council.
- November 20, 2012: Accepted the Annual Report on the status of child care planning activities in Sonoma County.
- April 10, 2012: Approved the Child Care Planning Council of Sonoma County Advocacy Priorities and the Sonoma County Child Care Planning Council's Funding Priorities by Zip Code and Appointed/reappointed members of the Sonoma County Child Care Planning Council.
- October 25, 2011: Appointed/reappointed members of the Sonoma County Child Care Planning Council.
- April 12, 2011: Passed resolution recognizing Week of the Young Child and appointed/reappointed members of the Sonoma County Child Care Planning Council.
- June 22, 2010: Approved the Sonoma County Child Care Planning Council's Funding Priorities by Zip Code.
- April 13, 2010: Passed resolution recognizing Week of the Young Child and approved the Child Care Planning Council of Sonoma County Advocacy Priorities.

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

The mission of the Child Care Planning Council of Sonoma County is to convene and inspire the community through collaboration, leadership and advocacy to promote and plan for quality child care and development for the benefit of all children (birth to 18), their families and Sonoma County

Fiscal Summary - FY 14-15

Expenditures		**Funding Source(s)**	
Budgeted Amount	$		$
Add Appropriations Reqd.	$	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:			
Resolution			
Related Items "On File" with the Clerk of the Board:			
None			

County of Sonoma
State of California

Item Number: _____

Date: April 7, 2015 Resolution Number: _____

☐ 4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Designating The Week Of April 12-18, 2015 As The Week of the Young Child

Whereas, the Child Care Planning Council of Sonoma County and other local organizations, in conjunction with the National Association for the Education of Young Children, are celebrating the Week of the Young Child, April 12-18, 2015; and

Whereas, these organizations are working to improve early learning opportunities, which provide a foundation of learning and are crucial to the growth and development of young children and to building better futures for everyone in Sonoma County, California; and

Whereas, teachers, child care providers and others who make a difference in the lives of young children in Sonoma County, California deserve thanks and recognition; and

Whereas, public policies that support early learning for all young children are crucial to young children's futures;

Now, Therefore, Be It Resolved that we, the Board of Supervisors of Sonoma County, California, in recognition and support of the people, programs and policies that are committed to high-quality early childhood education, do hereby proclaim April 12-18, 2015 as:

The Week Of The Young Child In Sonoma County, California

and encourage all citizens to work to make good investments in early childhood in Sonoma County, California.

Supervisors:

Rabbitt: Zane: Gore: Carrillo: Gorin:

Ayes: Noes: Absent: Abstain:

So Ordered.

County of Sonoma Agenda Item Summary Report

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

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

To:	Board of Supervisors
Board Agenda Date:	April 7, 2015
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 District
Title:	Gold Resolution

Recommended Actions:

Adopt a Gold Resolution Honoring William Coole for Achieving the Rank of Eagle Scout.

Executive Summary:

Prior Board Actions:

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 14-15

Expenditures		Funding Source(s)	
Budgeted Amount	$		$
Add Appropriations Reqd.	$	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

Item Number: _____

Date: April 7, 2015 Resolution Number: _____

☐ 4/5 Vote Required

Resolution of the Board of Supervisors of the County of Sonoma, State of California,
HONORING WILLIAM COOLE FOR ACHIEVING THE RANK OF EAGLE SCOUT

Whereas, the Boy Scouts of America have a long and impressive history of preparing young men to assume responsibility in their communities; and

Whereas, William Coole, as a member of Boy Scouts of America, has worked diligently in scouting; and

Whereas, William is a member of Troop 8, has earned 24 merit badges, served in several positions of responsibility including Patrol Leader, Assistant Patrol Leader, Quartermaster, Librarian, Troop Guide, staffed Twilight Camp and worked with young scouts; and

Whereas, William has volunteered his time with several local community organizations, including COTS, Art in the Park, Friends of the River, Equestrian Festival and assisted other scouts with their Eagle Scout Projects; and

Whereas, William's Eagle Scout Project consisted of leading a team to renovate landscaping at the Lucchesi Senior Center's Garden which included coordinating a team of 20 volunteers; and

Whereas, William plans to attend Santa Rosa Junior College in the Fall with the goal of attaining a BS Degree, majoring in computer Science.

Now, Therefore, Be It Resolved that the Sonoma County Board of Supervisors commends William Coole on joining the outstanding group of Eagle Scouts.

Be It Further Resolved that the Sonoma County Board of Supervisors appreciates the effort which went into achieving that goal and anticipates William Coole will have the heart and spirit of the Eagle throughout his adult life.

Supervisors:

Rabbitt: Zane: Gore: Carrillo: Gorin:

Ayes: Noes: Absent: Abstain:

So Ordered.

County of Sonoma Agenda Item Summary Report

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

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

To:	Board of Supervisors
Board Agenda Date:	April 7, 2015
Vote Requirement:	Majority
Department or Agency Name(s):	Board of Supervisors
Staff Name and Phone Number:	Supervisor David Rabbitt, 707/565-2242
Supervisorial District(s):	Second District
Title:	Gold Resolution

Recommended Actions:

Adopt a Gold Resolution Honoring Maxwell Hyde for Achieving the Rank of Eagle Scout.

Executive Summary:

Prior Board Actions:

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 14-15

Expenditures		**Funding Source(s)**	
Budgeted Amount	$		$
Add Appropriations Reqd.	$	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

Item Number: _____

Date: April 7, 2015 Resolution Number: _____

☐ 4/5 Vote Required

Resolution of the Board of Supervisors of the County of Sonoma, State of California,

HONORING MAXWELL HYDE FOR ACHIEVING THE RANK OF EAGLE SCOUT

Whereas, the Boy Scouts of America have a long and impressive history of preparing young men to assume responsibility in their communities; and

Whereas, Maxwell Hyde, as member of Boy Scouts of America, has worked diligently in scouting; and

Whereas, Maxwell is a member of Troop 8, has earned 24 merit badges, served in several positions of responsibility including as a Patrol Leader for three consecutive years and has staffed Camp Tamarancho two consecutive years, has hiked two of the Rim Rover mountains in the Bay Area – Mission Peak and Mount Tamalpais; and

Whereas, Maxwell has volunteered his time with several local community organizations, including Art in the Park, Art in the Square, Memorial Day Flag Raising and has assisted many other scouts with their Eagle Projects; and

Whereas, Maxwell's Eagle Scout Project consisted of leading a team to build two benches at the River Montessori school lunch and work area; the project included planning the project, getting approvals, gathering materials, preparing the wood, setting the concrete and leading the scout team to build both benches.

Now, Therefore, Be It Resolved that the Sonoma County Board of Supervisors commends William Hyde on joining the outstanding group of Eagle Scouts.

Be It Further Resolved that the Sonoma County Board of Supervisors appreciates the effort which went into achieving that goal and anticipates that Maxwell Hyde will have the heart and spirit of the Eagle throughout his adult life.

Supervisors:

Rabbitt: Zane: Gore: Carrillo: Gorin:

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 Directors of the Sonoma County Agricultural Preservation and Open Space District

Board Agenda Date: April 7, 2015

Vote Requirement: Majority

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

Staff Name and Phone Number:

Sheri Emerson, Stewardship Prog Mgr 565-7358
Hannah Spencer, Stewardship Tech, 565-7343

Supervisorial District(s):

Two

Title: Flocchini Conservation Easement: Second Amendment to Conservation Easement

Recommended Actions:

Adopt a Resolution authorizing the Chair to execute a second amendment to the Flocchini Conservation Easement updating the Baseline Site Map to delineate the "Ag/Residential Area" as referenced in the Easement language. (Second District)

Executive Summary:

On December 2, 2003, the Sonoma County Agricultural Preservation and Open Space District ("District") acquired a Conservation Easement (on file with Clerk) over the Flocchini property ("Property") located along Lakeville Highway southeast of Petaluma, for purposes of preserving the Property's agricultural, open space, natural, and scenic values.

While the Conservation Easement included an "Ag/Residential Area" in which construction of primary residences, construction of agricultural accessory residences, and construction of agricultural improvements can occur, the Baseline Site Map prepared in 2004 (Attachment 3) did not delineate this area. This omission was discovered by District staff during the process of easement monitoring in December 2013. Because the "Ag/Residential Area" is not delineated on the Baseline Site Map, it is not clear where these activities can occur on the Property.

To correct this error and clarify where certain activities can occur on the Property, District staff worked with the landowners to identify the originally intended "Ag/Residential Area" and have prepared a mutually agreeable Amended Baseline Site Map (see Attachment 4). Andrew and Nicholas Flocchini and District staff agree that the location of the "Ag/Residential Area" was intended to encompass the existing residences and agricultural buildings, as well as a reasonable expansion area. This amendment is consistent with the District's Easement Amendment Policy, as set forth in the District's Stewardship Manual. No construction of structures, expansion to structures, nor permanent alterations have occurred within the "Ag/Residential Area" since acquisition of the Conservation Easement.

Recommendation

The District recommends that the Board execute a second amendment to the Conservation Easement that updates the Baseline Site Map to delineate the "Ag/Residential Area" as referenced in the easement language.

Prior Board Actions:

June 1, 2010: Board executed first amendment to Flocchini Conservation Easement clarifying the District's right to install signage, with the property owner's consent, on the Property.
December 2, 2003: Board approved acquisition of a Conservation Easement over the Flocchini property.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

This amendment will support staff and the landowner in protecting the conservation values of the Flocchini property.

Fiscal Summary - FY 14-15

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

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:
1. Resolution authorizing the President of the Board of Directors to execute a Second Amendment to Flocchini Conservation Easement. 2. Second Amendment to Conservation Easement with landowner signature and Amended Baseline Site Map 3. Original Baseline Site Map from 2004 4. Amended Baseline Site Map with color aerial imagery
Related Items "On File" with the Clerk of the Board:
1. Conservation Easement Deed and Agreement 2. District's Easement Amendment Policy

Item Number: _____

Date: April 7, 2014 Resolution Number: _____

☐ 4/5 Vote Required

Resolution Of The Board Of Directors Of The Sonoma County Agricultural Preservation and Open Space District, State Of California, Authorizing the Board President to Execute a Second Amendment to Conservation Easement.

Whereas, in 2003, the Sonoma County Agricultural Preservation and Open Space District ("District") acquired a Conservation Easement from Flocchini Estate, LLC, a California Limited Liability Company ("Grantor"), recorded as Document No. 2004026114 of the Official Records of Sonoma County "Easement"; and

Whereas, the Easement allows certain activities to be undertaken in a designated "Ag/Residential Area" to be delineated on the associated Baseline Site Map; and

Whereas, as a result of an error, the Ag/Residential Area was not reflected on the Baseline Site Map; and

Whereas, the District and Grantor desire to correct the Baseline Site Map referenced in the Easement to reflect the proper boundaries of the Ag/Residential Area;

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

Be It Further Resolved that the President is authorized and directed to execute, on behalf of the District, that certain Second Amendment to Conservation Easement amending the Baseline Site Map to properly reflect the intent of the parties.

Directors:

Rabbitt: Zane: Gore: Carrillo: Gorin:

Ayes: Noes: Absent: Abstain:

So Ordered.

RECORDING REQUESTED BY
AND RETURN TO:

Sonoma County Agricultural Preservation and
Open Space District
575 Administration Drive, Room 100
Santa Rosa, CA 95401

SECOND AMENDMENT TO CONSERVATION EASEMENT

The SONOMA COUNTY AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT, a public agency formed pursuant to the provisions of the Public Resources Code sections 5500 et seq. (hereinafter "DISTRICT"), and FLOCCHINI ESTATE, LLC, a California Limited Liability Company (hereinafter "GRANTOR), hereby enter into this SECOND AMENDMENT TO CONSERVATION EASEMENT ("Second Amendment") and agree as follows:

RECITALS

A. GRANTOR is the owner in fee simple of certain property (hereinafter "the Property") located in Sonoma County and more particularly described in Exhibit A to an instrument entitled "DEED AND AGREEMENT BY AND BETWEEN FLOCCHINI ESTATE AND THE SONOMA COUNTY AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT CONVEYING A CONSERVATION EASEMENT" (hereinafter "the Agreement"), which instrument was recorded in the Sonoma County Record on February 26, 2004 as document number 2004026114, Official Records of Sonoma County." The Agreement was first amended by a document entitled "First Amendment to Conservation Easement," recorded in the Sonoma County Record on August 26, 2010 as document number 2010071603, Official Records of Sonoma County.

B. The Agreement allows for certain activities in an area of the Property identified as the "Ag/Residential Area," which was intended to be reflected on the Baseline Site Map, as defined in the Agreement.

C. The Baseline Site Map as adopted by the agreement of the parties per the terms of the Agreement mistakenly failed to include a designation as to which portion of the Property is included in the "Ag/Residential Area."

D. GRANTOR and DISTRICT desire to amend the Agreement to refer to an amended baseline site map ("Amended Baseline Site Map") which will include a designated "Ag/Residential Area" and to record the Amended Baseline Site Map as an exhibit to the Agreement.

AGREEMENT

To correct the aforementioned error, the parties hereby agree to amend the Agreement as follows:

1. Exhibit "E" to this Second Amendment shall be known as the Amended Baseline Site Map, dated October 28, 2014, shall supersede the previously operative Baseline Site Map, and shall be incorporated by this reference into the Agreement and be made part thereof.

2. All references in the Agreement and the exhibits thereto to the "Baseline Site Map" are deemed references to the Amended Baseline Site Map attached hereto as Exhibit "E."

3. No portions of the Agreement not expressly modified by this Second Amendment shall be modified hereby. Each and every provision of the Agreement not modified hereby shall remain in full force and effect.

IN WITNESS WHEREOF, GRANTOR and DISTRICT have executed this Second Amendment to Conservation Easement Agreement this 8 day of JAN, ~~2014~~ 2015 EDF

GRANTOR:
FLOCCHINI ESTATE, LLC

By: ANDREW J. FLOCCHINI
Its: OWNER

See attachment

DISTRICT:
SONOMA COUNTY AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

By: David Rabbitt,
President of the Board of Directors

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

County of Sonoma }

On January 08, 2015 (Date) before me, Christopher Laferriere, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Andrew J. Flocchini (Name(s) of Signer(s)),

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 _____ (Signature of Notary Public)

CHRISTOPHER LAFERRIERE NOTARY PUBLIC MY COMMISSION EXPIRES COMM. #2024627 MAY 13, 2017 SONOMA COUNTY, CA CSP11 CSP11

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement

Document Date: 10/28/2014 Number of Pages: 4

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

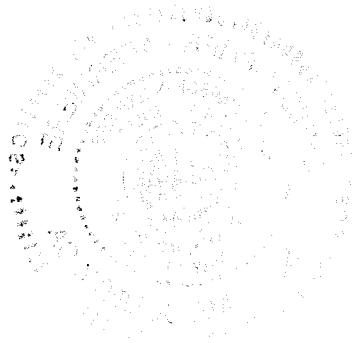
Signer Is Representing:

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing:

RIGHT THUMBPRINT OF SIGNER
Top of thumb here



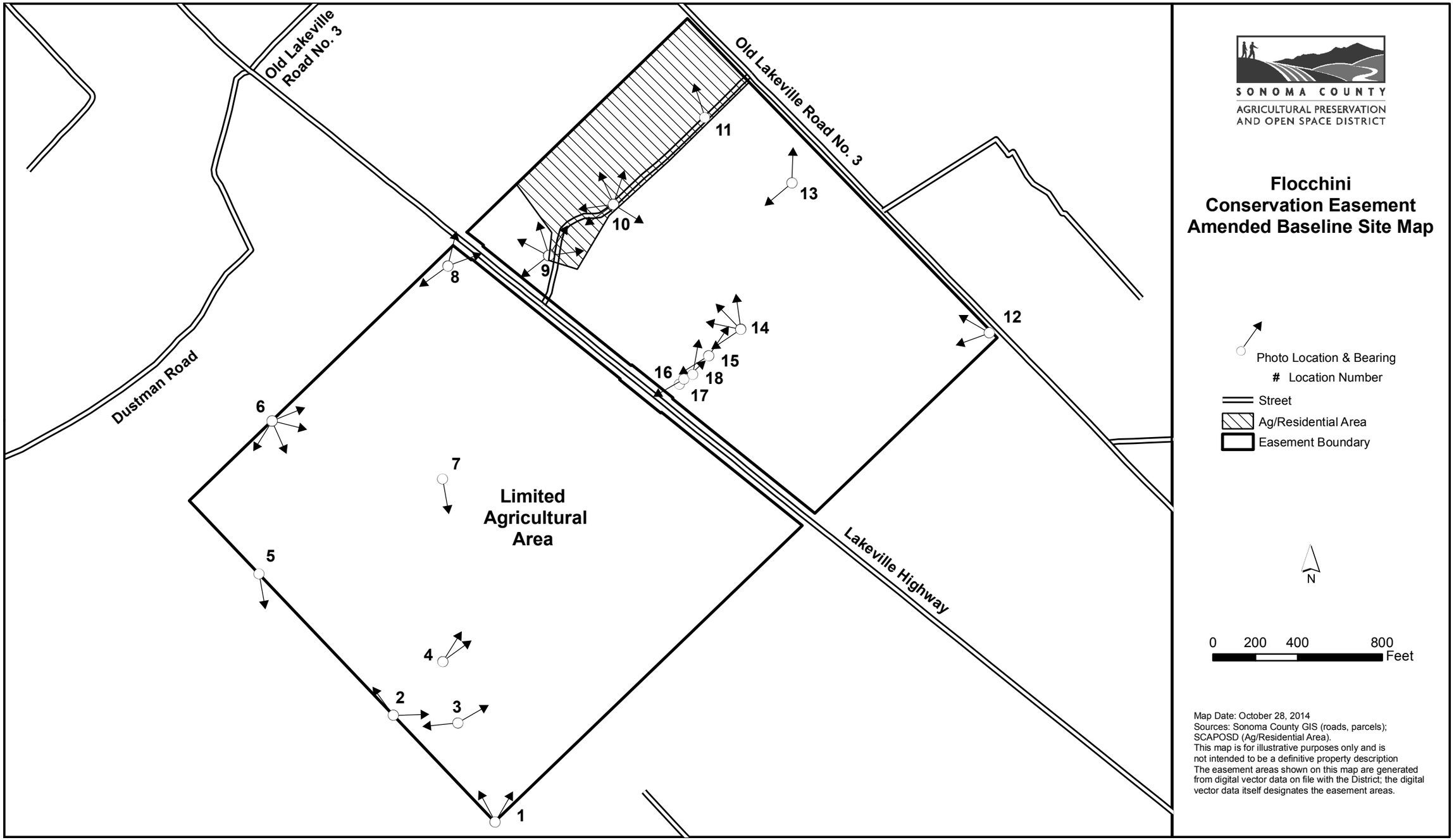


Exhibit "E"

H. Spencer S:\GISProjects\Flocchini\PDFs\Flocchini_Amended_Baseline_Site_Map_BW.pdf

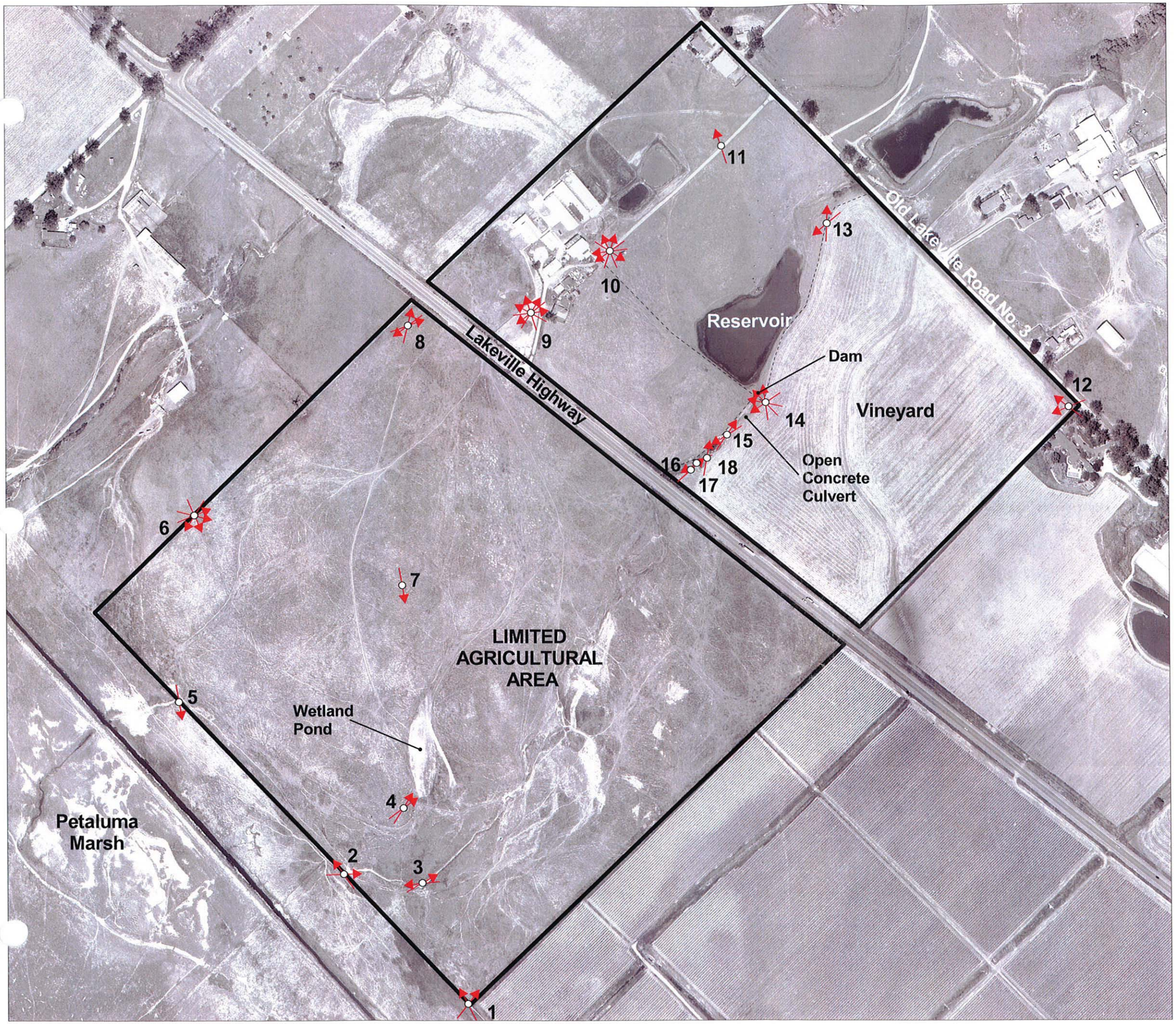


Exhibit 3

Flocchini Property

Aerial Photo Baseline Site Map

Aerial Photo Source:
Sonoma County Information Systems Dept.
Digital Ortho Photography, 2000

Property Photograghs:
Circuit Rider Productions, Inc.,
February 13, 2004

Flocchini Property Boundary
Photo Point Location
Photo Direction
Interior Fence

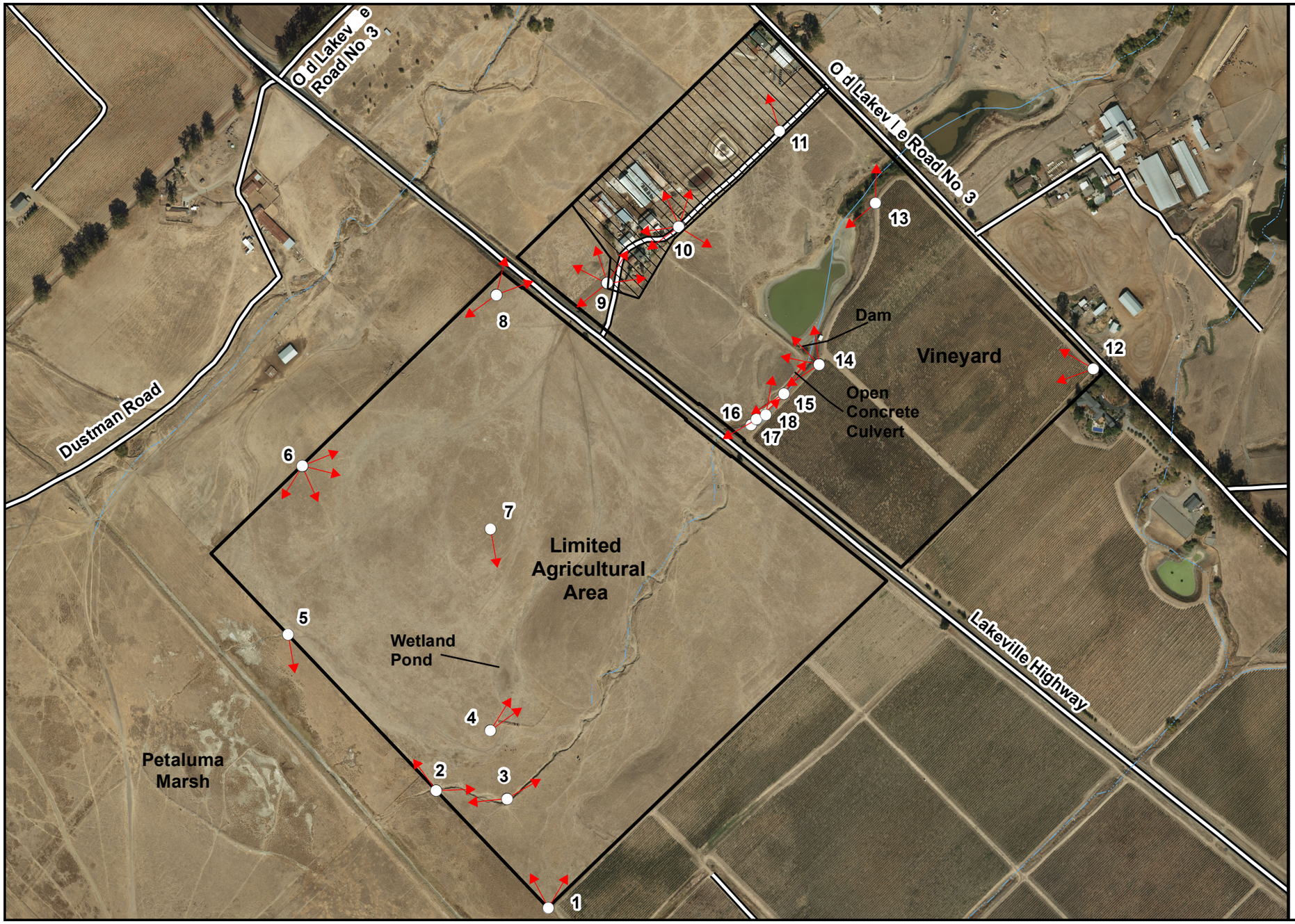
300 0 300 600 Feet

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

SONOMA COUNTY
AGRICULTURAL
PRESERVATION
& OPEN SPACE
DISTRICT

Prepared by:
Circuit Rider Productions, Inc.

ATTACHMENT 4



SONOMA COUNTY
AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

Flocchini Conservation Easement Amended Baseline Site Map

Photo Location & Bearing
\# Location Number
Street
Perennial Stream
Intermittent Stream
Ag/Residential Area
Easement Boundary

N

0 200 400 800 Feet

Map Date: October 28, 2014
Sources: SCGIS (roads, parcels); SCWA (streams); NASA/UMD/WSI (Oct.2013 imagery).
This map is for illustrative purposes only and is not intended to be a definitive property description. The easement areas shown on this map are generated from digital vector data on file with the District; the digital vector data itself designates the easement areas.

H. Spencer S:\GISProjects\Flocchini\PDFs\Flocchini_Amended_Baseline_Site_Map_Imagery.pdf

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 Commissioners

Board Agenda Date: April 7, 2015

Vote Requirement: Majority

Department or Agency Name(s): Sonoma County Community Development Commission

Staff Name and Phone Number:
James Hackett 565-7520

Supervisorial District(s):
District 1

Title: Property Management Agreement for Village Green II

Recommended Actions:

Approve and authorize the Executive Director of the Sonoma County Community Development Commission to execute the Professional Services Agreement with Burbank Housing Management Corporation for management of the Village Green II affordable housing development in the amount of $30,600 for the period of April 1, 2015 through June 30, 2016 with the option of two, one-year extensions at the applicable USDA management fee rate.

Executive Summary:

Approval of this agenda item would allow the Sonoma County Community Development Commission (CDC) to enter into the attached Agreement for Professional Services with Burbank Housing Management Corporation (Burbank) to continue managing the CDC-owned Village Green II, a 34-unit, low income senior housing complex in the City of Sonoma. Burbank has been performing these services since March 2014. The new Agreement would replace the initial $23,664 Agreement that expires on March 31, 2015.

Ownership of the Village Green II property transferred from the City of Sonoma Community Development Agency (City CDA) to the CDC on February 1, 2012 as a result of the dissolution of Redevelopment. The property management firm at that time, Hank Fisher Properties, continued to perform property management functions until expiration of their agreement with the City CDA. On February 20, 2014, the CDC issued a request for qualifications (RFQ) for property management services. Five responsive proposals were received. Of the Proposals submitted, Burbank was selected because of its specialized and documented history of working with the United States Department of Agriculture (USDA), which provides rental subsidies and therefore regulates operations of the property, as well as the CDC. On April 1, 2014 the CDC Executive Director executed a professional services agreement with Burbank for the management of Village Green II for a period of 12 months, at the $23,664 fee level set by USDA.

Burbank has satisfactorily maintained the property and complied with USDA regulations. The CDC finds

that Burbank's performance merits continuation of the agreement. The proposed new Agreement to continue their services exceeds the Executive Director's authority and requires Board approval.

Prior Board Actions:

03-11-2014 – Authorized Executive Director of the Sonoma County Community Development Commission to open bank accounts at Redwood Credit Union, Bank of the West, Wells Fargo Bank, WestAmerica Bank, and Bank of America to serve the Village Green II affordable housing development.
11-13-2012 - Authorized CDC staff to perform all functions associated with ownership of real properties acquired through dissolution of redevelopment, in compliance with the Commission's adopted Procurement Policy and all other applicable laws, regulations and policies.

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

Village Green II provides decent, safe and affordable housing for very low income seniors.

Fiscal Summary - FY 14-15

Expenditures		**Funding Source(s)**	
Budgeted Amount	$ 30,600	Select an item.	$
Add Appropriations Reqd.	$	State/Federal	$
	$	Fees/Other	$ 30,600
	$	Use of Fund Balance	$
	$	Contingencies	$
	$	R&R	$
Total Expenditure	**$**	**Total Sources**	**$**

Narrative Explanation of Fiscal Impacts (If Required):

Funding for property management comes from the project rent stream.

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:
Professional Services Agreement with Burbank Housing Management Corporation
Related Items "On File" with the Clerk of the Board:
Management Plan

AGREEMENT FOR PROFESSIONAL SERVICES

This agreement ("Agreement"), dated as of April 7, 2015 ("Effective Date") is by and between the Sonoma County Community Development Commission, a public body corporate and politic (hereinafter "CDC"), and Burbank Housing Management Corporation (hereinafter "Contractor").

R E C I T A L S

WHEREAS, Contractor represents that it is a duly qualified Property Management Firm, experienced in the management of USDA financed properties and related services; and

WHEREAS, in the judgment of the CDC, it is necessary and desirable to employ the services of Contractor to provide property management services.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants contained herein, the parties hereto agree as follows:

A G R E E M E N T

l. Scope of Services.

1.1 Contractor's Specified Services**.** Contractor shall perform the services described in Exhibit "A" attached hereto and incorporated herein by this reference (hereinafter "Scope of Work"), and within the times or by the dates as 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 CDC. Contractor shall cooperate with the CDC 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. If CDC determines that any of Contractor's work is not in accordance with such level of competency and standard of care, CDC, in its sole discretion, shall have the right to do any or all of the following: (a) require Contractor to meet with CDC to review the quality of the work and resolve matters of concern; (b) require Contractor to repeat the work at no additional charge until it is satisfactory; (c) terminate this Agreement pursuant to the provisions of Article 4; or (d) pursue any and all other remedies at law or in equity.

1.4 Assigned Personnel.

a. Contractor shall assign only competent personnel to perform work hereunder. In the event that at any time the CDC, 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 CDC.

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 the CDC to be key personnel whose services were a material inducement to the CDC to enter into this Agreement, and without whose services the CDC would not have entered into this Agreement. Contractor shall notify CDC of any removal, replacement, substitution or otherwise change in any key personnel. Replacement personnel for the Regional Manager and Resident Manager positions will be USDA-RD Certified. Chuck Cornell, Annie McNeany, Christine Marshall, and Paula Schlunegger are designated as "key personnel" under this Agreement

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 described in Exhibit A to the Agreement for Professional Services, Contractor shall be paid in accordance with Exhibit B, attached hereto and incorporated herein by this reference. In no event shall the total payable under this Agreement exceed $30,600 during the original term of the Agreement.

3. Term of Agreement. The term of this Agreement shall be from April 1, 2015 to June 30, 2016 unless terminated earlier in accordance with the provisions of Article 4 below. If Contractor is in compliance with the Agreement, the CDC, in its sole discretion, may offer up to two, one-year extensions of the agreement on the same terms except that payment will be adjusted to the USDA-allowed amount.

4. Termination.

4.1 Termination Without Cause. Notwithstanding any other provision of this Agreement, at any time and without cause, the CDC shall have the right, in its sole discretion, to terminate this Agreement by giving five (5) days written notice to Contractor.

4.2 Termination for Cause. Notwithstanding any other provision of this Agreement, should Contractor fail to perform any of its obligations hereunder, within the time and in the manner herein provided, or otherwise violate any of the terms of this Agreement, the CDC 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 the CDC all materials and work product subject to Section 9.9 and shall submit to the CDC 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 the CDC, 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 the CDC terminates the Agreement for cause pursuant to Section 4.2, the CDC shall deduct from such amount the amount of damage, if any, sustained by CDC by virtue of the breach of the Agreement by Contractor.

4.5 Authority to Terminate. The CDC Executive Director has the authority to terminate this Agreement on behalf of the CDC.

5. Indemnification. Contractor agrees to accept all responsibility for loss or damage to any person or entity, including the CDC, and to indemnify, hold harmless, and release the CDC, its officers, Contractors, 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 performance or obligations under this Agreement. Contractor agrees to provide a complete defense for any claim or action brought against the CDC based upon a claim relating to Contractor's performance or obligations under this Agreement. Contractor's obligations under this Section 5 apply whether or not there is concurrent negligence on the CDC's part, but to the extent required by law, excluding liability due to the CDC's conduct. The CDC 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 Contractors 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 Contractors to maintain, insurance as described in Exhibit C, which is attached hereto and incorporated herein by this reference. The premiums for the General & Excess Liability insurance policy will be considered a property operating cost and not a cost borne by Burbank Housing Management Corporation.

7. Prosecution of Work.

7.1 Authority to Proceed; Force Majeure. 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 Executive Director in a form approved by County Counsel. The CDC must authorize all other extra or changed work. Failure of Contractor to secure such written authorization for extra or changed work shall constitute a waiver of any and all right to adjustment in the Agreement price or Agreement time due to such unauthorized work and thereafter Contractor shall be entitled to no compensation whatsoever for the performance of such work. Contractor further expressly waives any and all right or remedy by way of restitution and quantum meruit for any and all extra work performed without such express and prior written authorization of the CDC.

9. Representations of Contractor.

9.1 Standard of Care. CDC 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 the CDC 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 Contractor or employee of the CDC and is not entitled to participate in any pension plan, worker's compensation plan, insurance, bonus, or similar benefits the CDC provides its employees. In the event the CDC exercises its right to terminate this Agreement pursuant to Article 4, above, Contractor expressly agrees that it shall have no recourse or right of appeal under rules, regulations, ordinances, or laws applicable to employees.

9.3 Taxes. Contractor agrees to file federal and state tax returns and pay all applicable taxes on amounts paid pursuant to this Agreement and shall be solely liable and responsible to pay such taxes and other obligations, including, but not limited to, state and federal income and FICA taxes. Contractor agrees to indemnify and hold the CDC 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 the CDC is audited for compliance regarding any withholding or other applicable taxes, Contractor agrees to furnish the CDC with proof of payment of taxes on these earnings.

9.4 Records Maintenance. Contractor shall keep and maintain full and complete documentation and accounting records concerning all services performed that are compensable

under this Agreement and shall make such documents and records available to the CDC for inspection at any reasonable time. Contractor shall maintain such records for a period of four (4) years following completion of work hereunder.

9.5 Conflict of Interest. Contractor covenants that it presently has no interest and that it will not acquire any interest, direct or indirect, that represents a financial conflict of interest under state law or that would otherwise conflict in any manner or degree with the performance of its services hereunder. Contractor further covenants that in the performance of this Agreement no person having any such interests shall be employed. In addition, if requested to do so by the CDC, 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 the CDC disclosing Contractor's or such other person's financial interests.

9.6 Nondiscrimination. Contractor shall comply with all applicable federal, state, and local laws, rules, and regulations in regard to nondiscrimination in employment because of race, color, ancestry, national origin, religion, sex, marital status, age, medical condition, pregnancy, disability, sexual orientation or other prohibited basis, including without limitation, the CDC's Non-Discrimination Policy. All nondiscrimination rules or regulations required by law to be included in this Agreement are incorporated herein by this reference.

9.7 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.

9.8 Assignment Of Rights. Contractor assigns to CDC all rights throughout the world in perpetuity in the nature of copyright, trademark, patent, right to ideas, in and to all versions of the plans and specifications, if any, now or later prepared by Contractor in connection with this Agreement. Contractor agrees to take such actions as are necessary to protect the rights assigned to CDC 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 CDC may direct, and refraining from disclosing any versions of the plans and specifications to any third party without first obtaining written permission of CDC. Contractor shall not use or permit another to use the plans and specifications in connection with this or any other project without first obtaining written permission of CDC.

9.9 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 Contractors in connection with this Agreement shall be the property of the CDC. The CDC 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 the CDC all such documents, which have not already been provided to the CDC in such form or format, as the CDC deems appropriate. Such documents shall be and will remain

the property of the CDC 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 the CDC.

10. Demand for Assurance. Each party to this Agreement undertakes the obligation that the other's expectation of receiving due performance will not be impaired. When reasonable grounds for insecurity arise with respect to the performance of either party, the other may in writing demand adequate assurance of due performance and until such assurance is received may, if commercially reasonable, suspend any performance for which the agreed return has not been received. "Commercially reasonable" includes not only the conduct of a party with respect to performance under this Agreement, but also conduct with respect to other agreements with parties to this Agreement or others. After receipt of a justified demand, failure to provide within a reasonable time, but not exceeding thirty (30) days, such assurance of due performance as is adequate under the circumstances of the particular case is a repudiation of this Agreement. Acceptance of any improper delivery, service, or payment does not prejudice the aggrieved party's right to demand adequate assurance of future performance. Nothing in this Article 10 limits the CDC's right to terminate this Agreement pursuant to Article 4.

11. Assignment and Delegation. Neither party hereto shall assign, delegate, sublet, or transfer any interest in or duty under this Agreement without the prior written consent of the other, and no such transfer shall be of any force or effect whatsoever unless and until the other party shall have so consented.

12. Method and Place of Giving Notice, Submitting Bills and Making Payments. All notices, bills, and payments shall be made in writing and shall be given by personal delivery or by U.S. Mail or courier service. Notices, bills, and payments shall be addressed as follows:

TO CDC: Sonoma County Community Development Commission
Attn: Executive Director
1440 Guerneville Road
Santa Rosa, CA 95403-4107

TO CONTRACTOR: Burbank Housing Management Corporation
Attn: Director of Property Management
790 Sonoma Avenue
Santa Rosa, CA 95404

When a notice, bill or payment is given by a generally recognized overnight courier service, the notice, bill or payment shall be deemed received on the next business day. When a copy of a notice, bill or payment is sent by facsimile or email, the notice, bill or payment shall be deemed received upon transmission as long as (1) the original copy of the notice, bill or payment is promptly deposited in the U.S. mail and postmarked on the date of the facsimile or email (for a payment, on or before the due date), (2) the sender has a written confirmation of the facsimile

transmission or email, and (3) the facsimile or email is transmitted before 5 p.m. (recipient's time). In all other instances, notices, bills, and payments shall be effective upon receipt by the recipient. Changes may be made in the names and addresses of the person to whom notices are to be given by giving notice pursuant to this paragraph.

13. Miscellaneous Provisions.

13.1 No Waiver of Breach. The waiver by the CDC 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 the CDC acknowledge that they have each contributed to the making of this Agreement and that, in the event of a dispute over the interpretation of this Agreement, the language of the Agreement will not be construed against one party in favor of the other. Contractor and the CDC 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 Time of Essence. Time is and shall be of the essence of this Agreement and every provision hereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as set forth below.

BURBANK HOUSING MANAGEMENT CORPORATION

Dated:_____ By:_____
Annie McNeany, Director of Property Management

SONOMA COUNTY COMMUNITY DEVELOPMENT COMMISSION

Dated:_____ By: _____
Kathleen H. Kane, Executive Director

CERTIFICATES OF INSURANCE ON FILE WITH AND APPROVED AS TO SUBSTANCE BY THE CDC

Dated:_____ By:_____
Kathleen H. Kane, Executive Director

APPROVED AS TO FORM:

Dated:_____ By:_____
Steve Shupe, County Counsel

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

Board Agenda Date: April 7, 2015

Vote Requirement: Majority

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

Staff Name and Phone Number:	**Supervisorial District(s):**
Gregg Horton 547-1907	Third and Fifth

Title: Russian River Watershed Fisheries Monitoring Program

Recommended Actions:

a. Authorize Sonoma County Water Agency's General Manager to execute Amendment No. 1 to agreement with Regents of the University of California for assistance in the Russian River Watershed Fisheries Monitoring Program, increasing the amount by $61,355, for a new not-to-exceed agreement total of $423,452.
b. Authorize Sonoma County Water Agency's General Manager to execute further amendments to agreement with Regents of the University of California for assistance in the Russian River Watershed Fisheries Monitoring Program to extend the term, make minor changes to the scope, and increase amount of federal funds passed through under the agreement, if federal funds are extended through September 30, 2017.

Executive Summary:

HISTORY OF ITEM/BACKGROUND

In March 2012, the Sonoma County Water Agency (Water Agency), in partnership with the University of California San Diego Scripps Institute of Oceanography (University), submitted a proposal to the State of California Fisheries Restoration Grant Program for a joint fisheries population monitoring project, known as the Russian River Watershed Fisheries Monitoring Project (Project). The Project is part of a larger monitoring effort by the California Department of Fish and Wildlife and National Oceanic and Atmospheric Administration's National Marine Fisheries Service to improve understanding of coastal salmonid populations in California. In March 2013, the Project was awarded grant funds in the amount of $826,277 by the Department of Fish and Wildlife. The Water Agency acts as lead agency and the University is a sub-recipient of the grant.

The Water Agency has been collecting data from fish populations in the Russian River Basin since 1999, and the University has been collecting data from coho and steelhead populations in the Russian River Basin since 2004. Together, these programs represent a substantial monitoring infrastructure to expand upon in order to meet the objectives of the California Coastal Salmonid Monitoring Plan. Since 2013,

the Water Agency and the University have been conducting additional fisheries monitoring in the Russian River Basin in order to address objectives in the California Coastal Salmonid Monitoring Plan.

The purpose of the Project is to combine the Water Agency's existing monitoring data with the University's monitoring data, standardize collection methods, and then analyze the combined data with additional data collected by California Department of Fish and Wildlife to define status and trends for coho, Chinook, and steelhead populations in the Russian River watershed. The Water Agency and the University have developed sampling plans for coho salmon and steelhead and since 2013 both entities have been implementing life cycle monitoring and spatial sampling of juvenile salmonids throughout the range of coho salmon in the Russian River watershed.

Resolution 13-0196 authorized the Water Agency's General Manager to enter into an agreement with University for assistance in the Project. The agreement was executed on October 16, 2013, in the amount of $362,097 and a term end date of October 31, 2015.

PROPOSED AMENDMENT

The California Coastal Salmonid Monitoring Plan includes adult coho spawner surveys, as well as juvenile coho surveys in selected coho streams, to determine spatial structure of the coho population. However, only the adult coho spawner surveys were included in the Project agreement, due to budget constraints. Since the execution of the Project agreement, federal funding has become available for the juvenile coho surveys. In September 2014, the Water Agency was awarded a 3-year grant by the National Oceanic and Atmospheric Administration for the FY 2014-2015 Russian River Habitat Planning, Restoration, and Coordination Program (part of NOAA's Habitat Blueprint Program). The grant award includes Year 1 funds of $44,764 to support the University's work in helping to fulfill objectives related to juvenile portions of California Coastal Salmonid Monitoring Plan implementation in the Russian River watershed that were unfunded by the previous agreement. The federal grant also has budgeted $161,728 for each of Years 2 and 3, but these funds are contingent upon Congressional budget approval each year. If approved, these amounts would be passed through to the University by the Water Agency under this agreement.

The proposed Amendment No. 1 to the agreement expands work under Task 3 to include juvenile coho surveys, adds $2,000 in Water Agency funds to reimburse University for costs incurred to attend training on sampling protocols for juvenile salmonid monitoring in June 2014, and adds $14,591 in California Department of Fish and Wildlife grant funds for additional University labor costs. The Amendment increases the amount of the agreement by $61,355 to reflect these changes, with no change to the term end date. Of that amount, only $2,000 is additional Water Agency obligation.

REQUESTED AUTHORITY FOR GENERAL MANAGER TO EXECUTE FUTURE AMENDMENTS

Federal funds for the Project agreement currently cover the first year of the Project, through October 31, 2015. With Congressional approval, funds may become available for additional Years 2 and 3 of the Project, through September 30, 2017. In order to streamline the pass through of federal funds designated for the Project, Water Agency requests authority for the General Manager to execute further amendments to the Project agreement to extend the term; make minor changes to the agreement, if needed; and increase the agreement amount. There will be no additional cost to Water Agency.

Prior Board Actions:

09/16/2014: Board Action authorizing the General Manager to execute a grant agreement with the National Oceanic and Atmospheric Administration for the FY 2014-2015 Russian River Habitat Planning, Restoration, and Coordination Program ($690,000 grant amount; with $137,000 allotted to this project. The funding period for this grant is 10/1/2014 through 9/30/2015 and may be extended through 09/30/2017.

05/14/2013: Resolution 13-0196 authorizing the General Manager to enter into an agreement between Water Agency and Regents of University of California for assistance in the Russian River Watershed Fisheries Monitoring Project. Cost $362,097; term end October 31, 2015.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

This project protects, maintains, and manages public land and systems that promote recreation, health, agricultural viability; protect watersheds, promote biodiversity, and contribute to the economic vitality.

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

Fiscal Summary - FY 14-15

Expenditures		**Funding Source(s)**	
Budgeted Amount	$ 61,355	Water Agency Gen Fund	$
Add Appropriations Reqd.	$	State/Federal	$ 59,355
	$	Fees/Other	$
	$	Use of Fund Balance	$
	$	Contingencies	$
	$	Warm Springs Dam (Special Revenue Fund)	$ 2,000
Total Expenditure	**$ 61,355**	**Total Sources**	**$ 61,355**

Narrative Explanation of Fiscal Impacts (If Required):

Budgeted amount of $2,000 is available from FY 2014/2015 appropriations for the Warm Springs Dam (Special Revenue Fund). No additional appropriation is required.

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):
Attachments:
Related Items "On File" with the Clerk of the Board:
Amendment No. 1 (1 copy)

nw\\S:\Agenda\agrees\04-07-2015 WA Russian River Watershed Fisheries Monitoring_summ.docm

CF/45-11-20 Regents of the University of California, San Diego (Agree to Assist in the Russian River Watershed Fisheries Monitoring Project) TW 12/13-168 (ID 4710)

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 County Water Agency

Board Agenda Date: April 7, 2015	**Vote Requirement:** Majority
Department or Agency Name(s): Sonoma County Water Agency	
Staff Name and Phone Number:	**Supervisorial District(s):**
David Royall 521-1872	Second

Title: Petaluma Watershed Trash Cleanup

Recommended Actions:

Authorize Chair to execute an agreement with Friends of the Petaluma River to provide fall and spring watershed trash cleanup events for the amount of $37,750; agreement terminates on March 31, 2017.

Executive Summary:

HISTORY OF ITEM/BACKGROUND

Since 2009, the Sonoma County Water Agency has been partnering with local governmental and volunteer stakeholders to conduct trash cleanup events to clear trash and debris from creeks to improve water quality and flood conveyance. These events are also intended to increase awareness of watershed issues in the community and foster civic responsibility for maintaining creeks.

Prior funding agreements for this purpose were also for two year terms, at a cost of $25,000 and $28,000 each, with the Southern Sonoma County Resource Conservation District (now known as Sonoma Resource Conservation District) who coordinated with the City of Petaluma and the Friends of the Petaluma River for fall-only cleanup events. The proposed $37,750 funding agreement will now be with the Friends of the Petaluma River for fall cleanup events as before, and will add spring cleanup events for a two year term.

SERVICES TO BE PERFORMED

Under the proposed funding agreement, Friends of the Petaluma River will coordinate with the City of Petaluma and the Sonoma Resource Conservation District and other watershed stakeholder groups to identify the sites, conduct community outreach, garner volunteers, staff events, and conduct trash cleanup events at approximately six sites throughout the Petaluma Watershed, with one event occurring each fall and spring.

The cost of services will not exceed $37,750; the term end date is March 31, 2017.

Prior Board Actions:

05/11/2012: Approved agreement between Water Agency and Southern Sonoma County Resource

Conservation District for Petaluma Watershed Fall Trash Cleanups. Cost $25,000; term end 12/31/2014.

11/17/2009: Approved agreement between Water Agency and Southern Sonoma County Resource Conservation District for Petaluma Watershed Fall Trash Cleanups. Cost $28,000; term end 12/31/2011.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

County Goal 2: Economic and Environmental Stewardship
Promotes awareness of watershed issues in the community and fosters civic responsibility for maintaining creeks.

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 14-15

Expenditures		**Funding Source(s)**	
Budgeted Amount	$ **37,750**	Water Agency Gen Fund	$ 37,750
Add Appropriations Reqd.	$	State/Federal	$
	$	Petaluma Zone 2A Flood Control Fund Fees/Other	$
	$	Use of Fund Balance	$
	$	Contingencies	$
	$		$
Total Expenditure	**$ 37,750**	**Total Sources**	**$ 37,750**

Narrative Explanation of Fiscal Impacts (If Required):

Budgeted amount of $19,750 is available from FY 2014/2015 appropriations for the Petaluma Zone 2A Flood Control Fund.

An additional $18,000 will be appropriated from FY 2015/2016 appropriations for the Petaluma Zone 2A Flood Control Fund.

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)

RS:\Agenda\agrees\04-07-2015 WA Petaluma Watershed Trash Cleanup_summ.docm

CF/15-2-21 Friends of the Petaluma River (Agree for Funding of Petaluma Watershed Trash Cleanup Events) TW 14/15-068 (ID 5193)

County of Sonoma Agenda Item Summary Report

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

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

To: Board of Directors, Sonoma County Water Agency

Board Agenda Date: April 7, 2015

Vote Requirement: Majority

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

Staff Name and Phone Number:	**Supervisorial District(s):**
Kevin Booker 521-1685	Third

Title: Execution of Consent Agreement with SMART

Recommended Actions:

Approve and authorize the Chair to execute a Consent Agreement with the Sonoma-Marin Area Rail Transit District (SMART) to permit SMART to construct a pedestrian and bicycle trail on a portion of Sonoma County Water Agency's Petaluma Aqueduct easement; and authorize the Water Agency's General Manager to file a Notice of Determination in accordance with the California Environmental Quality Act.

Executive Summary:

This item requests approval and execution of a Consent Agreement by the Sonoma County Water Agency (Water Agency) to allow Sonoma-Marin Area Rail Transit District (SMART) to construct a multi-use pathway, fencing, and associated appurtenances. The Water Agency owns easements located between Copeland Creek and East Cotati Avenue (Sonoma County Assessor's Parcel Numbers 143-621-037 and 143-631-015, 143-691-013, 143-702-011, and 143-711-034, all owned by the City of Rohnert Park), within which the Water Agency operates and maintains the Petaluma Aqueduct. A map showing the location of the Water Agency's easements affected by the proposed Consent Agreement is attached. (A-1)

HISTORY OF ITEM/BACKGROUND:
SMART is proposing to construct, operate, and maintain a multi-use pathway, fencing, and associated improvements on property on which the Water Agency has easements for the operation and maintenance of the Petaluma Aqueduct. The proposed project is part of a larger voter-approved passenger rail and bicycle-pedestrian pathway project located in Marin and Sonoma counties. It will eventually run for 70 miles from Larkspur to Cloverdale, with a first phase from San Rafael to Santa Rosa. SMART has requested that the Water Agency allow it to construct a portion of the project within its Petaluma Aqueduct easement.

Water Agency staff has reviewed the plans for the SMART project and has drafted a Consent Agreement

for execution by the Water Agency and SMART. The Consent Agreement contains terms to ensure that the construction and maintenance of the SMART project on the Water Agency's easement will not adversely affect the Petaluma Aqueduct or the Water Agency's operation and maintenance of the Petaluma Aqueduct in any way. Precautions include limitations on the depth of any digging, requirements for digging in sensitive areas to be done by hand, and limitations on where infrastructure can be placed. The Consent Agreement requires SMART to pay for any damage to the Water Agency's facilities caused by the SMART project, and provides that if any required work on the Petaluma Aqueduct by the Water Agency damages the SMART facilities, SMART will bear the cost of any repairs. The Consent Agreement also requires SMART to indemnify the Water Agency from any claims arising from SMART's use of the Water Agency's easement.

The Water Agency recommends no consideration for the Consent Agreement as a good will gesture towards SMART and the City of Rohnert Park for the coordination and collaboration of the Project and due to the regional benefit the pedestrian pathway will bring to the residents of Sonoma County.

SMART has completed environmental documentation in accordance with the California Environmental Quality Act (CEQA) for the Project. SMART prepared an Environmental Impact Report/Environmental Impact Statement (EIR/EIS), which addresses the potential impacts related to the Project and measures to mitigate adverse effects of the Project. With the incorporation of the mitigation measures established by the SMART, the Project would not have an adverse impact on the environment. SMART approved the Sonoma-Marin Area Rail Transit Project on July 21, 2006. SMART filed a Notice of Determination for the Project on July 21, 2006. The easement also has met all the requirements of Government Code, Section 65402, for General Plan consistency.

The Water Agency has prepared a Notice of Determination in accordance with the CEQA, the State CEQA Guidelines, and the Water Agency's Procedures for the Implementation of CEQA. The Notice of Determination states that based on the EIR/EIS prepared by the SMART, the execution of the Consent Agreement would not have a significant adverse impact on the environment.

Prior Board Actions:

Strategic Plan Alignment Goal 3: Invest in the Future

This item addresses the Invest in the Future goal by providing an easy to maintain transportation and recreation pathway for non-motor vehicles and pedestrians that helps to promote cleaner transportation solutions for the people of Sonoma County.

Water Agency Organizational Goals and Strategies, Goal 3: Increase outreach to community and employees.

Fiscal Summary - FY 14-15			
Expenditures		**Funding Source(s)**	
Budgeted Amount	$ 0	Water Agency Gen Fund	$ 0
Add Appropriations Reqd.	$	State/Federal	$
	$	Fees/Other	$
	$	Use of Fund Balance	$
	$	Contingencies	$
	$		$
Total Expenditure	**$ 0**	**Total Sources**	**$ 0**

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:

Map (A-1)

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

1) Consent Agreement (4)
2) Notice of Determination

Parcels
Water Agency Easements
Copeland Creek
South Fork Copeland Creek
143-480-011
143-621-037
143-631-015
143-691-013
143-702-011
143-711-034
Rustic Ln
Walnut Cir
Joanne Ct
Cedar Cir
Copeland Creek Dr
Meadow Pines Ave
Country Club Dr
Seed Farm Dr
Carlita Cir
Camino Coronado
Callecita Ct
Santa Alicia Dr
Coronado Ct
Anson Ave
Anson Ct
Alta Ave
Southwest Blvd
Camino Corto
Cadiz Ct
Cairo Ct
Avenida Cala
Baron Dr
Brenda Way
Belita Ave
Barbi Ln
Corinth Ct
Calcutta Ct
Carioca Ct
Cielo Cir
Carillon Ct
Circle Dr
Corsica Ct
Bernadette Ave
Casa Way
Camino Colegio
Cornell Ave
Castille Ct
Carriage Ct
Cala Way
Caridad Ct
Bernice Ave
Burton Ave
Bonita Ave
Beth Ct
Coral Ct
Beverly Dr
Brett Ave
Bonnie Ave
Sunflower Dr
Bernice Ct
Barry Ct
Ryan Ln
E Cotati Ave
Adrian Dr
Santa Barbara Dr
Becky Ct
Magill Ln
Blair Ave
Santero Way
Windmill Farms Dr
Melody Dr
SMART Bike and Pedestrian Pathway
Exhibit A-1
DISCLAIMER
This map document and associated data are distributed for informational purposes only "AS-IS" at the published scale and provided without warranty of any kind expressed or implied. The positional accuracy of the data is approximate and not intended to represent survey map accuracy. The Sonoma County Water Agency assumes no responsibility arising from use of this information.
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SONOMA COUNTY WATER AGENCY
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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: 11
(This Section for use by Clerk of the Board Only.)

To: The Board of Supervisors of Sonoma County

Board Agenda Date: April 7, 2015

Vote Requirement: Majority

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

Staff Name and Phone Number:	**Supervisorial District(s):**
Kanchan Charan – (707) 565-3800 Scott Jann - (707) 565-8305	All

Title: ACTTC Treasurer Investment Pool Compliance Audit

Recommended Actions:

Review and accept the audit report of the Sonoma County Treasury Treasurer Investment Pool for the quarter ended September 30, 2014.

Executive Summary:

California Government Code Section 26920 requires quarterly cash counts, and verification that the records of the County Treasurer and Auditor are reconciled pursuant to Section 26905.

We performed certain audit procedures and a review for the quarter ending September 30, 2014. These procedures included, but are not limited to, verification that the fiscal records of the County Treasurer and the Auditor are reconciled, a quarterly physical cash count of the cash in the Treasury, and confirmation of account balances per the Treasury Investment Reports for September 30, 2014.

As stated in the Internal Audit Charter, the Internal Audit Division is organized and managed to optimize auditor independence, including not being directly involved in the day-to-day operation of the system of internal controls and having the ability to report directly to the Board with review findings. As such, we believe that the Internal Audit Division maintained independence during this review.

There were no significant findings as a result of our procedures.

Prior Board Actions:

The Board reviewed and accepted the Agreed Upon Procedures and Review Reports for the quarter ending March 31, 2014 on July 22, 2014

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Fiscal Summary - FY 14-15			
Expenditures		**Funding Source(s)**	
Budgeted Amount	$	County General Fund	$
Add Appropriations Reqd.	$	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:

ATTACHMENT "A" 1st Quarter Treasurer Investment Pool Compliance Audit Report

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

NONE

Auditor-Controller-Treasurer-Tax Collector

Internal Audit

Sonoma County

Compliance Audit: County of Sonoma Treasury Treasurer Investment Pool

For the Quarter Ended
September 30, 2014

- For the quarter ended September 30, 2014, the Treasury maintained an adequate system of controls for the purpose of complying with the applicable California Government Code sections.
- Cash and investments per the Auditor and the Treasurer's records were reconciled as required by Government Code §26905.
- A review was performed of the Treasurer's Statement of Assets by the County Auditor as required by Government Code §26920(a).
- A quarterly report was filed with the Clerk of the Board as required by Government Code §26922.

Audit No: 3575
Report Date February 25, 2015

Audit Manager: Kanchan K. Charan, CPA CGMA
Audit Supervisor: Damian Gonshorowski, CPA CGMA
Auditor: Scott Jann

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County of Sonoma Treasury
Treasurer Investment Pool
Audit No. 3575

For the Quarter Ended
September 30, 2014

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Introduction and Background

Introduction

The Internal Audit Division (IA) of the Sonoma County Auditor-Controller-Treasurer-Tax Collector's Office (ACTTC) has completed a compliance audit of the County of Sonoma Treasury for the period July 1, 2014 to September 30, 2014. We conducted our audit in accordance with the *International Standards for the professional Practice of Internal Auditing (Standards)*, and in accordance with certain sections of the California Government Code. These standards require that we identify, analyze, evaluate, and document sufficient information and evidence to achieve our audit objectives. We believe that the evidence obtained provides a reasonable basis for the results contained in our report.

The purpose of our engagement is to determine if 1) the Treasurer maintains an adequate system of controls for the purpose of complying with applicable California Government Code sections, 2) cash and investments per the Controller and Treasurer records were reconciled as required by Government Code §26905, 3) a review was performed of the Treasurer's statement of assets by the County Auditor as required by Government Code §26920(a), and 4) a quarterly report was filed with the Clerk of the Board as required by Government Code §26922.

We would like to thank management and staff of the Treasury for their time, information, and cooperation throughout the engagement.

Background

The County of Sonoma Treasury is responsible for the safekeeping and investment of funds for the County, School Districts and Special Districts. The Treasury oversees all banking operations for the County and its Departments and is the paying agent for all debt and Special Assessments. All public financing as well as tax and revenue anticipation notes for the County and School Districts and General Obligation bonds for the School Districts are coordinated through the Treasury. The Treasury also manages an investment portfolio of over $1.3 billion, allocating over $8 million in interest earnings annually.

Objectives and Scope

Objectives

The primary objectives of this audit were to determine if:

1. Cash in the Treasury vault agreed with amounts in the Treasury records;

2. Treasury cash and investments existed and agreed with bank and other safekeeping agents' statements;

3. Internal controls over the preparation and review of quarterly bank reconciliations were adequate;

4. The records of the County Treasurer and Auditor were reconciled, per Government Code §26905;

5. Internal controls over the preparation of the quarterly report of the Treasurer's Statement of Assets were adequate to ensure that it was accurately prepared, approved and timely filed with the with the Clerk of the Board pursuant to Government Code §26922.

Scope

The audit covered the period July 1, 2014 to September 30, 2014. The scope of our work included the following:

- A preliminary survey to update our knowledge of the operating environment; identify changes in laws and regulations, systems, personnel and organization structure.

- A risk analysis to identify significant risks of non-compliance with policies, procedures or laws.

- A review and evaluation of internal controls designed to ensure compliance with the above requirements and to adequately reduce the risk identified.

- Tests of compliance to gain assurance that the internal control system is functioning as intended and is achieving its design objectives.

- Follow up to determine the status of previous audit report findings and recommendations.

Procedures and Results

Procedures

We performed the procedures enumerated below:

1. Counted cash in the Treasury vault and verified amounts to Treasury records.

2. Verified existence and proper valuation of Treasury cash and investments held in banks and other safekeeping agents through the agents' statements.

3. Reviewed bank reconciliations for mathematical accuracy, reasonableness, and authorization.

4. Reviewed the deferred compensation reconciliations for completeness and verified balances to Nationwide confirmations.

5. Verified that the quarterly report of Treasury assets was properly reviewed, signed, and placed on file with the Clerk of the Board pursuant to Government Code §26922.

6. Verified that records of the County Treasurer and Auditor were reconciled, per Government Code §26905.

Results

Objective #1: **Cash in the Treasury vault agreed with amounts in the Treasury records**

Cash on hand in the Treasury as of September 30, 2014 agreed with Treasury records (Teller Cash Sheets).

Objective #2: **Treasury cash and investments existed and agreed with banks' and other safekeeping agents' statements**

The total of cash and investments on hand as of September 30, 2014 per Treasury records and per statements from the banks' and other safekeeping agents were in agreement.

Objective #3: **Internal controls over the preparation and review of quarterly bank reconciliations were adequate.**

Internal controls over the preparation and review of quarterly bank reconciliations are found to be adequately designed and implemented.

Procedures and Results

Objective #4: **The records of the County Treasurer and Auditor were reconciled, per Government Code §26905**

The records of the County Treasurer and Auditor were reconciled during the audit period.

Objective #5: **Internal controls over preparation of the quarterly report of the Treasurer's Statement of Assets were adequate to ensure that it was accurately prepared, approved and timely filed with the Clerk of the Board pursuant to Government Code §26922**

Proper reconciliation, reviews and balancing procedures were used to ensure the accuracy of the Treasurer's Statement of Assets.

The amounts reported on the Treasurer's statement of assets are supported by the Treasurer's records and bank and investment statements. We verified that a properly approved statement was filed with the Clerk of the Board.

Supplemental Statement

Sonoma County Treasury
Statement of Assets
September 30, 2014

	Investment Pool
Cash in Vault	$ 137,695
Cash in Banks	19,627,531
Investments	
Securities	1,241,126,100
Local Agency	49,982,687
Mutual Funds	54,933,881
Checks and County Warrants	491,036
Total Assets	$ 1,366,298,931

Note 1: Financial Statement Presentation

This special-purpose statement of net assets was prepared for the purpose of presenting the net assets of the Treasury pursuant to the California Code Section 26920 and is not intended to be a presentation in conformity with generally accepted accounting principles. The amounts presented are unadjusted book value. Accordingly, note disclosures required by Governmental Accounting Standards Board Statement No. 40 deposit and Investment Risk Disclosures, an amendment to GASB Statement No. 2, are not presented, since such disclosures are not required by the California Government Code Section 26920.

County of Sonoma Agenda Item Summary Report

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

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

To:	Board of Supervisors
Board Agenda Date:	April 7, 2015
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:	Disbursement of FY 14-15 Second District Advertising Funds

Recommended Actions:

Approve Advertising Program grant award and authorize the County Administrator to execute a contract with the Petaluma City Ballet for advertising and promotions activities for FY 14/15 in the amount of $500.

Executive Summary:

Category E – Local Events and Organizations of the Advertising and Promotions Program Policy provides grant allocations to each Supervisor, to be distributed at the Supervisor's discretion. The Second District has reviewed the application from the Petaluma City Ballet and wishes to make the following FY 14/15 advertising grant award:

1. Petaluma City Ballet for advertising and promotion of *Snow White* and the Petaluma City Ballet's Dash for Dance 5k Fun Run; grant award of $500.00.

Funds will be distributed upon approval of this award by the Board and execution of the advertising grant agreement by the County Administrator. The contracts will require the County logo on promotional materials produced using the grant award and will require submission to the County Administrator's Office of advertising and promotional activity receipts up to the total amount of the grant award.

Prior Board Actions:

None.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Grant funds allow non-profit partners to advertise and grow local events and encourage tourism thereby promoting economic development and growth.

Fiscal Summary - FY 14-15			
Expenditures		**Funding Source(s)**	
Budgeted Amount	$ 500.00	Select an item.	$
Add Appropriations Reqd.	$	State/Federal	$
	$	Fees/Other	$ 500.00
	$	Use of Fund Balance	$
	$	Contingencies	$
	$		$
Total Expenditure	**$ 500.00**	**Total Sources**	**$ 500.00**

Narrative Explanation of Fiscal Impacts (If Required):

Funds are included in the FY 14/15 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:

None

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

Petaluma City Ballet : FY 14/15 3 Agreements, 1 - W-9 to be returned to Andrea Krout after action taken.

County of Sonoma Agenda Item Summary Report

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

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

To: Board of Supervisors

Board Agenda Date: April 7, 2015

Vote Requirement: Majority

Department or Agency Name(s): County Administrator, Auditor-Controller-Treasurer-Tax Collector, Information Systems Department (ISD), General Services

Staff Name and Phone Number:

Donna Dunk 565-3274
Terina Tracy 565-3234

Supervisorial District(s):

All

Title: Quarterly Update on Enterprise Financial System (EFS) Project Implementation

Recommended Actions:

Accept quarterly update on the Enterprise Financial System Project Implementation and authorize two planned agreements.

A. Authorize the Auditor-Controller-Treasurer-Tax Collector to execute an agreement with CherryRoad Technologies, Inc., not to exceed $820,600 for PeopleSoft and Hyperion consulting services for the period April 7, 2015 through April 7, 2016 with two options to extend for one year each.
B. Authorize the Information Systems Department Director to execute amendment #2 to the agreement with NexLevel Information Technology, Inc., not to exceed $520,000 for EFS project management services for the period October 9, 2015 through October 31, 2016.

Executive Summary:

This item provides the next regular quarterly update on the project to replace the County's finance system and requests authority to enter into two contracts for work in the remainder of the project as well as for post project support.

A. <u>Quarterly Update on EFS Project Implementation</u>

On February 5, 2013, your board directed staff to proceed with the Enterprise Financial System (EFS) implementation project and to return with quarterly updates on the project's progression. This section of the report is the Spring 2015 quarterly update.

The project is entering the last quarter before go-live for most of the components of Phase 2. Overall, the project continues on time, on budget (without the use of contingencies) and within the planned scope. That said, in the final quarter before go-live (of the portions set for July 1, 2015) the project is in

a critical stage. There may yet be some unknowns and, given the timing, very little ability to address them at this stage without an effect on the scope, budget, or timing. This is particularly true in the modules dealing with cost accounting which is very complicated. Other modules of Phase 2 such as Purchasing – Strategic Sourcing which went live in February and the Oracle Scorecard and Strategy Management/Business Intelligence modules which is scheduled to go-live January 2016 are not directly affected by the types of unknowns that might come up in the next 3 months and the short time available to address them.

The full set of modules in Phase 2 of the project includes: Hyperion Budgeting, Grants and Project Costing, Contracts (allows increased visibility into any contract's financial status and commitment), Billing, Accounts Receivable, Strategic Sourcing (enables the County to streamline the RFP process, and strategically award contracts), Oracle Scorecard and Strategy Management (enables the County to define strategies, communicate critical success factors , and measure tangible results on a continuous basis) and Oracle Business Intelligence modules (enables ad hoc query and analysis, dashboards, enterprise reporting, and scorecards),is well underway. (Phase 1 of the project which included General Ledger, Accounts Payable, Fixed Assets and Purchasing went live on July 1, 2014.)

As of this writing, other than critical path nature of these next few months, there are no major issues that are unresolved with either Phase of the project. A summary of the project budget is included in Attachment A.

1. **Project Activities Over the Past Three Months:**
   Project activities since the last quarterly update worth noting are as follows:
   - Issued 1099 forms for the first time using the new system in January.
   - Released a request for proposal (RFP) for PeopleSoft and Hyperion consulting services and selected a vendor (See item B below for further discussion).
   - Formed a users group and held the first two meetings to improve user experience and share best practices. The users group will continue to meet monthly.
   - Completed the fit/gap analysis for Phase 2 modules.
   - Went live with Strategic Sourcing in February. Strategic Sourcing enables the County to streamline the RFP process, and strategically award contracts.
   - Began configuration of Phase 2 modules.
   - Began system testing.
   - Began development of various interfaces and data coversions.
   - Continued to enhance reporting in Reporting Services and began work with Simpler Systems, Inc. to further enhance reporting for end users.
   - Held a vendor outreach session for the bidder registration feature in Strategic Sourcing.

2. **Upcoming Phase 2 project activities:**
   Upcoming project activities that are planned for the next three months include the following:
   - Complete any final design and configuration of the software to meet the County's system-wide core business needs.
   - Design, build and test reports.
   - Analyze, design and test security.

- Complete development of all data conversions and interfaces.
- Complete training materials and deployment of the Query tool for Financials to departments.
- Complete system testing for Phase 2.
- Complete user acceptance testing for Phase 2.
- Complete creation of end user training materials.
- Complete end user training classes.
- Complete the cutover plan for production.
- Deploy Hyperion and the identified PeopleSoft Phase 2 modules to production use as of July 1, 2015.

3. EFS Goals Baseline Results:

During the planning for Phase 1 of the project, the Steering Committee established goals with key performance indicators (KPIs) as a method of objectively measuring the success of the project. Attachment B includes the initial baseline results of the goals and KPI's that were established early on in the project planning phase. Many of the KPIs were measured through surveying users six months after go live of Phase 1. Generally speaking, the County has made great progress in achieving the goals of the project and the results of the initial user survey was very positive. There are a few areas where improvement can be made, such as reporting, and steps are underway to address this concern. Going forward, the plan is to survey users again at 12 and 18 months and to utilize the feedback from this initial survey and future surveys to continue to respond to the user community.

B. <u>Professional services agreement with CherryRoad Technologies for PeopleSoft and Hyperion Consulting Services</u>

This contract is being proposed to assist with post implementation support for the system to augment County staff who will be dedicated for this support and to provide extra assistance, if needed, in this final critical quarter of the Phase 2 implementation to help mitigate any risk to the successful completion. As is typical for the immediate period following the implementation of a new system, County staff charged with supporting the system will need the ability to access individuals with more experience in maintaining these systems. This need will decrease over time. The rest of this section of the report covers the needs for these services and the procurement process in more detail.

For Phase 1 of the project, the implementation vendor, Ciber, Inc. (Ciber), along with the County's EFS project team, are currently providing post production support along with implementing Phase 2 modules, and it is anticipated Ciber and the County's EFS project team will provide post production support for Phase 2 modules in July and August 2015. After August 2015, Ciber will complete their implementation work and will no longer be available to the County to assist with continuing system support and stabilization. Anticipating the need for continuing system support, in April 2014, the EFS Steering Committee approved a comprehensive EFS Support Organization to be effective once Phase 2 is complete and after Ciber is no longer available to provide ongoing support and enhancement of the system. The Support Organization consists of a number of County staff, both functional and technical, that will support the continued improvement and enhancement of the system after July 1, 2015, and will implement the Oracle Scorecard and Strategy Management and the Oracle Business Intelligence

modules in January 2016. Staff estimates that it might take an additional two to three years for County staff to be fully self sufficient in supporting all of the Phase 1 and 2 PeopleSoft and Hyperion modules, hence the need to employ the services of a consultant who specializes in PeopleSoft and Hyperion modules to provide assistance to County staff as they continue to fully learn the system.

Recognizing the need for additional support and expertise, in November 2014, a Request for Proposal was released to qualified consulting firms to provide PeopleSoft and Hyperion consulting services. Proposals were received from eight qualified firms. A proposal review committee consisting of representatives from the County Administrator's Office, Auditor-Controller-Treasurer-Tax Collector, Information System's Department and General Services Purchasing met to evaluate all proposals received. After evaluation by the committee, two firms were elevated for further evaluation. Each of the two firms made a presentation to the selection committee and a series of reference checks were conducted for each of the two firms who were elevated. Following the reference checks and presentations, the selection committee met again to finalize their selection and to recommend CherryRoad Technologies, Inc. as the consultant to enter into contract negotiations.

CherryRoad Technologies, Inc. is an Oracle Platinum Partner with 90% of their business in the public sector. 90% of CherryRoad's staff are Oracle certified. Since 1992, CherryRoad has performed 500+ PeopleSoft engagements and has 200+ senior consultants with an average consultant experience of 12+ years. CherryRoad's employees are 100% US based and they have a significant amount of experience with California Counties including Contra Costa County, Napa County, Placer County, Riverside County San Joaquin County and Solano County. Their customers include 24 Counties, 35 Cities, 15 States and 10 Transit Authorities. CherryRoad provides technology solutions which includes managed services, Information Technology infrastructure support and application support, Enterprise Resource Planning solutions which includes functional and technical expertise in PeopleSoft and Hyperion, and management consulting services such as business process optimization, enterprise architecture, and organizational readiness/change management/training.

The EFS Steering Committee approved the selection committee's recommendation to proceed with contract negotiations with CherryRoad on 1/28/15. The contract with CherryRoad provides for the following:

- 40 Hours per month of remote production support which includes break/fix support of the production Financials and Hyperion systems.
- 50 Hours per month of remote application development which includes such things as query builds, report generation and new development.
- 1,800 hours on-site database administrator/technical support to support the technical team as they continue to learn the daily operation of the system, if needed.
- 1,800 hours on-site functional support to support the functional team as they continue to learn the operation of the system, if needed.
- Platform assessment which includes a quarterly assessment of the County's platform.
- Travel expenses associated with the on-site support, if needed.

This is a one year contract with options to renew for two additional one year periods. Each year the following year's scope of work will be reviewed and negotiated at that time depending on the County's

needs. The not to exceed amount of the total contract is $820,600. This amount includes 1,800 hours of on-site technical support and 1,800 hours of on –site functional support. It is uncertain if the on-site support will be needed but it is included in the contract in case circumstances arise to warrant the need for on-site technical and functional support. If no on-site support is needed, the maximum amount paid under this contract would be $153,000 and depending on the use of the support hours, could be even less. It is anticipated that the need for services will decline each year as County staff become more familiar with operating and supporting the system without the need for additional consulting support, except for one time events such as an upgrade to PeopleSoft verion 9.2 that will require one time consulting support and those needs will be addressed at that time. This contract was anticipated and appropriations are available within the EFS operational budget and financed by user charges. The contract was reviewed and approved by County Counsel. One exception to the standard County contract language approved by County Counsel is in the area of limitation of liability whereby any liability incurred by Contractor in connection with the Agreement, except with respect to indemnification obligations and non-disclosure obligation, shall be limited to two-times all fees and expenses paid by County to Contractor under this Agreement. Standard County contract language specifies four-times all fees and expenses paid by County to Contractor under this Agreement.

Staff recommends approval of a one-year Agreement with two one year option periods, not to exceed $820,600, for the purpose of providing PeopleSoft and Hyperion consulting support as the County transitions from project implementation of Phase 1 and Phase 2 to ongoing and continued support of the EFS.

C. <u>Contract Amendment #2 with NexLevel Technologies, Inc. to provide project management services</u>

During implementation, the County contracted with NexLevel Technologies to provide a "Client Project Manager " (CPM) for three years in the amount of $1,404,000. The term of that contract will expire in October 2015. Recognizing the need for continued CPM services to assist the County in transitioning to its Support Organization, the EFS Steering Committee is recommending an amendment to the existing contract with NexLevel. Amendment #2 extends the term of the contract for one year for an additional $520,000. The EFS Leadership Team and Steering Committee have identified key activities that will occur in the first year after go live that will require assistance from a CPM. Examples of those services are as follows:

- Overall project management responsibilities as with Phase 1 and Phase 2.
- Assist the County with the transition to the Support Organization to enable County staff to be less reliant on outside consulting services.
- Assist with preparing for an upgrade of PeopleSoft version 9.2.

The entire scope of work is detailed in Exhibit A-2.

The candidate proposed by NexLevel for the CPM position, Steve Leckey, is an experienced Enterprise Resource Planning (ERP) system implementation project manager with excellent qualifications and is the same CPM who assisted the County with the successful implementation of Phase 1 and Phase 2 of the EFS system.

Staff recommends approval of a one year extension of NexLevel's contract for Client Project

Management Services, not to exceed $520,000 for the purpose of providing full-time project contract management services to support the County in its transition from project implementation of Phase 1 and Phase 2 to ongoing and continued support of the EFS. This contract was anticipated and appropriations are available within the EFS operational budget and financed by user charges.

Prior Board Actions:

Board accepted the quarterly EFS update on 12/9/14, 9/9/14; 6/3/14; 12/5/13; 8/13/13
8/19/14 – Board approved a contract amendment with Maverick Solutions for core project team training
2/25/14 – Board accepted the quarterly EFS update and approved a contract with Bottomline Technologies for C-Series Payments Software upgrade
5/7/2013 – Board accepted the quarterly EFS update and approved a contract with Neko Industries, Inc. for document management to be integrated with the PeopleSoft system
2/5/2013 – Board approved proceeding with EFS project and budget, along with contracts with Ciber, Inc., Oracle, and Maverick Solutions
9/18/2012 – Board approved proceeding with EFS project by negotiating a contract with Ciber, Inc and Oracle

Strategic Plan Alignment Goal 3: Invest in the Future

The enterprisewide system solution will allow the county to ensure fiscal transparency by replacing outdated and unsupported financial tracking and reporting technology.

Fiscal Summary - FY 14-15

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

Narrative Explanation of Fiscal Impacts (If Required):

Any use of the first contract for addition assistance in the final quarter of this fiscal year will be covered within the existing project budget. The budget impacts in FY 15-16 and have been anticipated and will be part of the recommended budget for the EFS fund.

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

Narrative Explanation of Staffing Impacts (If Required):
N/A
Attachments:
Attachment A – EFS Budget Summary Attachment B – EFS Goals Baseline Results
Related Items "On File" with the Clerk of the Board:
Proposed Professional Services Agreement between County of Sonoma and CherryRoad Technologies Proposed Amendment #2 to Agreement between Sonoma County and NexLevel Technologies, Inc.

ATTACHMENT A

County of Sonoma
Enterprise Financial System
Excellence in Financial Stewardship

EFS Project Status Report

For the Period Ended: February 28, 2015

Steering Committee EFS Budget Summary

Description	A Approved Budget As of 2/5/2013	B PTD Expenditures As of 2/28/2015	C ETC Expenditures As of 2/28/2015	D = B+C Total Expenditures As of 2/28/2015	E = D-A $ Budget Variance As of 2/28/2015	F = E/A % Budget Variance As of 2/28/2015
External Costs:						
Hardware, OS & DB	$ 881,387	$ 484,772	$ 475,259	$ 960,031	$ 78,644	9%
PeopleSoft License & Maintenance	$ 1,570,639	$ 1,456,601	$ 222,017	$ 1,678,618	$ 107,979	7%
Ciber Implementation Services	$ 5,709,705	$ 3,809,785	$ 2,226,320	$ 6,036,105	$ 326,400	6%
OnBase Integration & Maintenance	$ 896,000	$ 227,551	$ 695,429	$ 922,980	$ 26,980	3%
Project Management Consulting	$ 1,404,000	$ 1,035,338	$ 368,663	$ 1,404,000	$ -	0%
Other External Costs	$ 970,663	$ 574,018	$ 274,860	$ 848,878	$ (121,785)	-13%
Contingency - External Costs	$ 1,714,859	$ -	$ -	$ -	$ (1,714,859)	-100%
	$ 13,147,253	**$ 7,588,064**	**$ 4,262,548**	**$ 11,850,613**	**$ (1,296,640)**	
Internal Costs:						
Internal Staffing	$ 6,200,000	$ 4,057,302	$ 1,623,958	$ 5,681,259	$ (518,741)	-8%
Fixed Internal Costs	$ 639,000	$ 493,841	$ 171,839	$ 665,680	$ 26,680	4%
Other Variable Internal Costs	$ 239,000	$ 104,730	$ 47,000	$ 151,730	$ (87,270)	-37%
Departmental Vendor Interfaces	$ 98,000	$ 1,515	$ 22,985	$ 24,500	$ (73,500)	-75%
Contingency - Internal Costs	$ 1,076,400	$ -	$ -	$ -	$ (1,076,400)	-100%
	$ 8,252,400	**$ 4,657,387**	**$ 1,865,782**	**$ 6,523,169**	**$ (1,729,231)**	
Financing Costs	$ 993,540	$ 88,602	$ 550,162	$ 638,764	**$ (354,776)**	-36%
TOTALS	$ 22,393,193	$ 12,334,053	$ 6,678,492	$ 19,012,546	$ (3,380,647)	All Line Items
					$ (589,388)	Excluding Contingencies
					$ (234,612)	Excluding Contingencies and Financing Costs

Current Project Budget Status Forecasted Project Budget Status

PTD = Project To Date ETC = Estimate To Complete

County of Sonoma
Enterprise Financial System
Excellence in Financial Stewardship

EFS Goals Baseline Results

Goal 1: Replace the existing system in such a way as to allow for the decommissioning of the existing mainframe as soon as possible

Objective: Decommission the Mainframe on September 30, 2014

KPI: Develop a Decomissioning Plan by November 30,2013, that includes a schedule to shut down all mainframe applications.

KPI: Execute the Decommissioning Plan and schedule by June 30, 2014 including communications to Departments regarding historical information that will no longer be available on the mainframe, e.g., FEMA reporting.

Method of Measure: Successful adherence to the plan and schedule as specified.

Owner: Mike Livenspargar

Status: Successful. All users have been locked out of mainframe applications since 9/30/14. The maintenance contract for the mainframe was not renewed for the next year, and ISD staff is preparing to wipe the disks.

Goal 2: On time, on budget and for the agreed upon scope

Objective: Deliver a system that is on time, within the stated budget and includes all expected functionality

KPI: The Go-Live dates for both project phases are met:

a. Phase I: July 1, 2014
b. Phase II: February 2, 2015 for Strategic Sourcing only

July 1, 2015 for all other modules

Owner: Steering Committee/ Leadership Team

Status: Successful for Phase 1

Strategic Sourcing was live for all external facing elements on February 2, 2015. However, there were some bugs on the Purchasing facing side that delayed full implementation of the functionality used by Purchasing staff. The problems were quickly resolved and the Purchasing facing elements were officially considered to be in production on February 13, 2015. This delay did not impact other areas of the project and is not anticipated to result in any additional costs.

KPI: 100% of the critical functionality established as a result of Fit/Gap are implemented at Go-Live for modules in each phase:

a. Phase 1: General Ledger, Asset Management, Accounts Payable, Purchasing, eProcurement, eSupplier

b. Phase 2: Hyperion Planning and Budgeting, Project Costing, Grants, Receivables and Billing, Enterprise Contracts, Strategic Sourcing,

Method of Measure: The Leadership Team will approve a list of critical system functionality for each module that will be compared against implemented functionality at go-live to determine whether the goal has been achieved.

Owner: Leadership Team

Status: Largely successful. The critical requirements list has been reviewed by the Project Team for substantial completion. Of those items required for go-live 57 of 58 (98%) were implemented. Of those items not required for go-live but still critical, 17 of 25 (68%) were implemented.

KPI: Expected budget for the overall project is achieved

Method of Measure: Final project costs will be compared to the project budget (including Contingency) to determine whether the goal has been achieved.

Owner: Steering Committee/ Leadership Team

Status: Successful for Phase 1.

Goal 3: Ability to track program and project costs for performance measurement and other management information and thereby reduce or eliminate the need for a variety of separate systems currently providing some of that information in a less efficient manner

Objective: Provide management, at all levels of the organization, with ad-hoc information through queries, online reports and inquiry capabilities in one centralized system of record

KPI: Reduce the use of shadow systems by creating a schedule of shadow systems to be eliminated during Phase 1 and Phase 2.

Method of Measure: The CM Team will generate an inventory of existing shadow systems with the objective of developing a prospective list for phased shutdown after go live. CM will review 6 months after go-live.

Owner: Change Management & Leadership Team

Status: The list of shadow systems has been developed. CM surveyed departments in December 2014 to see if systems expected to be replaced by Phase 1 functionality are still in use. Many departments have indicated they are no longer using BuySpeed, FAMIS, and EZFAMIS for current and ongoing functionality. BuySpeed and EZFAMIS will continue to be used for historical records for a period of time.

KPI: Deliver a system that is used by both accounting and non-accounting managers throughout the County organization to perform their budget tracking and performance measurement activities.

Method of Measure: The CM Team will survey accounting and non-accounting managers to determine their current utilization of FAMIS and/or existing Shadow Systems. Subsequent to Go-Live the group will be surveyed again to determine utilization. The survey will measure use of queries and reports, as well as dashboards when available after Phase 2 go live. Surveys will be dispatched prior to go live and at 6, 12, and 18 months after go live.

Owner: Leadership Team & Change Management

Status: This item will be reviewed after Phase 2 implementation.

Objective: Overall user satisfaction and ownership of the system is greater for EFS than FAMIS.

KPI: Increase in the percentage of users who feel the system is easy to navigate and intuitive to use for day-to-day activities.

KPI: Increase in the percentage of users who feel the system meets reporting needs

KPI: Increase in employee utilization rates among non-accounting staff County wide

Method of Measure: Surveys will be distributed to meaure utilization and satisfaction as noted above in the current environement, as well as 6, and 12 months post go-live for EFS modules implemented in Phases 1 & 2.

Owner: Steering Committee, Leadership Team, Change Management

Status: CM developed a survey that was distributed to end users in January 2015 to get a baseline measure of user acceptance and functionality. The results of that survey are included below.

What is your satsisfaction level with data entry and transaction processing for the following Modules?	Highly Satisfied	Satisfied	Neutral	Dissatisfied	Highly Dissatisfied	N/A
General Ledger	7%	27%	39%	6%	1%	20%
Accounts Payable	3%	43%	29%	10%	2%	13%

Asset Management	0%	9%	46%	4%	1%	40%
eProcurement	1%	19%	39%	9%	5%	27%

What is your satisfaction level with EFS Reporting Tools for the following Modules?	Highly Satisfied	Satisfied	Neutral	Dissatisfied	Highly Dissatisfied	N/A
General Ledger	3%	14%	33%	25%	8%	17%
Accounts Payable	1%	17%	32%	27%	10%	13%
Asset Management	0%	3%	46%	4%	8%	39%
eProcurement	0%	8%	36%	16%	12%	28%
EFS online inqueries	1%	20%	29%	29%	10%	11%
EFS online Reporting Services inquiries	2%	14%	31%	26%	15%	12%
Overall Rating for Reports	1%	12%	29%	33%	13%	12%

What is your satisfaction level with EFS in general for the following activities	Highly Satisfied	Satisfied	Neutral	Dissatisfied	Highly Dissatisfied	N/A
Overall Navigation	1%	34%	26%	26%	8%	5%
Help Desk Responsiveness to inquiries or issues	17%	39%	25%	8%	2%	9%

Communication from the Project Team	10%	41%	34%	8%	3%	4%
Training and process updates	3%	30%	38%	19%	6%	4%

Please rate the performance of the Project Team for the following Statements:	Highly Agree	Agree	Neutral	Disagree	Highly Disagree
I feel the project team provides opportunities for me to express my concerns.	11%	39%	40%	8%	2%
I see improvements made to EFS based on the input I provide.	6%	24%	51%	14%	5%

Goal 4: Provide a system and the attendant business processes that will improve efficiency and increase fiscal discipline in the financial management of the organization

Ojective: Be a financially accountable and responsible organization

KPI: Continue to produce the CAFR within the expected timeframe.

Meathod of Measure: The FY 14-15 CAFR is completed by December 31, 2015.

Owner: Donna Dunk

Status: To be determined – Work on the first CAFR using EFS data will begin after the 14-15 FY close. This item will be updated at the 18 month review in January 2016.

KPI: Increase the percentage of purchases made through controlled strategic spending and secure ideal pricing on more procurement transactions by increasing the use of blanket purchase orders.

Method of Measure: The current environment will be analyzed to determine the percentage of overall County spending that is done using a blanket purchase order. This information will then be analyzed at 6, 12, and 18 months after go-live to determine if the percentage of controlled spend is improving.

Owner: Gene Clark

Status: In the first six months of implementation, Purchasing has already processed more requisitions than we did in all of the last fiscal year. Number of BuySpeed requistions processed in FY13-14 was 1,243. Number of requisitions processed in EFS in the first six months of the Fiscal Year

beginning 7/1/14 is 2,850. This represents a net increase in the number of requistions of 1,607 or 56% increase in 6 months.

With increased visibility of purchasing activities, Purchasing staff have set up contracts for regular payments such as rent, utilities, etc. that was not previously tracked. 324 new contracts have been built in EFS. Some examples are:

- Bodega Bay Fire Protection District - $75,000 - Formation Funds FY14-15
- Jewish Family & Childrens Svcs. - $24,338 - MHSA contract
- Sebastopol PD - $25,000 - Health Happens Here, Place -based efforts for SACA
- Pacific Gas & Electric - Utility payments
- Ciber - $2,809,705 - EFS
- SR Office Properties, LLC - Lease payments
- Codding Enterpises, Inc. - Lease payments

Also with increased visibility, Purchasing has found several opportunities to go out to bid and obtain better pricing than would have been obtained just with the quotes provided by end users. Additionally, obtained higher discount on bulk purchases by negotiating with vendor/supplier. Two examples of this added value are **1)** IT purchase – WSCA/NASPO quote that came over with requisition was for $984,503. Purchasing bid it out and received a bid of $960,131 for a savings of $24,372. **2)** Large chair order originally quoted at $37,367, Purchasing negotiated with distributor and received an additional discount resulting in savings of $3,131.

KPI: Define EFS as a trusted system of record. On January 1, 2015 paper documents will no longer be stored and electronic documents will be considered the permanent record.

Method of Measure: Track the number of boxes being sent to records retention for storage before go-live and at 6 and 12 months after go-live.

Owner: Donna Dunk for invoice records & Gene Clark for purchasing records

Status: From a system perspective, everything is in place to define EFS as a trusted system. ACTTC Claims section sent 2,617 boxes to records retention last year. This year 460 boxes were sent to records retention during year end, and no more boxes are expected to be needed. The reduction of boxes for this year is 2,217 for ACTTC Claims section alone.

All transactions through Purchasing are now electronic. This has resulted in a reduction of approximately 300 paper contracts in the first six months of implementation beginning 7/1/14.

Information on reduction in boxes organization wide will be available at the 1-year review in August 2015. Carolyn Staats indicated that boxes are normally sent to retention after the close of the fiscal year, so this will be the most appropriate time to assess the year-over-year reduction. In the interim, departments were asked to indicate whether they believe this goal is being met as shown in the result below.

	Highly Agree	Agree	Neutral	Disagree	Highly Disagree
Has your department been able to reduce paper retention due to scanning capabilities?	11%	36%	28%	18%	7%

Objective: Use EFS as an enabler for performance management including the ability to benchmark department processes against one another.

KPI: Reduce 1) the number of transactions rejected by the Auditor's Office and 2) the need for post-closing and budget adjustments by increasing department responsibility for accurate entry of financial information into the system.

Method of Measure: The current environment will be analyzed to determine the performance metrics in each of these focus areas for a particular period of time. These same measurements will be evaluated in EFS at 9, 12, and 18 months after go-live to determine if the instance of errors and adjustments is improving.

Owner: Donna Dunk

Status: Donna has requested the baseline FAMIS information prior to go live. This data will be gathered from EFS for the baseline comparison in April 2015.

KPI: Improve cycles times for 1) requisition to purchase order and 2) receipt of invoice to payment.

Method of Measure: The current environment will be analyzed to determine the performance metrics for each cycle. These same measurements will be evaluated in EFS at 6, 12, and 18 months after go-live to determine if the cycle times are improving.

Owner: Donna Dunk for ACTTC area & Gene Clark for Purchasing area

Status: In the first six months of Phase 1 implementation, cycle times have been reduced by several days for requisition to purchase order, from an average of five days to an average of two days, if no extenuating circumstances occur.

Cycle times are between 2-7 days depending on the time of the month and other circumstances (vacations, sick leave, etc.). With FAMIS, cycle days ranged from 2-14 days, again, depending on circumstances. Two contributing factors to the improvement in cycle times are:

- Staff are keying their own transactions and therefore they are coming to us in balance. Problems are fixed before they get to us.

- Budget checking is done when the docment is keyed. Again, this reduces our cycle times because we are not having to go back to the department and tell them they don't have enough budget.

County of Sonoma Agenda Item Summary Report

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

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

To: Sonoma County Board of Supervisors, Board of Directors of the Sonoma County Water Agency, Board of Commissioners of the Community Development Commission, and the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District

Board Agenda Date: April 7, 2015	**Vote Requirement:** Majority
Department or Agency Name(s): County Administrator	
Staff Name and Phone Number:	**Supervisorial District(s):**
Veronica Ferguson, 565-2431	All

Title: Marin Sonoma Mosquito and Vector Control District Vote

Recommended Actions:

1. Authorize the Chair to vote affirmatively for the assessment proposed by the Marin Sonoma Mosquito and Vector Control District for parcels owned by Sonoma County, Sonoma County Agricultural Preservation and Open Space District, Sonoma County Community Development Commission, and the Sonoma County Water Agency.

Executive Summary:

The Marin Sonoma Mosquito and Vector Control District (MSMVCD) has proposing an assessment to supplement funding for District activities. Sonoma County, the Agricultural Preservation and Open Space District, the Community Development Commission, and the Sonoma County Water Agency have all received ballots for properties each entity owns within the MSMVCD boundaries, and are entitled to vote as property owners. Pursuant to Proposition 218, each ballot is weighted based on the value of the assessment, and the assessment will be approved unless the weighted value of "no" votes received exceeds the weighted value of "yes" votes. The MSMVCD estimates new revenue of $3.6 million of the assessment is approved.

The table below shows the # of parcels and assessment value for each of the entities.

Entity	# parcels with assessment	Value of assessments
Sonoma County	409	$6,277.20
Agricultural Preservation and Open Space District	2	$6.69
Community Development Commission	4	$291.28
Sonoma County Water Agency	100	$763.81
Totals	515	$7,338.98

Each ballot must be signed by an authorized individual, and this action authorizes the Chair to sign the ballots for each respective agency.

Prior Board Actions:

none

Strategic Plan Alignment

Fiscal Summary - FY 14-15

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

Narrative Explanation of Fiscal Impacts (If Required):

Fiscal Impact will $7,339 in increased expenditures for FY 16/17, plus CPI in future years, to be included in the operating budgets of the appropriate departments, based upon the use of the parcels, if the assessment is approved.

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):

Attachments:

Official Notice and Ballot Information Guide

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

Official Notice and Ballot Information Guide

Mosquito, Vector and Disease Control Assessment

(Assessment No. 3)

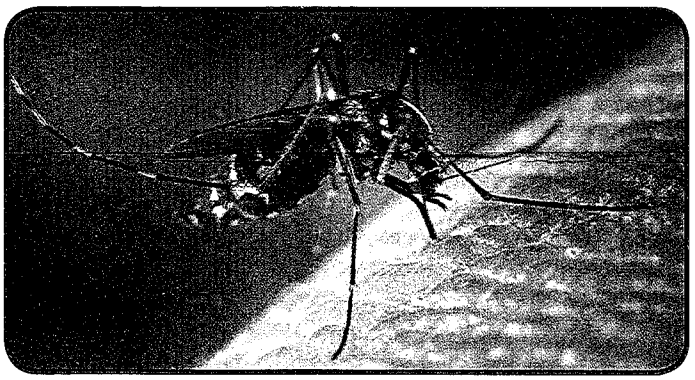
by the Marin/Sonoma Mosquito and Vector Control District

Public Hearing: April 15, 2015 at 7:00 p.m. 595 Helman Ln. Cotati, CA

Why Did You Receive This Assessment Ballot?

The Marin/Sonoma Mosquito and Vector Control District is an independently-funded public agency, separate from any City or the Counties, that was established in 1915. The purpose of the District is to prevent the diseases transmitted by mosquitoes and other vectors, and to reduce their populations through monitoring, treatment, and preventative measures throughout the District. (A "vector" is any organism or animal capable of transmitting disease to humans and to domestic animals.)

The Marin/Sonoma Mosquito and Vector Control District serves approximately 736,000 residents in a nearly 2,300 square mile service area that covers both Marin and Sonoma Counties.



The District would protect residents from new emerging vectors, such as the Asian Tiger Mosquito, which transmit diseases to people.

Public Hearing

A public hearing will be held on Wednesday, April 15, 2015 at 7:00 p.m. before the Marin/Sonoma Mosquito and Vector Control District Board of Trustees at the District's offices, located at 595 Helman Lane, Cotati, California. You are invited to attend the public hearing. Tabulation of the returned ballots will commence after the close of the public input portion of the hearing, and the results of the tabulation will be announced at the continuation of the public hearing scheduled for 7:00 p.m. on May 13, 2015 at the District's offices, located at the same address above.

Summary of Proposed Services for Your Area:

- Continue and improve the control of mosquitoes and the diseases they carry.
- Provide year round testing and early detection of existing and emerging diseases, such as West Nile virus, Chikungunya, Dengue and Yellow Fevers, canine Heartworm, Lyme disease, Encephalitis, Hantavirus, or plague.
- Comprehensive response to any disease outbreaks from mosquitoes, rodents, ticks and fleas.
- Provide mosquito larvae-eating fish to property owners for backyard ponds and water features.
- Control mosquitoes and other disease carrying vectors using environmentally compatible approaches that focus on eliminating the breeding sources and locations.

For more information please visit our website at www.msmosquito.com

The assessment ballot included with this notice allows owners of property in Marin and Sonoma Counties to decide on a proposed benefit assessment that would provide supplemental funding for improved, comprehensive, year-round mosquito, vector and disease control services. Increased threats from new species of mosquitoes like the Asian Tiger Mosquito, and emerging diseases such as Dengue and Yellow Fevers, and Chikungunya, require increasing levels of protection from the District. If the assessment is approved by the property owners, the District would continue and enhance control of mosquitoes and consult on other vectors, providing vector identification, and rapid, cost-effective testing for existing and emerging vectors and diseases in Marin and Sonoma Counties. However, if this proposed assessment is not approved, the District may have to reduce both current and future service levels.

Please Complete Your Ballot and Mail It Back Promptly

All Ballots Must Be Received on or Before April 15, 2015 to Be Counted

Official Notice and Ba
Mosquito, Vector and Disease Cont
by the Marin/Sonoma Mosqu

Mosquito Facts

Disease Transmission: Mosquitoes infected with a disease can spread that disease to humans or animals when they bite and suck blood.

Why Do Mosquito Bites Itch? When a mosquito bites, it injects chemicals to prevent the blood from clotting. These chemicals cause irritation that makes you itch.

Do All Mosquitoes Suck Blood? Only the female mosquitoes feed on blood; male mosquitoes feed on plant nectar and juices.

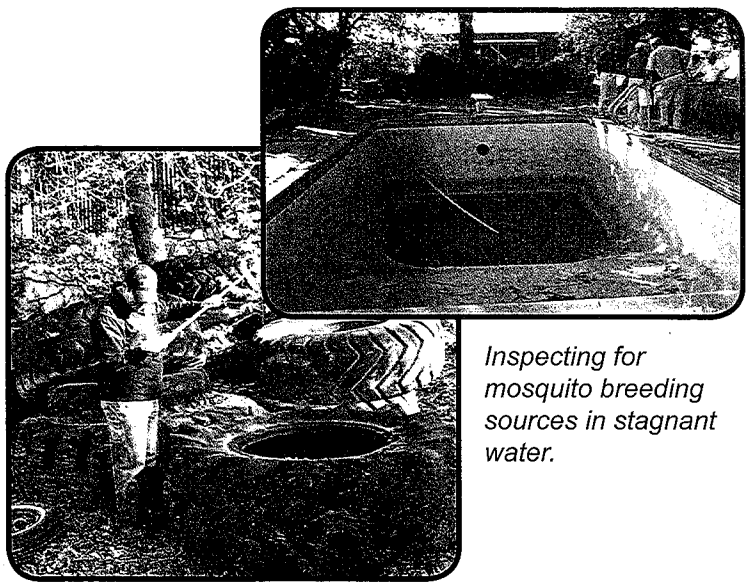
Mosquito Sources: Mosquitoes lay eggs in stagnant, standing water. These eggs turn into larvae that live in the water until they hatch into adult mosquitoes. By eliminating standing water, we can eliminate the sources of mosquitoes.

Mosquito Breeding Potential: A small household bucket filled with stagnant water can produce thousands of mosquitoes per day and affect residents in the surrounding area.

Lifespan: About 14 days for females; 7 days for males.

Eggs: One female can lay over 600 eggs in her lifetime.

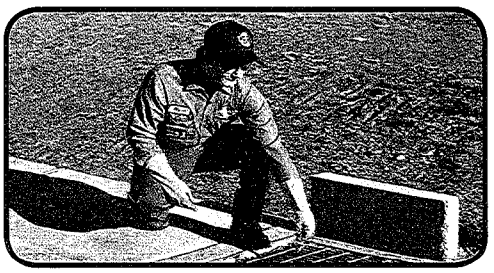
Wing Speed: Moves more than 1,000 times a second; that is the buzzing sound we hear.



Inspecting for mosquito breeding sources in stagnant water.

How Are Diseases Prevented by Mosquito Control Services?

First, by reducing mosquito populations, the transmission of the diseases they can carry is minimized. Second, through the continuous and regular testing of mosquitoes for the presence of disease, emerging disease threats can be discovered and the proper steps can be taken to protect public health. This assessment would ensure that the District has adequate funding to provide these services and to respond to requests by homeowners within the District that are experiencing mosquito problems.



Treating for mosquito breeding in a storm drain.

Mosquito Surveillance and Disease Testing

The District currently has 19 mosquito/vector control technicians/specialists with experience ranging from 3 to 23 years of service. Each technician is certified and maintains certification through the California Department of Public Health. The District provides mosquito control, surveillance and testing through a multi-faceted Integrated Vector Management program including:

- Sampling of adult and larval mosquito populations within District's boundaries. Specimens are counted and identified, and adult samples are tested for disease as appropriate.
- Surveillance and inspection of water sources for mosquito eggs, larval, and pupal populations.
- Maintaining surveillance programs for West Nile virus and other mosquito-borne pathogens, ticks, Lyme disease and other tick-borne diseases.
- Working closely with municipalities, local, state and federal agencies, and local public health and environmental health departments.

Public Hearing: April 15, 2015, 7:00 p.m., 595 Helman Ln., Cotati

lot Information Guide
ol Assessment (Assessment No. 3)
to and Vector Control District

Public Hearing:
April 15, 2015, at 7:00 p.m.
595 Helman Ln.
Cotati, CA

How Much Is the Proposed Assessment?

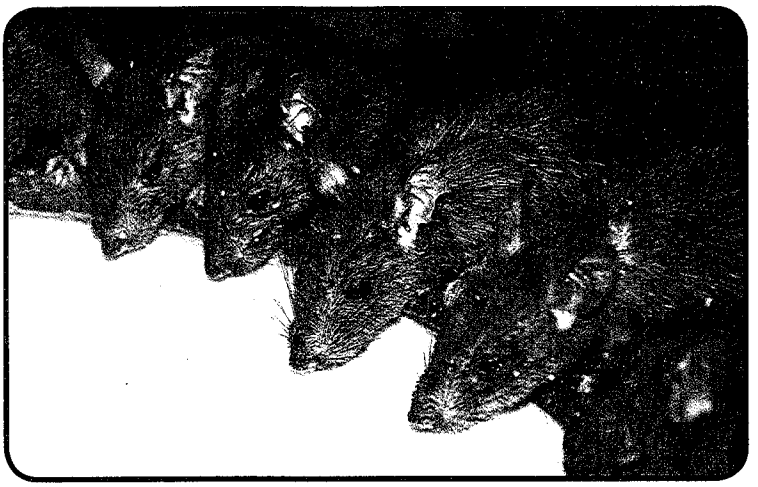
The proposed assessment for your property for fiscal year 2015-16 is printed on the Official Assessment Ballot included with this notice and information item. For single family homes on one acre or less, the proposed annual assessment is $12.86, while other residential property types are assessed according to the number of dwelling units and parcel size. Commercial, industrial and agricultural properties are assessed according to their parcel size and property type. The total amount that would be raised by the proposed assessments for fiscal year 2015-16 is approximately $3,592,000.

How Was the Assessment Determined?

The total cost of the improved mosquito, vector and disease control services that will be funded by the assessments is allocated to each property based on the estimated special benefit received. The method of benefit determination is based on the type of property, the location of property, the number of dwelling units, and its size. The types of special benefit include: reduced mosquito and vector populations on property and enhanced desirability, utility, usability and functionality of property; increased safety of property; reductions in the risk of new diseases and infections; protection of economic activity; protection of agriculture, tourism, and business industries; reduced risk of nuisance and liability; and improved marketability of property. An Engineer's Report describing the proposed services, method of assessment, budget, and proposed assessments for each parcel is available for review at the Marin/Sonoma Mosquito and Vector Control District, located at 595 Helman Lane, Cotati, California.

What This Measure Will Provide

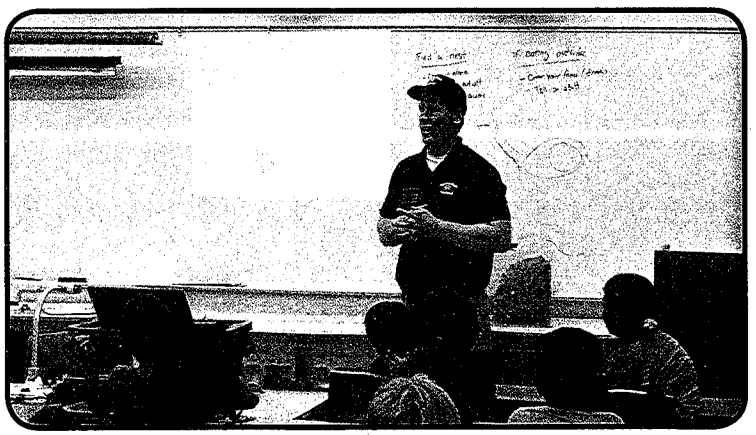
This proposed Mosquito, Vector and Disease Control Assessment is in addition to other assessments you may currently pay. This mailed assessment ballot allows property owners in Marin and Sonoma Counties to decide if comprehensive, mosquito, rat, and other vector surveillance and control, and vector-borne disease testing and prevention services, should continue to be provided by the District.



The District provides free rodent inspections to residents of Marin and Sonoma counties.

Will This Assessment Increase in the Future?

If approved, the assessment may be continued in future years. In future years after 2015-16, the assessment can only be adjusted for inflation by an amount equal to the change in the Consumer Price Index (U.S. Dept. of Labor - All Urban Consumers - San Francisco-Oakland-San Jose area), not to exceed 5% per year. Any change in the CPI in excess of 5% shall be cumulatively reserved as the "Unused CPI" and shall be used to increase the maximum authorized assessment rate in years in which the CPI is less than 5%. This annual adjustment, which must be reviewed and approved annually at a public meeting, will help keep the assessment revenues in line with the cost of providing mosquito, vector and disease control services in the future.



The Mosquito District provides educational outreach to raise awareness of mosquitoes and mosquito-borne diseases.

All Ballots Must Be Received on or Before April 15, 2015 to Be Counted

Please Complete Your Ballot and Mail It Back Promptly

What Are the Public Accountability Safeguards?

This assessment ballot measure will include several layers of fiscal safeguards to ensure that all funds are expended appropriately. First, these funds can only be spent on mosquito, vector and disease control services within the District. Second, the funds will be overseen by the District's Board of Trustees with annual audits to ensure all funds are expended appropriately. And third, the budget for the services proposed each year will be presented annually to the public at a noticed public hearing as required by law.

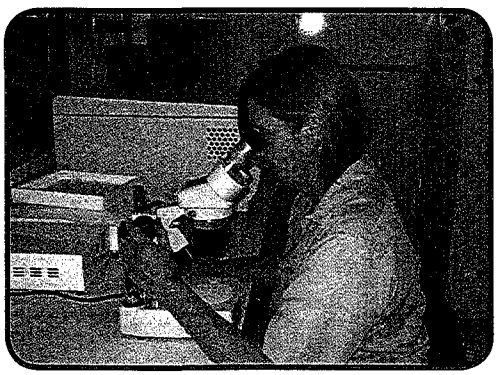
The District responds to service requests concerning mosquitoes, yellowjackets, and rodents.

Method of Voting

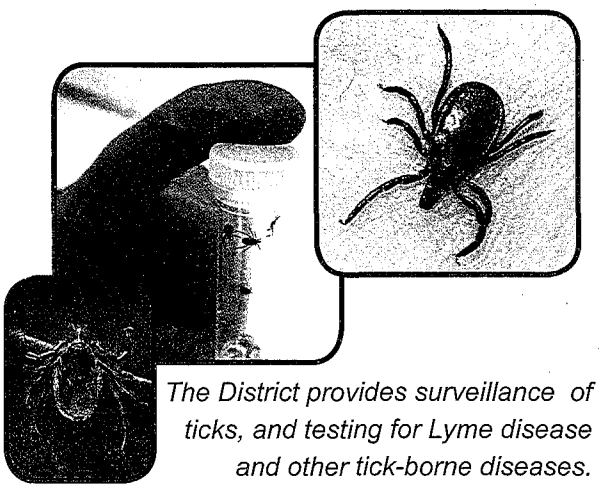
To complete the enclosed official assessment ballot, mark the oval next to either Yes or No, sign the ballot, place it in the provided postage-paid return envelope, and mail or hand deliver it. Only official assessment ballots which are signed and marked with the property owner's support or opposition, and are received before the end of the public input portion of the public hearing on Wednesday, April 15, 2015, will be counted. See the enclosed assessment ballot for additional instructions. Assessment ballots are weighted by the proposed amount of assessment and will be tabulated accordingly. The assessment shall not be imposed if, upon the conclusion of the public hearing, assessment ballots submitted in opposition to the assessment exceed the assessment ballots submitted in favor of the assessment, with ballots weighted according to the proportional financial obligation of the affected property.

Will This Affect the Environment?

The District's Integrated Pest Management approach to mosquito abatement and disease control services involves the use of environmentally sound methods to eliminate sources of mosquitoes, and other disease carrying insects, with biological control methods whenever possible. This approach starts with identifying and eliminating breeding grounds in standing or stagnant water such as those found in abandoned fountains, old tires, and leaks from faulty plumbing or drainage. For sources in ponds and neglected swimming pools, the District uses mosquitofish and other natural resources to target and eliminate mosquito larvae.



The District traps mosquitoes and other vectors, and tests them for West Nile virus and other diseases.



The District provides surveillance of ticks, and testing for Lyme disease and other tick-borne diseases.

Additional Information

If you have questions about the District, the proposed services and assessment, the assessment ballot proceeding, lose your assessment ballot, require a replacement assessment ballot, need a proportional assessment ballot, or want to change your vote, call the District at (707) 285-2200. For additional information about the District visit our website at www.msmosquito.com.

All Ballots Must Be Received on or Before April 15, 2015 to Be Counted

County of Sonoma Agenda Item Summary Report

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

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

To: Board of Supervisors of the County of Sonoma, Board of Directors of the Sonoma County Water Agency, Board of Commissioners of the Community Development Commission, Board of Directors of the Sonoma County Agricultural Preservation and Open Space District, Board of Directors of the Northern California Air Pollution Control District

Board Agenda Date: April 7, 2015	**Vote Requirement:** Majority
Department or Agency Name(s): Human Resources	
Staff Name and Phone Number:	**Supervisorial District(s):**
Jeanne Groen, Benefits Manager 565-3525	All

Title: Employee Medical Benefit Enhancements

Recommended Actions:

1. Authorize amendments to the County Health Plan Summary Plan Description in compliance with the Federal Patient Protection and Affordable Care Act, effective June 1, 2015.
2. Authorize amendments to agreement with Kaiser Permanente, Inc. adding a Deductible HMO and HSA-Qualified Deductible HMO plans, effective June 1, 2015.

Executive Summary:

Amendments to County Health Plan Summary Plan Document:

In order to meet requirements of the Affordable Care Act, the County is enhancing the County's PPO (Preferred Provider Organization) and EPO (Exclusive Provider Organization) plans to lower participant's total annual out-of-pocket expense, effective for the 2015-16 plan year, which begins on June 1, 2015. Non-grandfathered group health plans, such as the County Health Plans (CHP), must comply with a new ***combined*** annual limit on cost sharing, also known as an out-of-pocket maximum. For the 2015-16 plan year, all out-of-pocket medical deductibles, copayments and coinsurance amounts cannot exceed a maximum of $6,600 for an individual and $13,200 for family.

The proposed change impacts employees and retirees enrolled in one of the CHP plan options (PPO or EPO). There are approximately 222 active employees and 1,241 retirees enrolled in one of the two CHP plans.

The County must reduce out-of-pocket maximums effective June 1, 2015 to be in compliance with the 2015 out-of-pocket limitations as required by the ACA. While legislation prescribes a total, combined plan year out-of-pocket maximum, the decision on how to modify the current medical out-of-pocket

maximum is a plan design decision. Four options were presented to the Joint Labor Management Benefits Committee, who recommended the proposed options for the PPO and EPO as outlined in Attachment A. This benefit enhancement only slightly increases the PPO premium by 0.07% and the EPO premium by 0.25% and will be paid by the employee/retiree as the County's contribution is capped at $500 for medical plan costs.

The proposed Board action requests your Board approve the changes to the County Health Plan and direct staff to amend the Summary Plan Document consistent with the changes outline in Attachment A.

Amendments to Kaiser contract adding two additional health plan options:

In February 2015, in response to interests expressed by County employees and members of the Board of Supervisors to provide more affordable plan options, Kaiser offered to add two lower cost plans, one being a high deductible plan, without impacting premiums of the current $10 co-pay option Plan Year 2015/2016. The Joint Labor Management Benefits Committee (JLMBC) held a Special Meeting on Feb. 19th, 2015 to review the proposals. The two new plans are referred to as "Kaiser Deductive HMO" and "Kaiser HSA".

A summary of the new plans are outlined in Attachment B, and are briefly summarized as follows:

> Kaiser Deductible HMO (DHMO) Plan: This is a modified HMO/high deductible plan that allows members access to most doctors visits, lab test and prescriptions for the cost of the copay. Services subject to the deductible include hospitalizations, in-patient and out-patient surgeries which require the member to pay the deducible before the services are covered. This plan option provides a 17% premium reduction from the current $10 co-pay plan premium.
>
> Kaiser Deductible First HMO (HSA) Plan: This is a traditional high deductible plan that requires members to pay 100% for most services up to the annual deductible before plan benefits will be paid. Once the deductible is satisfied, benefits such as office visits, prescriptions, hospitalizations and other medical services are covered for a co-payment. This plan option provides a 23% premium reduction from the current $10 co-pay plan premium.

The unions have agreed to the County's proposed changes related to changes to the out of pocket maximums for the County Health plan and offering two new Kaiser plans. Both of the above changes have been included in Annual Enrollment information recently distributed to all eligible County employees and retirees. All savings associated with these new plans directly impacts employees and retirees who select one of these plans during Annual Enrollment, by reducing the employee and retiree premium contributions.

Human Resources has developed a robust communication and education plan to ensure employees and retirees are able to make well-informed decisions on these new plan options.

Prior Board Actions:

Multiple related to prior amendments to the County Health Plan and Kaiser plans.

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

Fiscal Summary - FY 14-15

Expenditures			**Funding Source(s)**		
Budgeted Amount	$	8,778,000		$	
Add Appropriations Reqd.	$		State/Federal	$	
	$		Fees/Other	$	8,778,000
	$		Use of Fund Balance	$	
	$		Contingencies	$	
	$			$	
Total Expenditure	**$**	8,778,000	**Total Sources**	**$**	8,778,000

Narrative Explanation of Fiscal Impacts (If Required):

Annual costs for the County Health Plan are paid through Employer and Employee premium contributions. The above expenditures reflects the County's costs for the Employer contribution. Total annual expenditures for the County Health Plan including both Employer and Employee contributions are $16,161,111. There is no fiscal impact to the County from these recommendations.

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):

Not applicable.

Attachments:

Attachment A: County Health Plan Annual Out-of-Pocket Maximums
Attachment B: Kaiser Plan Comparison
Attachment C: DHMO Plan Description
Attachment D: HSA Qualified Deductible HMO Description

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

Attachment A

County Health Plan Changes to Annual Out-of-Pocket Maximums

SINGLE PLANS: Out-of-Pocket Maximums

	Current Annual PPO Deductible	**Proposed Annual PPO Deductible**	**Current Annual EPO Deductible**	**Proposed Annual EPO Deductible**
SINGLE: Medical	$2,300	$2,300	$5,500	$5,500
SINGLE: RX	$6,350	$1,100	$6,350	$1,100
SINGLE: TOTAL Combined, Out-of Pocket Max.	**$8,650**	**$3,400**	**$11,850**	**$6,600**

FAMILY Plans: Out-of-Pocket Maximums

	Current Annual PPO Deductible	**Proposed Annual PPO Deductible**	**Current Annual EPO Deductible**	**Proposed Annual EPO Deductible**
FAMILY: Medical	$4,900	$4,900	$11,500	$11,500
FAMILY: RX	$12,700	$1,700	$12,700	$1,700
FAMILY: TOTAL Combined, Out-of Pocket Max	**$17,600**	**$6,600**	**$24,200**	**$13,200**

County of Sonoma
Kaiser Plan Comparison

Attachment B

NOTE: Deductible applies to highlighted benefits. Co-insurances listed are Plan's portion of the cost. Refer to the Notes page for additional information

	2014/2015 Benefits	2015/2016 Options		
		Kaiser		
	County Kaiser Plan	High Plan Option: Current Kaiser Plan	Low Plan Option 1: Deductible HMO	Low Plan Option 2: HSA-Qualified HDHP
Benefits				
	In-Network	In-Network	In-Network	In-Network
Calendar Year Deductible				
For Self-Only Enrollment	None	None	$1,500	$1,300
For any one member in a family of two or more members	None	None	$1,500	**$2,600**
For an entire family of two or more members	None	None	$3,000	$2,600
Calendar Year Out-of-Pocket Maximum	Medical Only	Medical + Rx	Medical + Rx	Medical + Rx
For Self-Only Enrollment	$1,500	$1,500	$4,000	$3,000
For any one member in a family of two or more members	$1,500	$1,500	$4,000	**$6,000**
For an entire family of two or more members	$3,000	$3,000	$8,000	$6,000
Doctor Visit	$10 copay	$10 copay	$20 copay (deductible does not apply)	$20 copay
Individual Outpatient Mental Health/Substance Abuse Visit/ Group Outpatient Mental Health/Substance Abuse Treatment	$10 per individual visit/ $5 per group visit	$10 per individual visit/ $5 per group visit	$20 per individual visit/ $10 per group visit for Mental Health; $5 per group visit for Substance Abuse (deductible does not apply)	$20 per individual visit/ $10 per group visit for Mental Health; $5 per group visit for Substance Abuse
Inpatient Hospital	No Charge	No Charge	Plan pays 80%	$250 copay
Inpatient Psychiatric Hospitalization & Substance Abuse Detox	No Charge	No Charge	Plan pays 80%	$250 copay
Outpatient Hospital	$10 per procedure	$10 per procedure	Plan pays 80%	$150 per procedure
Most X-rays and Laboratory Tests	No Charge	No Charge	$10 per encounter (deductible does not apply)	$10 per encounter
MRI, most CT, and PET scans	No Charge	No Charge	$50 per procedure (deductible does not apply)	$50 per procedure
Emergency Room (copays waived if admitted)	$50 copay	$50 copay	Plan pays 80%	$100 copay
Prescription Drugs	Generic / Brand			
Retail	$5/$10	$5/$10	$10/$30 (deductible does not apply)	$10/$30
Mail Order	$5/$10	$5/$10	$20/$60 (deductible does not apply)	$20/$60
Retail Days Supply	up to 100 days	up to 100 days	up to 30 days	up to 30 days
Mail Order Days Supply	up to 100 days	up to 100 days	up to 100 days	up to 100 days
Monthly Rates *(Actives and Early Retirees)*	***2014/2015***		***2015/2016****	
Single	$649.22	$668.70	$538.41	$499.62
Two-Party	$1,298.44	$1,337.40	$1,076.82	$999.24
Family	$1,837.29	$1,892.42	$1,523.71	$1,413.93
Percent Change from 2014/2015 rates				
		3.00%	-17.07%	-23.04%

*** Kaiser's rates assume current Multi-Year Rate Guarantee (MYRG) arrangement upheld with no new carrier for 2015/2016. If additional Kaiser "Low" plan is offered in 2015/2016, Kaiser will offer a rate cap of 4% for 2016/2017. Kaiser will be the only carrier permitted to offer a "Low" plan in 2016/2017.**

County of Sonoma
Kaiser Plan Comparison
Notes

Attachment B

This report is for the sole use of plan sponsor and its authorized representatives. Some material provided by the vendors may be deemed proprietary and confidential and may not be disclosed or shared with any third parties other than the authorized employees, directors, or Trustees of the plan sponsor, unless required by public disclosure laws or other legal requirements.

1. This is a high level benefit summary
2. Kaiser's current Multi-Year Rate Guarantee (MYRG) arrangement for the 2015/2016 plan year is contingent upon the following conditions:

   A. There can be no changes to the rate structure, eligibility requirements, and/or anniversary date during the contract period of this agreement.

   B. The employer contribution for employees is to be maintained at a minimum of $500 per employee for 6/1/2015-5/31/2016. There can be no material change in the demographic factor (material defined as a change of +/- 10%).

Explanation of Deductible HMO (DHMO) and HSA-Qualified High Deductible Health Plan (HDHP)

1. As is the case with the current Kaiser HMO, both of the new Kaiser deductible plans have calendar year accumulators for the deductibles and out-of-pocket maximums. If selecting one of these new Kaiser deductible plans at open enrollment, plan your non-preventative voluntary services accordingly since the deductible and out-of-pocket accumulators will reset on January 1st of each year.
2. IMPORTANT differences between the DHMO plan compared to the HDHP:

   (a) Benefits subject to the deductible:

   HDHP: Other than preventative care, all services are subject to the deductible in the HDHP. That means, until the applicable calendar year deductible is met in full, no benefits (other than preventative care) will be paid on behalf of the member.

   DHMO: The DHMO provides some benefits (other than preventative care) that are NOT subject to the annual deductible. Doctor's visits, x-rays and laboratory work, Durable Medical Equipment, Ambulance services, and prescription drugs are some of the services that are provided at a member copay/coinsurance without requiring satisfaction of the annual deductible. Member cost-sharing that is paid for benefits that are not subject to the annual deductible do not accumulate towards the annual deductible.

   (b) Deductible and Out-of-Pocket maximum for one member enrolled in insurance covering two or more members:

   HDHP: A member enrolled in coverage other than single only coverage (2-party or Family) is subject to the **family** deductible and out-of-pocket maximum for the HDHP. Even if all medical claims are incurred by one member of the family, the **family** deductible and out-of-pocket maximums are the relevent financial exposures for that member.

   DHMO: A member enrolled in coverage other than single only coverage (2-Party or Family) is subject to the **individual** deductible and out-of-pocket maximum for the DHMO. If all medical claims are incurred by one member of the family, the **individual** deductible and out-of-pocket maximums are the relevent financial exposures for that member.

Proposed Benefit Summary

KAISER PERMANENTE®

Customer Name: County of Sonoma
Customer ID: 602484

Benefit Plan 6286
HC3:TYPE HO8; $1500 DED;$20 O P;20% IP;$30/$10RX

Principal Benefits for Kaiser Permanente Deductible HMO Plan (6/1/15—5/31/16)

The Services described below are covered only if all of the following conditions are satisfied:

- The Services are Medically Necessary
- The Services are provided, prescribed, authorized, or directed by a Plan Physician and you receive the Services from Plan Providers inside our Northern California Region Service Area (your Home Region), except where specifically noted to the contrary in the *Evidence of Coverage* (*EOC*) for authorized referrals, hospice care, Emergency Services, Post-Stabilization Care, Out-of-Area Urgent Care, and emergency ambulance Services

Out-of-Pocket Maximum
The Accumulation Period for this plan is 1/1/15 through 12/31/15 (calendar year).

For Services subject to the maximum, you will not pay any more Cost Share during the calendar year if the Copayments and Coinsurance you pay for those Services, plus all your payments toward the Plan Deductible, add up to one of the following amounts:

For self-only enrollment (a Family of one Member)	$4,000 per calendar year
For any one Member in a Family of two or more Members	$4,000 per calendar year
For an entire Family of two or more Members	$8,000 per calendar year

Plan Deductible

For Services subject to the Plan Deductible, you must pay Charges for Services you receive in the calendar year until you reach one of the following Plan Deductible amounts:

For self-only enrollment (a Family of one Member)	$1,500 per calendar year
For any one Member in a Family of two or more Members	$1,500 per calendar year
For an entire Family of two or more Members	$3,000 per calendar year
Lifetime Maximum	None

Professional Services (Plan Provider office visits)	**You Pay**
Most Primary Care Visits for evaluations and treatment	$20 per visit (Plan Deductible doesn't apply)
Most Specialty Care Visits for consultations, evaluations, and treatment	$20 per visit (Plan Deductible doesn't apply)
Routine physical maintenance exams, including well-woman exams	No charge (Plan Deductible doesn't apply)
Well-child preventive exams (through age 23 months)	No charge (Plan Deductible doesn't apply)
Family planning counseling and consultations	No charge (Plan Deductible doesn't apply)
Scheduled prenatal care exams	No charge (Plan Deductible doesn't apply)
Routine eye exams with a Plan Optometrist for Members age 19 and over	No charge (Plan Deductible doesn't apply)
Routine eye exams with a Plan Optometrist for Members under age 19	No charge (Plan Deductible doesn't apply)
Hearing exams	No charge (Plan Deductible doesn't apply)
Urgent care consultations, exams, and treatment	$20 per visit (Plan Deductible doesn't apply)
Most physical, occupational, and speech therapy	$20 per visit (Plan Deductible doesn't apply)

Outpatient Services	**You Pay**
Outpatient surgery and certain other outpatient procedures	20% Coinsurance after Plan Deductible
Allergy injections (including allergy serum)	No charge (Plan Deductible doesn't apply)
Most immunizations (including the vaccine)	No charge (Plan Deductible doesn't apply)
Most X-rays and laboratory tests	$10 per encounter (Plan Deductible doesn't apply)
Preventive X-rays, screenings, and laboratory tests as described in the *EOC*	No charge (Plan Deductible doesn't apply)
MRI, most CT, and PET scans	$50 per procedure (Plan Deductible doesn't apply)
Covered individual health education counseling	No charge (Plan Deductible doesn't apply)
Covered health education programs	No charge (Plan Deductible doesn't apply)

Hospitalization Services	**You Pay**
Room and board, surgery, anesthesia, X-rays, laboratory tests, and drugs	20% Coinsurance after Plan Deductible

Emergency Health Coverage	**You Pay**
Emergency Department visits	20% Coinsurance after Plan Deductible

Ambulance Services	**You Pay**
Ambulance Services	$150 per trip (Plan Deductible doesn't apply)

(continues)

Proposed Benefit Summary *(continued)*

Prescription Drug Coverage	You Pay
Covered outpatient items in accord with our drug formulary guidelines:	
Most generic items at a Plan Pharmacy	$10 for up to a 30-day supply (Plan Deductible doesn't apply)
Most generic refills through our mail-order service	$20 for up to a 100-day supply (Plan Deductible doesn't apply)
Most brand-name items at a Plan Pharmacy	$30 for up to a 30-day supply (Plan Deductible doesn't apply)
Most brand-name refills through our mail-order service	$60 for up to a 100-day supply (Plan Deductible doesn't apply)

Durable Medical Equipment (DME)	You Pay
DME items that are essential health benefits in accord with our DME formulary guidelines	20% Coinsurance (Plan Deductible doesn't apply)
DME items that are not essential health benefits in accord with our DME formulary guidelines	20% Coinsurance (Plan Deductible doesn't apply)

Mental Health Services	You Pay
Inpatient psychiatric hospitalization	20% Coinsurance after Plan Deductible
Individual outpatient mental health evaluation and treatment	$20 per visit (Plan Deductible doesn't apply)
Group outpatient mental health treatment	$10 per visit (Plan Deductible doesn't apply)

Chemical Dependency Services	You Pay
Inpatient detoxification	20% Coinsurance after Plan Deductible
Individual outpatient chemical dependency evaluation and treatment	$20 per visit (Plan Deductible doesn't apply)
Group outpatient chemical dependency treatment	$5 per visit (Plan Deductible doesn't apply)

Home Health Services	You Pay
Home health care (up to 100 visits per calendar year)	No charge (Plan Deductible doesn't apply)

Other	You Pay
Skilled nursing facility care (up to 100 days per benefit period)	20% Coinsurance (Plan Deductible doesn't apply)
Ostomy and urological supplies	No charge (Plan Deductible doesn't apply)
Prosthetic and orthotic devices that are essential health benefits	No charge (Plan Deductible doesn't apply)
Prosthetic and orthotic devices that are not essential health benefits	No charge (Plan Deductible doesn't apply)
All Services related to covered infertility treatment	50% Coinsurance (Plan Deductible doesn't apply)
Hospice care	No charge (Plan Deductible doesn't apply)

This is a summary of the most frequently asked-about benefits. This chart does not explain benefits, Cost Share, out-of-pocket maximums, exclusions, or limitations, nor does it list all benefits and Cost Share amounts. For a complete explanation, please refer to the *EOC*. Please note that we provide all benefits required by law (for example, diabetes testing supplies).

Proposed Benefit Summary

KAISER PERMANENTE®

Customer Name: County of Sonoma
Customer ID: 602484

Benefit Plan 6785
HC2: TYPE HSA2;$1300 DED;$20 OP;$250 IP;$30/$10 RX

Principal Benefits for Kaiser Permanente HSA-Qualified Deductible HMO Plan (6/1/15—5/31/16)

The Services described below are covered only if all of the following conditions are satisfied:

- The Services are Medically Necessary
- The Services are provided, prescribed, authorized, or directed by a Plan Physician and you receive the Services from Plan Providers inside our Northern California Region Service Area (your Home Region), except where specifically noted to the contrary in the *Evidence of Coverage* (*EOC*) for authorized referrals, visiting Member care, hospice care, Emergency Services, Post-Stabilization Care, Out-of-Area Urgent Care, and emergency ambulance Services

"Kaiser Permanente HSA-Qualified Deductible HMO Plan" is a health benefit plan that meets the requirements of Section 223(c)(2) of the Internal Revenue Code. This health benefit plan is a High Deductible Health Plan. The health care coverage described in the *EOC* is designed to be compatible for use with a Health Savings Account (HSA) under federal tax law.

Out-of-Pocket Maximum
The Accumulation Period for this plan is 1/1/15 through 12/31/15 (calendar year).

You will not pay any more Cost Share during the calendar year if the Copayments and Coinsurance you pay, plus all your payments toward the Plan Deductible, add up to one of the following amounts:

For self-only enrollment (a Family of one Member)	$3,000 per calendar year
For an entire Family of two or more Members	$6,000 per calendar year

Plan Deductible

For Services subject to the Plan Deductible, you must pay Charges for Services you receive in the calendar year until you reach one of the following Plan Deductible amounts:

For self-only enrollment (a Family of one Member)	$1,300 per calendar year
For an entire Family of two or more Members	$2,600 per calendar year

Note: The Plan Deductible amount is subject to increase if the U.S. Department of the Treasury changes the minimum deductible required in High Deductible Health Plans.

Lifetime Maximum	None

Professional Services (Plan Provider office visits)	**You Pay**
Most Primary Care Visits for evaluations and treatment	$20 per visit after Plan Deductible
Most Specialty Care Visits for consultations, evaluations, and treatment	$20 per visit after Plan Deductible
Routine physical maintenance exams, including well-woman exams	No charge (Plan Deductible doesn't apply)
Well-child preventive exams (through age 23 months)	No charge (Plan Deductible doesn't apply)
Family planning counseling and consultations	No charge (Plan Deductible doesn't apply)
Scheduled prenatal care exams	No charge (Plan Deductible doesn't apply)
Routine eye exams with a Plan Optometrist for Members age 19 and over	$20 per visit after Plan Deductible
Routine eye exams with a Plan Optometrist for Members under age 19	$20 per visit after Plan Deductible
Hearing exams	No charge (Plan Deductible doesn't apply)
Urgent care consultations, exams, and treatment	$20 per visit after Plan Deductible
Most physical, occupational, and speech therapy	$20 per visit after Plan Deductible

Outpatient Services	**You Pay**
Outpatient surgery and certain other outpatient procedures	$150 per procedure after Plan Deductible
Allergy injections (including allergy serum)	$5 per visit after Plan Deductible
Most immunizations (including the vaccine)	No charge (Plan Deductible doesn't apply)
Most X-rays and laboratory tests	$10 per encounter after Plan Deductible
Preventive X-rays, screenings, and laboratory tests as described in the *EOC*	No charge (Plan Deductible doesn't apply)
MRI, most CT, and PET scans	$50 per procedure after Plan Deductible
Covered individual health education counseling	No charge (Plan Deductible doesn't apply)
Covered health education programs	No charge (Plan Deductible doesn't apply)

Hospitalization Services	**You Pay**
Room and board, surgery, anesthesia, X-rays, laboratory tests, and drugs	$250 per admission after Plan Deductible

(continues)

Proposed Benefit Summary *(continued)*

Emergency Health Coverage	You Pay
Emergency Department visits	$100 per visit after Plan Deductible

Note: After you meet the Plan Deductible, this Cost Share does not apply if admitted directly to the hospital as an inpatient for covered Services (see "Hospitalization Services" for inpatient Cost Share).

Ambulance Services	You Pay
Ambulance Services	$100 per trip after Plan Deductible

Prescription Drug Coverage	You Pay
Covered outpatient items in accord with our drug formulary guidelines:	
Most generic items at a Plan Pharmacy	$10 for up to a 30-day supply after Plan Deductible
Most generic refills through our mail-order service	$20 for up to a 100-day supply after Plan Deductible
Most brand-name items at a Plan Pharmacy	$30 for up to a 30-day supply after Plan Deductible
Most brand-name refills through our mail-order service	$60 for up to a 100-day supply after Plan Deductible

Durable Medical Equipment (DME)	You Pay
DME items that are essential health benefits in accord with our DME formulary guidelines	20% Coinsurance after Plan Deductible
DME items that are not essential health benefits in accord with our DME formulary guidelines	20% Coinsurance after Plan Deductible

Mental Health Services	You Pay
Inpatient psychiatric hospitalization	$250 per admission after Plan Deductible
Individual outpatient mental health evaluation and treatment	$20 per visit after Plan Deductible
Group outpatient mental health treatment	$10 per visit after Plan Deductible

Chemical Dependency Services	You Pay
Inpatient detoxification	$250 per admission after Plan Deductible
Individual outpatient chemical dependency evaluation and treatment	$20 per visit after Plan Deductible
Group outpatient chemical dependency treatment	$5 per visit after Plan Deductible

Home Health Services	You Pay
Home health care (up to 100 visits per calendar year)	No charge after Plan Deductible

Other	You Pay
Skilled nursing facility care (up to 100 days per benefit period)	$250 per admission after Plan Deductible
Ostomy and urological supplies	No charge after Plan Deductible
Prosthetic and orthotic devices that are essential health benefits	No charge after Plan Deductible
Prosthetic and orthotic devices that are not essential health benefits	No charge after Plan Deductible
Hospice care	No charge after Plan Deductible

This is a summary of the most frequently asked-about benefits. This chart does not explain benefits, Cost Share, out-of-pocket maximums, exclusions, or limitations, nor does it list all benefits and Cost Share amounts. For a complete explanation, please refer to the *EOC*. Please note that we provide all benefits required by law (for example, diabetes testing supplies).

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: April 7, 2015

Vote Requirement: Majority

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

Staff Name and Phone Number:
Dean Parsons 565-1948

Supervisorial District(s):
Countywide

Title: Traffic Study Peer Review Services Contracts

Recommended Actions:

Authorize the Director of the Permit and Resource Management Department to execute agreements with Transpedia Consulting Engineers and Omni Means Engineering Solutions, to provide traffic study peer review services on an as-needed basis, for a not-to-exceed amount of $60,000 for each contract, for a three year term beginning April 7, 2015 and ending April 6, 2018.

Executive Summary:

BACKGROUND

The Permit and Resource Management Department (PRMD) requires traffic studies to determine the potential traffic impacts from certain development proposals. A traffic study is prepared by a qualified transportation professional hired by an applicant who estimates traffic volume and safety resulting from the proposed project. PRMD determines if the resulting traffic study requires a peer review by a registered traffic engineer professional. A peer review determines if the initial traffic study is complete, accurate, and consistent with County and/or Caltrans guidelines for traffic studies. The need for these services is specialized and sporadic. The applicant must pay for all costs associated with traffic studies and peer reviews.

The majority of land use entitlement applications for wineries/tasting rooms, multifamily residential projects, retail, and visitor serving uses require traffic studies and the County has no in-house traffic engineers to evaluate traffic studies. PRMD staff works closely with and receives assistance from the Department of Transportation and Public Works in traffic study reviews but they have a significant workload and the two peer review contracts will help PRMD expand our capacity to meet processing timelines. Previous contracts for peer reviews have expired and due to the improved economy, there are more applications that require traffic studies and peer reviews. In order to continue to be able to respond in a timely manner to the need for traffic study peer reviews, PRMD needs to increase its capacity in this area with consultant assistance. Within the last year, we have received approximately 30 traffic studies for planning applications. Not all traffic studies require a peer review but per the

requirements of the Sonoma County Traffic Guidelines a peer review is required for all projects affecting State highways. Additionally, staff has the ability to require peer review if a study appears to be deficient in fully analyzing all of the required criteria or if it exceeds established traffic impact thresholds contained within the County's Traffic Study Guidelines.

PRMD conducted a Request for Qualifications to identify a pool of qualified firms to provide these services. All six of the firms submitting Statements of Qualifications were selected and contracts were offered to the two firms that provided competitive and reasonable cost proposals. SELECTION PROCESS The engineering consulting firms were selected following a standard Request for Qualifications selection process. All six of the responding firms qualified; four submitted cost proposals; and two have provided acceptable cost proposals and have met all County contract requirements. The submissions were evaluated and ranked by a review committee consisting of two PRMD staff and one staff member from Transportation and Public Works based on their responses to the following criteria: 1) experience; 2) professional qualifications; 3) completeness of response; 4) effective processes for work tasks; 5) response timeliness; and 6) local preference. Three of the six respondents qualified as local service providers per the County's Local Preference Policy.

Mousa Abbasi is the principal engineer of Transpedia Consulting Engineers with over 34 years of experience in the management and preparation of civil and transportation engineering projects. Mr. Abbasi has provided as-needed traffic study peer review services to PRMD since 2006 and is very familiar with both County and Caltrans official guidelines for traffic studies. Transpedia qualifies for the County's Local Business Preference.

Omni-Means Engineering Solutions, founded in 1981, provides on-call transportation engineering services to fourteen California cities. The Department of public Works retained Omni-Means to provide a comprehensive Traffic Impact Study for the Brickway Boulevard Extension Project. They are familiar with both County and Caltrans official guidelines for traffic studies. Omni-Means did not qualify for Local Business Preference, as they are located in Napa; however, this did not affect their overall qualifying score during the evaluation process.

The estimated need for these services over a three year term will not exceed $120,000. Since it is difficult to determine the timing of the need and the specific scope of the projects, contracts with two competitive firms are recommended to increase PRMD's ability to obtain the needed services in a timely and efficient manner. Payment for each contract will not exceed $60,000. The term of agreement is for three years to ensure that these services are readily available when required. The two (2) one-year option extensions are to allow for timely and optional extension of the agreements These agreements are contracts for services as needed with no minimum amount of work guaranteed to either firm.

Prior Board Actions:

None.

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

A peer review does not only validate a traffic study; it ensures that a thorough study, analysis, and review of the original work is conducted and that all flaws or areas of improvement have been identified. A thorough peer review ensures that all potential impacts have been identified and that the suitability of a development project can be accurately assessed with the safety and well-being of the community in mind.

Fiscal Summary - FY 14-15

Expenditures		**Funding Source(s)**	
Budgeted Amount	$ 20,000		$
Add Appropriations Reqd.	$	State/Federal	$
	$	Fees/Other	$ 20,000
	$	Use of Fund Balance	$
	$	Contingencies	$
	$		$
Total Expenditure	**$ 20,000**	**Total Sources**	**$ 20,000**

Narrative Explanation of Fiscal Impacts (If Required):

The estimated need for these services will not exceed $120,000 over the three year term of the contracts. While PRMD contracts for these services, they are reimbursed by the applicant at no cost to the County.

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:

Contract with exhibits for Transpedia Consulting Engineers
Contract with exhibits for Omni-Means Engineering Solutions

County of Sonoma Agenda Item Summary Report

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

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

To: Sonoma County Board of Supervisors

Board Agenda Date: April 7, 2015

Vote Requirement: Majority

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

Staff Name and Phone Number:
Reg Cullen, 565-2502

Supervisorial District(s):
First and Second

Title: Environmental Protection Agency (EPA) San Francisco Bay Water Quality Improvement Fund Grant in the amount of $991,119.

Recommended Actions:

Authorize the Director of the Permit and Resource Management Department (PRMD) to: a) accept grant funds from the Environmental Protection Agency San Francisco Bay Water Quality Improvement Fund ($991,119) for drainage and stormwater activities and b) execute the grant agreement for Federal and State ordered storm water regulatory permit requirements for the period May 1, 2015 through April 30, 2019.

Executive Summary:

Approval of this item would authorize the PRMD to accept grant funds to offset costs associated with the implementation of Federal and State ordered storm water regulatory permit requirements for the period May 1, 2015 through April 30, 2019.

Each year Sonoma County is required to perform and report on State mandated actions and measurable goals under National Pollutant Discharge Elimination System (NPDES) General Permits to reduce impacts to water quality due to storm water runoff. PRMD collaborates with Sonoma County Transportation and Public Works, Sonoma County Regional Parks, and other partner organizations to attain these goals. Specific actions are required for watersheds that drain to the San Francisco Bay. To fund that work, PRMD is receiving grant funding in the amount of $991,119 from the EPA San Francisco Bay Water Quality Improvement Fund. The funding was awarded on January 23, 2015. This item requests authorization for the Director of PMRD to accept and administer the grant.

Specific tasks that will be accomplished under the grant include: 1) repair primary sediment sources in Sonoma Creek watershed; 2) engage the community to reduce pathogen and pesticide levels in Sonoma Creek, the Petaluma River, tidal marshes, and San Francisco Bay; 3) track progress toward TMDL and other watershed health targets; and 4) project management.

Section 402(p) of the Federal Clean Water Act requires National Pollutant Discharge Elimination System (NPDES) permits for storm discharges from municipal separate storm sewer systems (MS4s). The San Francisco Bay Regional Water Quality Control Board (Water Board) authorized General Permit coverage for storm water discharges for Small MS4s (Phase II communities) in Sonoma County by Water Quality Order No. 2013-0001-DWQ NPDES General Permit No. CAS000004 (Permit Order) for a five-year term beginning February 5, 2013. PRMD administers the County MS4 permit and manages and performs the mandated storm water program activities.

The Permit Order requires compliance with all applicable Total Maximum Daily Loads (TMDLs). TMDLs are numerical calculations of the maximum amount of pollutants that the Petaluma River and Sonoma Creek can assimilate and still meet the San Francisco Bay Basin Plan water quality standards. These TMDL requirements include monitoring and testing for sediment, pathogens, and pesticides.

The EPA San Francisco Bay Water Quality Improvement Fund offers funding grants for projects supporting and restoring the San Francisco Bay. On April 30, 2014 the Department submitted the grant application titled Clean Streams in Southern Sonoma County to the EPA. The grant was awarded in the amount of $991,119 to help the County fund its efforts to improve water quality and meet the TMDL and NPDES permit requirements over a four-year period beginning May 1, 2015.

PRMD will administer the grant and water improvement quality work on behalf of the project partners, Sonoma County Transportation and Public Works, Sonoma County Regional Parks, and work from new partnerships with the Sonoma Ecology Center, Friends of the Petaluma River, and the City of Sonoma. Administrative responsibilities include demonstrating compliance with the grant provisions and quarterly financial and narrative reporting and invoicing.

Prior Board Actions:

None

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

The goal of improving water quality allows for a safe community with access to clean water.

Fiscal Summary - FY 14-15

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

Narrative Explanation of Fiscal Impacts (If Required):			
This one-time grant will assist PRMD in covering costs associated with the Federal and State ordered storm water regulatory permit and TMDL requirements over the course of four years. The funds received will be included in the FY 15/16 and subsequent budgets.			
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:			
Attachment A – EPA Notice of Selection for FY15 Funding Attachment B – Grant Application- Clean Streams in Southern Sonoma County Attachment C – Grant Application Project Map			
Related Items "On File" with the Clerk of the Board:			
None			

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

January 23, 2015

Mr. Reg Cullen
County of Sonoma
2300 County Center Drive
Santa Rosa, CA 95403-2829

RE: Notification of Selection for FY15 Funding by the San Francisco Bay Water Quality Improvement Fund (SFBWQIF) (#EPA-R9-WTR3-14-01)

Dear Mr. Cullen:

I am pleased to notify you of my decision to fund the proposal submitted by the County of Sonoma titled "Clean Streams in Southern Sonoma County." The proposal has been selected to receive funding through EPA's San Francisco Bay Water Quality Improvement Fund. The SFBWQIF is a competitive grant program begun in 2008 to support projects that restore wetlands and watersheds, and reduce polluted runoff. Since 2008, the SFBWQIF has invested over $32 million in 53 projects that are achieving environmental results throughout the nine Bay Area counties.

We received 32 proposals requesting over $39 million in response to our most recent solicitation (May 2014). Eight of these proposals were recommended for funding and we were to be able to proceed with supporting the top four proposals. As you know, your proposal was among the eight recommended for funding, however, we were not able to support it at that time due to limited funding. With the passage of the Fiscal Year 2015 budget, EPA received additional funds so we are now able to fund these additional four highly ranked proposals. This is consistent with our May 2014 solicitation that indicated EPA has the right to "…make additional awards…if additional funding becomes available after the original selection decisions."

Your project officer, Erica Yelensky (yelensky.erica@epa.gov) will soon be in contact with you to complete the grant application process. Further guidance will be provided that includes funding amounts and detailed submittal instructions. For more information on the current status of SFBWQIF, please see our web site at http://www.epa.gov/region9/water/watershed/sfbaywqfund/ . We look forward to working with you to support the success of the projects, including helping to document and communicate the environmental results and lessons learned, to enhance support for similar projects throughout the Bay Area.

Sincerely,

Jane Diamond, Director
Water Division

Printed on Recycled Paper

Clean Streams in Southern Sonoma County

A final proposal to the EPA San Francisco Bay Water Quality Improvement Fund, 2014

Abstract: *Clean Streams in Southern Sonoma County* broadens existing public/private partnerships to reduce pollutant loadings at high-priority sites in the Sonoma Creek and Petaluma River watersheds by implementing TMDLs for sediment, pesticides, and pathogens. Results include an inventory of County and City road/stream crossings to enhance prioritization of road projects; substantial erosion and habitat improvement actions on public roads and private streambanks; outreach to key audiences to prevent pollution; and detailed information on pesticide, E. coli, and sediment levels; and outreach to key pollution prevention audiences. Partners are Sonoma County's Permit and Resource Management Department, Transportation and Public Works, and Regional Parks; City of Sonoma; Sonoma Ecology Center; and private landowners. This is the first SFBWQIF investment in the Petaluma River. This project comes at a critical time. The Sonoma Creek sediment TMDL, adopted in 2008, has a 20-year implementation goal. Also, significant activities are planned to recover groundwater levels in both watersheds. Integrating groundwater and surface water management will protect stream flow for habitat and other functions. In 10 years, this project will achieve and estimated 12% of the Sonoma sediment TMDL goal, pathogen and pesticide loads reduced by 25% of allocations, and 27 tons/yr carbon sequestered.

Sonoma Creek is an "anchor watershed"[1] for recovery of San Francisco Bay's steelhead. Petaluma River waters the largest undisturbed ancient tidal marsh in California[2].

Partnerships

The project builds on existing successful local public/private and inter-governmental partnerships, including partners with authority over water quality and land use decisions. Letters committing match contributions are in Attachment 1.

Sonoma County Permit and Resource Management Department (PRMD): PRMD, the project applicant, is the County Department with primary land use authority, implements the RWQCB's MS4 permits in the south County, ensures that County projects comply with environmental regulations, imposes conditions of approval on development projects, and is the lead for the County storm water program, responsible for attaining compliance with the state storm water permits and hosting audits by US EPA. PRMD provides guidance on the storm water program via education on BMPs, code requirements, or enforcement. Staff regularly interact with other County departments who investigate and resolve storm water complaints, hold standing meetings to coordinate storm water quality improvements, and cooperate on annual storm water reports. Staff also work weekly with staff from local cities, staff with the North Coast and San Francisco RWQCBs, and many members of the public who have storm water complaints or questions.

Sonoma County Transportation and Public Works (TPW): Among other responsibilities, TPW plans, builds, manages, and maintains over 1000 stream crossings of public roads. TPW works with PRMD to assess, prioritize, and permit these projects. TPW's culvert crew was eliminated in 2009 due to budget cuts and was just restored in 2014. TPW is now able to address a substantial backlog of work. Through the Clean Streams project, TPW can expand use of

[1] San Francisco Estuary Watersheds Evaluation: Identifying Promising Locations for Steelhead Restoration in

[2] California Department of Fish & Wildlife, http://www.dfg.ca.gov/lands/wa/region3/petalumamarsh.html

integrated BMPs developed with SEC during the 2010 SFBWQIF grant to meet stormwater, environmental, and maintenance objectives, and develop science-driven priorities for culvert- and outfall-related maintenance and repair.

City of Sonoma: The City is responsible for implementing three TMDLs on its three creeks. For five years, the City has partnered with SEC to develop its Stormwater Workplan, conduct stormwater outreach and education, and prepare stormwater reports. Recently, the City hired a full-time stormwater compliance specialist. The *Clean Streams* project will deepen partnerships with the County on meeting water quality requirements and with SEC to effectively change residents' behavior.

Sonoma Ecology Center (SEC): SEC, a 501(c)(3) nonprofit, has initiated and sustained effective collaborations to improve ecological health in Sonoma Valley and beyond for 23 years. As the main non-regulatory water quality entity in the watershed, SEC has built numerous physical projects, monitored watershed health, conducted targeted research, developed techniques and policies, and educated the community on streams, fisheries, and water resources.

Sonoma County Regional Parks (County Parks): As a major landowner in the project area, County Parks reaches thousands of people annually with interpretive and management signage at public parks, beaches, and campgrounds, with particular success reaching lower-income residents. Among many other areas of leadership, County Parks has taken a leading role in Sonoma County in educating pesticide applicators and dog walkers.

Sonoma County Water Agency (SCWA): SCWA partners with the City of Sonoma, SEC, and others on several multi-benefit water management projects in Sonoma Creek watershed. For this project, SCWA-funded and SCWA-led projects within and adjacent to the City strongly leverage EPA's funding to achieve effective water stewardship outreach and build highly visible stormwater management demonstration sites.

Private landowners: Most streamside land in southern Sonoma County is privately owned small residential parcels. Landowners must voluntarily give permission for implementation projects. Channels are usually incised, with infrastructure close to top of bank, so projects tend to be small and permissions difficult to obtain. SEC has a record of success in this constrained environment, consistently securing 10%-25% cost share in cash or labor from participating landowners.

Please see support letters in Attachment 2 from Sonoma County Supervisors Susan Gorin (Sonoma Creek watershed) and David Rabbit (Petaluma River watershed), San Francisco RWQCB Phase II stormwater contact Fred Hetzel; and letters of intent from landowners.

Budget detail and cost-effectiveness

This project builds a cost-effective approach to water pollution control extending beyond the grant period. EPA funds will allow City and County agencies to intensify their individual and combined capabilities to control flows of sediment, pesticides and pathogens into streams, assisted by SEC as the area's primary environmental management NGO. Partnerships between local governments with demanding water quality mandates and an entrepreneurial, science-driven nonprofit will lead to better-informed implementation of water quality improvements, including improved municipal maintenance and repair practices, as has occurred with the current 2010 SFBWQIF project (EM-00T34101-0 to San Francisco Estuary Partnership).

Total EPA request: $991,156. Match: $1,148,400 (54% of total cost). Quarter 1 = Jan-Mar 2015.

	Quarter	Lead Entity	Federal Portion	Match	Outputs, Outcomes, Deliverables
Task 1. Repair primary sediment sources in Sonoma Creek watershed. Request: $501,200. Match: $906,800.					
TPW-SEC partnership developed during 2010 SFBWQIF project	Before grant				Streamlined county permitting and CDFW 1602 agreement for outfall dissipators with standard design
1.1 Establish coordinated road management practices to limit sediment delivery to streams from public roads					
1.1.1 Prioritize road-related sediment sources based on targeted field assessments and TMDL Sediment Source Analysis sediment yields	1 - 3	TPW	$2,000		Assessment protocol; assessments of 350 road/stream and road/ditch crossings in Sonoma Creek watershed including the City of Sonoma; prioritization results; results of assessment integrated into TPW and City roadwork prioritization schemes
		SEC	$190,000		
		PRMD		$7,800	
		City		$8,000	
1.1.2 Repair and replace high-priority culverts and ditches, install both standard and innovative BMPs	3 - 16	TPW		$800,000	40 or more replaced or repaired road/stream or road/ditch crossings on County and City roads, 15+ dissipators installed at road outfalls, 9+ road sites with supplemental erosion control and revegetation (900 ft), monitoring per existing QAPP, publicity
		SEC	$243,200		
		City		$80,000	
1.2 Reduce sediment supply from priority stream channel sources.	2 - 16	SEC	$66,000		Fencing, erosion control, and revegetation of eroding streambanks at 2+ private properties in key salmonid reaches; 2 site plans; 300 linear feet of streambank revegetated and protected from grazing; monitoring per existing QAPP, publicity
		PRMD		$7,000	
		Land-owners		$4,000	
Project sediment-related outcomes.	Project comple-tion				6,400 tons sediment/year prevented from reaching stream. The Sonoma Creek sediment TMDL BPA calls for 80% reduction of the human-caused sediment load of 64,000 tons/yr. This project achieves 11% of this target. 19 tons/year of carbon sequestered

Ongoing implementation by TPW, City, and SEC at sediment delivery sites prioritized by this project; maturation of treated sites	10 years after grant				Sediment reductions from planted streambanks increasing ~10%/yr, reaching 12% of the 2028 sediment TMDL goal in 10 years; improved municipal maintenance and repair practices; positioned to obtain CDFW and other funding and permitting for additional implementation; 75% survival of plantings on 300 linear feet of priority salmonid stream with closing canopy; 27 tons/year carbon sequestered

Cost-effectiveness: **1.1.1** builds on the TPW/SEC partnership, established during the 2010 SFBWQIF grant, which has already identified shared implementation priorities. Proposed assessment and prioritization of road-related sediment sources build on the 2006 initial survey completed for the Sediment Source Analysis, and SEC's extensive GIS library. TPW's previous culvert evaluation for Sonoma Valley, from 1984, provided only three categories of culvert condition, and did not address culvert capacity. Costs are based on review of similar modern assessments, averaging $400/site, plus planning. **1.1.2** coordinates road repair and culvert replacement with sediment reduction BMP installations, reducing costs of planning, permitting and implementation. Under the 2010 SFBWQIF grant, SEC designed an innovative storm drain outfall detention basin/energy dissipator, TPW calculated drainage areas and sizing for the basins, and TPW and SEC coordinated to install and maintain a vegetated swale/filtration strip in a roadside ditch that leads to a creek outfall. PRMD streamlined the permitting process. CDFW's 1602 agreement to use the outfall basin/dissipator will be replicated and adapted for this project. See Attachment 3 for diagram. Integrating objectives of stormwater management, sediment reduction, and habitat restoration decreases long-term costs and increases the probability of funding for future additional implementation. Costs are based on years of past implementation experience by TPW and SEC.

1.2 expands on existing partnerships between SEC and private landowners to address shared priorities including erosion and property loss. SEC's watershed-wide agreement with CDFW for invasive weed control and native plant restoration will apply to proposed sites. This work is based on a 2013 319(h)-funded prioritization of sediment reduction actions, based on sediment loads, geology, land use, and spawning sites. Sonoma Valley's streamside land is almost entirely privately owned by small rural residential landowners who must voluntarily give permission for access and implementation projects. Parcels tend to have incised channels and infrastructure close to top of bank, so projects tend to be small and permissions difficult to obtain. SEC consistent secures 10%-25% cost share in cash or labor from participating landowners, which increases the likelihood of the landowner maintaining project improvements in the long term. Costs are for landowner communications, fencing, erosion control, revegetation with SEC's locally native stock, and maintenance. See Attachment 2 for letters of intent from landowners and Attachment 4 for site plans.

	Quarter	Lead Entity	Federal Portion	Match	Outputs, Outcomes, Deliverables

Task 2. Engage the community to reduce pathogen and pesticide levels in Sonoma Creek, Petaluma River, tidal marshes, and San Francisco Bay. Request: $100,019. Match: $135,000.					
City and County pesticide, dog waste, and septic programs; SEC outreach	Before grant				PRMD: Septic inspections. City: Full-time stormwater coordinator hired, tracking and response program established for pesticides and pathogens. SEC: 20 years of public creek cleanups and workdays.
2.1 General outreach, focusing on peer-to-peer neighborhood-based water quality teams	2 - 16	SEC	$84,000		Records of publicity, samples of materials used, 500 households reached with water quality and water conservation program, 625 water protection actions taken by households, including 11 million gallons water conserved/year; planted and signed LID infrastructure installed at Sonoma Garden Park, with 3,500+ annual visitors
		SCWA		$70,000	
2.2 Specialized outreach to dog walkers to reduce pathogen pollution	1 - 16	City		$19,000	City: field assessments of priority pet-waste sites; tracking system for catch basin cleaning; target neighborhood outreach enlisting residents; enhanced web communications to help the public identify sanitary sewer overflows; enhanced complaint routing schedule. County Parks: installed signage and dog waste bag dispensers .
		County Parks		$5,000	
2.3 Specialized outreach to pesticide applicators and pesticide retailers	1 - 16	City		$21,000	City: nontoxic pest response program, applicators training, data on flyer attrition at the only major pesticide retailer. County Parks and City: 20 pesticide applicator workshops.
		County Parks		$20,000	
2.4 Clean up persistent illicit dumpsites	2 - 16	SEC	$16,019		8 cleanups on steelhead streams, publicity
Continuing implementation	After grant				Pesticide applicator seminars, City stormwater coordinator position, local funding for peer-to-peer program; most household actions to reduce pollutant loading sustained; coordinating water quality outreach with increasing groundwater project outreach. At 10 years post-project, pesticide and pathogen loads reduced by 25% of allocation.

Cost-effectiveness: Activities in this task build on the City's and County's participation in RWQCB Phase II NPDES working groups and the Bay Area Stormwater Management Agencies Association (BASMAA) Phase II Sub-Committee, SEC's familiarity with hotspot locations and neighborhood groups through many years of public creek events, and SEC's long-running school-based education program, which is an effective method for sending messages to adults. Outreach and engagement will build on existing programs such as the Urban Pesticide Committee, BASMAA, and Sonoma County's and SCWA's existing education programs.

	Quarter	Lead Entity	Federal Portion	Match	Outputs, Outcomes, Deliverables
Task 3. Track progress toward TMDL and other watershed health targets. Request: $254,937. Match: $87,000.					
Ambient watershed health monitoring	Before grant				10 year monitoring program in Sonoma Creek by SEC, see Sonoma Valley Knowledge Base.
3.1 Monitor and post data on all or most of the following parameters relevant to Sonoma Creek sediment TMDL: turbidity, streamflow, gravel permeability	2 - 16	SEC	$40,000		Approved QAPPs, data available online via SEC's Knowledge Base and state databases such as CEDEN
		SCWA		$70,000	
3.2 Monitor and post data on urban pesticide toxicity in Cities of Petaluma and Sonoma	3, 5, 7, 9, 11, 13	City		$5,000	3 years, 2 visits yearly to 4 sites each city. Approved QAPP, data available online via SEC's Knowledge Base and state databases such as CEDEN
		SEC	$13,212		
		lab	$13,080		
3.3 Monitor and post data on nitrates and fecal coliforms on streambanks downslope from septic leach fields in Sonoma and Petaluma watersheds	4, 5, 8, 9, 12, 13, 16	PRMD	$20,000	$10,000	2 visits yearly to up to 20 sites over 4 years approved QAPP, data available online via SEC's Knowledge Base and state databases such as CEDEN
		SEC	$61,000		
		lab	$16,000		
3.4 Monitor and post data on *E. coli* levels in Sonoma Creek and tributaries	3, 5, 7, 9, 11, 13	PRMD		$10,000	10 visits yearly to each of 8 sites over 3 years, approved QAPP, data available online via SEC's Knowledge Base and state databases such as CEDEN
		SEC	$55,945		
		City		$6,000	
		lab	$23,000		
3.5 Communicate progress toward targets with easily publicly accessible graphs and	12 - 16	SEC	$10,000		Graphs comparing current findings with TMDL and other targets, available via

maps		PRMD		$5,000	SEC's Knowledge Base, PRMD's website, and others as appropriate. Records of publicity.
3.6 Coordinate with RWQCB and project partners on allocations and strategies for compliance with TMDL requirements	1, 5, 9,13	PRMD		$5,000	2+ meetings. Record of meetings and agreements.
		City		$6,000	
		SEC	$2,700		
Continuing implementation	After grant				Ongoing monitoring by County and City, continual additions to Sonoma Valley Knowledge Base.
Cost-effectiveness: All monitoring (QA and QC procedures) will follow SWRCB's Quality Assurance Management Plan for SWAMP and be SWAMP-comparable. Activities in this task leverage SEC's TMDL studies contributing to the San Francisco Bay Basin Plan Amendment, including EPA-funded Limiting Factors Analysis for Steelhead and Sediment Source Analysis; SEC's sediment and stream monitoring program, operating since 2000, critical to prioritizing implementation mandated in the BPA; SEC's participation in TMDL roundtables and advisory committees with community stakeholders since 2000; SEC's partnership providing site information and access for RWQCB staff conducting pathogens sampling and analysis; EPA-funded QAPPs and monitoring plan for water quality; SEC's ongoing peak flow and water quality monitoring; and the City and County's participation in RWQCB Phase II NPDES working groups and the Bay Area Stormwater Management Agencies Association (BASMAA) Phase II Sub-Committee. Monitoring costs are based on estimates from local laboratories, customizing existing QAPPs from other watersheds, or updating SEC's existing approved QAPPs. **3.5** builds on existing reporting tools including Napa County's TMDL tracking system.					

	Quarter	Lead Entity	Federal Portion	Match	Outputs, Deliverables
Task 4. Project management. Request: $135,000. Match: $19,600.					
4.1 Manage and administer project, coordinate partners and subcontracts	1 - 16	PRMD	$120,000	$10,000	Agreements with subrecipients, competitive procurements of lab services, financial and administrative documentation, quarterly invoices and progress reports in approved formats, draft and final project reports
		TPW		$9,600	
		SEC	$9,600		
Cost-effectiveness: To reduce costs, project partners will divide management responsibilities to take advantage of differing areas of expertise. Reg Cullen at PRMD will be project manager, assisted by Tasha Houweling at TPW and Caitlin Cornwall at SEC. See Expenditure Plan below for more details.					

This project protects water quality and slows runoff, thereby buffering human and natural communities against climate change impacts by increasing groundwater recharge, reducing flooding, and extending late-summer streamflow. Slowing down runoff also reduces the emissions associated with importing water, by replenishing local groundwater supplies. PRMD and SEC actively participate in Sonoma County's climate mitigation and adaptation planning.

Project Team Capability

Collectively the project partners have experience and expertise to successfully manage the proposed project. As examples, all contract requirements for the projects described below were met, including timely reporting, billing, and delivery of final products on time and within budget.

Sonoma County Permit and Resource Management Department

PRMD has a full service accounting capability and professional and administrative staff experienced in managing federal grants and agreements with other funding sources.

PRMD has managed many restoration and water quality grants. We successfully completed fish passage improvements at Tyrone Gulch at Tyrone Road (2004), Porter Creek at Sweetwater Springs (2005), Grape Creek Box Culvert and Weir (2011), and Purrington Creek (2013). Budgets ranged from $35,000 to $160,000. We are now working on Wallace Creek, with a budget of $126,000. The County received Fisheries Restoration Grants from CDFW for sediment reduction at Willow Creek Road (2006), Old Cazadero Road (2006), and Dutch Bill Creek (2013), totaling $85,552. PRMD currently manages a county-wide $1 million Climate Action Plan grant from the State's Strategic Growth Council, and a $150,000 grant from the Ocean Protection Council to address coastal sea level rise and adaptation in our Local Coastal Program.

Reg Cullen will manage the *Clean Streams* project, supervise completion of deliverables by partners and subcontractors, and submit invoicing, reporting, and other documentation to EPA. Reg is a registered professional civil engineer with a BS in environmental resources engineering and a MS in stream hydraulics. Reg has worked for over 10 years at PRMD. He is the coordinator for the County's NPDES stormwater program. Reg secured and managed a $250,000 retrofit project that installed stormwater BMPs in a parking lot at PRMD. He coordinated the North Coast RWQCB, CalTrans, Sonoma County Transportation Authority, PRMD, TPW, County Parks, and local contractors to remove impervious pavement and install bioretention and vegetated swale BMPs. This project improves water quality before runoff reaches Paulin Creek, and educates hundreds of daily visitors to PRMD.

Sandi Potter will coordinate project efforts to ensure TMDL implementation and compliance with stormwater permits. She will evaluate land use applications, such as LID, for opportunities to incorporate into County policies. Sandi is the Environmental Review and Comprehensive Planning Manager at PRMD. She is a certified engineering geologist with a BS in Environmental Studies and MS in Geology. Sandi has over 25 years of experience, at the San Francisco Bay RWQCB, Bay Area consulting firms, and the County of Sonoma, with expertise in land use planning, water resource management, habitat restoration, developing TMDLs, implementing water quality attainment strategies, and managing grants.

Richard Stabler will help TPW identify stream crossings that contribute sediment input and degrade aquatic habitat, prioritize and design solutions, and address environmental compliance. Mr Stabler has a BA In Biology and MS in Plant Ecology. He has 17 years experience, most of it at Sonoma County, preparing CEQA and NEPA analyses and conducting wetland delineations,

rare plant surveys, and wildlife surveys. He has worked on all phases of wetland and riparian restoration projects, endangered species planning, fish passage and sediment reduction projects. As Senior Environmental Specialist, Rich coordinates with TPW to prioritize, plan, permit, and implement road and bridge maintenance projects.

Sonoma County Transportation and Public Works

Dave Damuller will be responsible for selecting assessment protocols for stream crossings, integrating data about sediment delivery potential into TPW's roadwork prioritization scheme, and implementing repairs and replacements to County infrastructure. Dave has been a registered Civil Engineer since 1991 and holds a MS in Civil Engineering. He has worked for TPW since 1996, as Senior Engineer since 2007. Dave plans and supervises the work of the County bridge and culvert maintenance crews, designing, building, and maintaining bridges, walls, slide repairs, and storm drain improvements.

Dave managed the $345,829 Purrington Fish Passage project to improve fish passage through a box culvert by constructing a fish ladder below the culvert. CDFW Grant P103420 contributed $86,019. Sonoma County Transit Authority contributed $50,000 and Sonoma County matched with $209,810. TPW provided labor, equipment, and materials. Dave also managed the $72,498 Dutch Bill Creek Sediment Reduction project to replace five undersized and failing culverts. CDFW grant P1030429 provided $28,633, and Sonoma County matched with $43,865. TPW provided construction administration, labor and equipment.

Tasha Houweling will lead production of draft invoices for PRMD's approval, and assist PRMD with procuring competitive subcontracts and other documentation. Tasha holds a BS in Business Administration. As an Administrative Services Officer with six years experience, she has overseen budget preparation and assisted multiple departments with financial documents for their grant programs.

City of Sonoma

The City of Sonoma is the largest population center in Sonoma Creek watershed, with over 10,000 residents. The City has expanded its stormwater program over the past 11 years. Stormwater program activities include implementing three TMDL's to protect water quality in the City's three creeks. The City collaborated with Sonoma County through the BASMAA Phase II Sub-Committee and with SEC on such grant-funded projects as stormwater detention ponds and LID demonstration in parks.

Chris Pegg, the City's full-time Stormwater Compliance Specialist, will implement the City matching activities. Chris holds a BA in Urban Studies and Planning and is a Certified Stormwater Inspector. He has overseen NPDES permits for the City for two years, designed and conducted GIS surveys of City storm drains, completed the City's matching activities for the San Francisco Estuary Partnership's Trash Capture Demonstration Project, written and managed the City's Integrated Pesticide Management Policy, and worked with north bay governments on design guidance for developers to comply with Phase II NPDES permits.

Sonoma Ecology Center

As the main non-regulatory water quality entity in Sonoma Creek watershed, SEC has built numerous physical projects, monitored watershed health for 10 years, conducted targeted research, developed techniques and policies, and educated the community on streams and fisheries. SEC has obtained approval for multiple QAPPs, and administered over $16 million in

competitive public funds, including projects with up to 10 partners and contractors.

Caitlin Cornwall will be PRMD's primary point of contact. She will directly supervise the stream crossings assessment and prioritization with TPW, and all monitoring tasks. She will draft project progress reports for PRMD's approval. Caitlin is SEC's Research Program Manager. She holds a BA in Biology and MS in Botany. Caitlin has funded and managed large multi-partner research and implementation projects at SEC since 1998. She is a founder a co-coordinator of North Bay Climate Adaptation Initiative, supervises SEC's 15-year-old Monitoring Program, and represents SEC to the Sonoma Valley Groundwater Management Program.

Caitlin managed the $866,173 project *Community-Based Watershed Management: Sonoma Creek Watershed*, funded by the San Francisco RWQCB from 2007 to 2010. SEC provided technical assistance to a network of streamside landowners; co-led regional forums such as the North Bay Watershed Network which inspired the Bay Area Watershed Network; coordinated local agencies to develop multi-benefit projects and approaches; collected and presented monitoring data; and led creation of a water scorecard for the watershed.

Mark Newhouser will manage SEC's implementation subtasks, improving habitat and reducing sediment delivery from public roads and private streamside parcels. Mark manages SEC's Restoration Program. He has over 20 years experience in project management, planning, design, and construction. He is an environmental educator and field school instructor, specializing in native plant propagation and invasive weed species ecology and control. Mark is a Licensed Contractor and a Licensed Pesticide Applicator. He has managed several multi-year projects totaling over several million dollars.

Alex Young will manage spatial data for the project and produce analyses and maps to support project outcomes. Alex has a BA and MA in geography. He has managed SEC's spatial data, analysis, and mapping since 2005, including analysis underlying the Sediment Source Analysis, sediment reduction site prioritization studies, and NMFS' Central Coast recovery plans.

Expenditure Plan

Reg Cullen at PRMD will manage this project, assisted by Tasha Houweling at TPW and Caitlin Cornwall at SEC. Project partners will divide management responsibilities to take advantage of differing areas of expertise. PRMD will institute management controls to assure that appropriate accounting mechanisms are in place, attend EPA's project management training with another member of the project team, and assure that submittals to EPA meet requirements. PRMD will coordinate with partners via regular meetings, often by phone to reduce costs, to assure adherence to the timeline and make adjustments as necessary. TPW will produce draft invoices for PRMD's review and submittal, and assist with competitive procurement of laboratory services and other administrative documentation. SEC will draft progress reports meeting EPA standards, for PRMD's approval and submittal.

Integrated Waste
Northern Sonoma County Air Pollution Control District
Road & Bridge Operations
Sonoma County Airport
Sonoma County Transit

Susan R. Klassen, Director

Deputy Director, Road Operations: Tom O'Kane
Deputy Director, Transportation Operations: Jason Nutt

July 15, 2014

Luisa Valiela
US EPA Region 9 (WTR-3)
75 Hawthorne
San Francisco, CA 94105

Dear Ms. Valiela:

The County of Sonoma Department Transportation and Public Works is partnering with the County's Permit and Resource Management Department, Sonoma Ecology Center, and the City of Sonoma on the proposal *Clean Streams in Southern Sonoma County*.

The Department's main objective with this project is to reduce road-related erosion that delivers sediment to Sonoma Creek, Petaluma River, and San Francisco Bay. Our culvert crew was eliminated in 2009 due to budget cuts and was just restored in the spring of 2014. We are now in a position to address a substantial backlog of work. We look forward to working with the project partners to integrate sediment delivery potential as a factor in our process of prioritizing culvert repair projects. Improvements made to stormwater drainage infrastructure will decrease erosion and sediment production from faulty or failed culverts. This partnership helps the County meet water quality compliance requirements while making needed environmental and infrastructure improvements.

The Department will provide the following match contributions:

- $200,000 per year, for a total of at least $800,000, consisting of storm drain maintenance and culvert repairs and retrofits, prioritized using the proposed scheme that integrates sediment delivery potential with with our existing criteria such as public safety and traffic flow. County staff will also continue to assist SEC with drainage area calculations and storm drain dissipator sizing, to ensure compatibility with County drainage infrastructure.
- $9,600 or more in administrative support to PRMD, developing draft invoices for the project and assisting with other required documentation. This role makes the project team more efficient, because our Department is experienced in administering large complex grants.

Sincerely,

Susan R. Klassen, P.E.
Director

File

SRK:cel

Attachment 1: Match Commitment Letters

City of Sonoma

No. 1 The Plaza
Sonoma, California 95476-6618
Phone (707) 938-3681 Fax (707) 938-8775
E-Mail: cityhall@sonomacity.org

Sonoma Sister Cities:

Aswan, Arab Rebublic of Egypt
Chambolle-Musigny, France
Greve in Chianti, Italy
Kaniv, Ukraine
Patzcuaro, Mexico

July 8, 2014

Luisa Valiela
SF Bay Water Quality Improvement Fund
EPA Region 9 (WTR-3)
San Francisco CA 94105

Dear Ms. Valiela,

The City of Sonoma is partnering with Sonoma County and the Sonoma Ecology Center on the proposed project "Clean Streams in Sonoma County".

The City of Sonoma welcomes the opportunity to join forces with these government and non-government organizations to achieve mutually beneficial water-quality outcomes. In particular, the City is eager to comply with stormwater runoff requirements through innovative partnerships that augment the City's resources and produce meaningful watershed-wide impacts.

The Sonoma Ecology Center has played a pivotal role in improving water quality in Sonoma Valley for over 15 years. Their connections with private landowners and their excellent relationships with regulatory entities at local and regional levels will be critical to this project's success.

Sonoma County and the City of Sonoma also share common obligations to protect the watershed from polluted runoff originating in their respective jurisdictions. The City of Sonoma will fulfill some of these obligations by providing $145,000 of in-kind match services to support this project over a span of 4 years. These activities include tracking pet waste hotspots and deploying neighborhood-scale pet-waste cleanup education in hot-spot areas to reduce E.Coli in runoff, coordinating with the Regional Water Board to design monitoring studies for E.Coli and pesticides, implementing program effectiveness assessment and improvement, enhancing the City's online public outreach to better inform City residents about behaviors that adversely affect water-quality, and other activities which support the attainment of sediment, pathogens, and pesticide TMDL's for Sonoma Creek. The City's leaders have already increased staff-time allocated to accomplishing these objectives by creating a new Stormwater Compliance Specialist position. The Stormwater Compliance Specialist will also serve as the primary liaison to the other agencies participating in this project.

This project aligns with the City's objectives in several ways and we urge you to select this project for funding.

Sincerely,

Tom Rouse
Mayor

Attachment 1: Match Commitment Letters

SONOMA COUNTY WATER AGENCY

CF/0-0-20 POTENTIAL GRANT FUNDING SOURCES (ID 146)

July 15, 2014

Ms. Luisa Valiela
San Francisco Bay Lead
US EPA Region 9 (WTR-3)
75 Hawthorne
San Francisco, CA 94105

RE: Support for EPA Proposal "Clean Streams in Southern Sonoma County"

Dear Ms. Valiela:

The Sonoma County Water Agency (Water Agency) is pleased to support the proposal before you, *Clean Streams in Southern Sonoma County* with matching Water Agency funds. The project partners are integral and vital collaborators on countywide water supply resiliency initiatives which include stormwater and groundwater management programs, water conservation and stream maintenance programs. The Water Agency provides the following sources of matching funds for work performed under agreement with Sonoma Ecology Center:

For proposed activities related to monitoring watershed health in Sonoma Valley,

- $40,000 per year for monitoring stream flow and electrical conductivity at approximately 60 sites on Sonoma Creek and its tributary streams

For proposed activities related to the City of Sonoma's TMDL-related water quality compliance program:

- $70,000 for a Low-Impact Development demonstration project featuring stormwater management techniques with interpretive signage at Sonoma Garden Park, a City park and educational center.

We are committed to developing strategies for improved and effective sediment management and water quality enhancement through collaboration with our County of Sonoma colleagues—Departments of Permit & Resource Management and Transportation & Public Works; the City of Sonoma, and Sonoma Ecology Center. We urge EPA to fund this project.

Sincerely,

for Grant Davis
General Manager

RW T:\Clerical-Reception\Pinks\Week 7-14-14\SCWA supltr_EPA_7-14-14_mt.docx

SONOMA COUNTY REGIONAL PARKS

CARYL HART, Ph.D
DIRECTOR

2300
County Center Drive
Suite 120A
Santa Rosa
CA 95403
Tel: 707 565-2041
Fax: 707 579-8247
www.sonomacountyparks.org

July 14, 2014

Luisa Valiela
US EPA Region 9 (WTR-3)
75 Hawthorne
San Francisco, CA 94105

Dear Ms. Valiela,

Sonoma County Regional Parks (County Parks) supports the work being proposed for funding in the project called *Clean Streams in Southern Sonoma County*. The tasks in the proposal related to reducing pollution from pesticides and pet waste will strengthen existing programs we operate, to the extent that we are committing matching funds to reinforce this proposal.

County Parks will provide at least $5,000 in match from our ongoing program to install signage and pet waste stations at County parks in southern Sonoma County. Our program leverages the proposed pathogen-related outreach and monitoring by the City, County, and Sonoma Ecology Center.

County Parks will also provide at least $20,000 in match from our ongoing series of day-long seminars for pesticide applicators, to match the proposed pesticide monitoring and existing pesticide outreach by the City of Sonoma. Our classes reach landscape contractors, golf course operators, vineyard managers, and park operators with current information about integrated pest management and proper handling of chemical control products. Educational credits for the class are approved by a growing list of associations.

We look forward to broadening the partnership between County, City, and nonprofit entities to improve water quality in Sonoma County and share the benefits of healthy waterways with the public that visits County parks. We urge you to fund this project in Sonoma County.

Sincerely,

Bert Whitaker
Park Manager

COUNTY OF SONOMA
BOARD OF SUPERVISORS
575 ADMINISTRATION DRIVE, RM. 100A
SANTA ROSA, CALIFORNIA 95403
(707) 565-2241
FAX (707) 565-3778

SUSAN GORIN
FIRST DISTRICT SUPERVISOR
susan.gorin@sonoma-county.org

June 27, 2014

Luisa Valiela
US EPA Region 9 (WTR-3)
75 Hawthorne
San Francisco, CA 94105

Dear Ms. Valiela,

As the Supervisor representing Sonoma Valley I urge you to fund the project Clean Streams in Southern Sonoma County. That partnership between Sonoma County Transportation and Public Works, County Permit and Resource Management Department, and the Sonoma Ecology Center (SEC) holds promise for significantly reducing sediment pollution in the Sonoma Creek watershed by providing funds for replacing culverts that would cause sediment discharge into Sonoma Creek and by providing outreach to residents of Sonoma Valley.

I'm particularly supportive of the opportunity to extend the effectiveness of the County's mandated water quality activities by making those activities meaningful to Sonoma Valley residents through SEC's connections with the local community. Another benefit of the project will be closer collaboration between the County of Sonoma, the City of Sonoma, SEC, and the Regional Water Quality Control Board. Working together in this way I believe that water quality implementation projects will be more integrated, efficient, and durable. These partnerships also gives me confidence that information from the County and City water quality monitoring will be used to prioritize future implementation projects.

Respectfully,

Susan Gorin

Susan Gorin
Supervisor, Sonoma County's First District

COUNTY OF SONOMA
BOARD OF SUPERVISORS
575 ADMINISTRATION DRIVE, RM. 100A
SANTA ROSA, CALIFORNIA 95403
(707) 565-2241
FAX (707) 565-3778

DAVID RABBITT
SECOND DISTRICT SUPERVISOR
David.Rabbitt@sonoma-county.org

July 8, 2014

Luisa Valiela
US EPA Region 9 (WTR-3)
75 Hawthorne
San Francisco, CA 94105

Dear Ms. Valiela,

I am writing to express my strong support for the Clean Streams in Southern Sonoma County project which is a partnership between the County of Sonoma departments of Transportation and Public Works and the Permit and Resource Management and the community based Sonoma Ecology Center and their application for grant funding through the US EPA.

As the Supervisor representing the Petaluma River valley, this project as important to the Second District for a number of compelling reasons. If funded it would allow: significant reduction of pesticide pollution in the Petaluma River watershed by providing funds for training County employees in integrated pest management techniques to reduce and eliminate the use of pesticides, enforcement of water quality requirements, collaboration with the Agricultural Commissioner's Office on pesticide use violations, and outreach on less toxic methods of pest control to residents of the Petaluma River valley.

Selecting this project to obtain federal grant funds to protect the highly sensitive and valuable Petaluma Marsh ecosystem would be the first time any US EPA grant money has been funded for work in the Petaluma River valley.

An additional benefit of the Clean Streams in Southern Sonoma County project would be closer collaboration between the County of Sonoma, the Sonoma Ecology Center, and the Regional Water Quality Control Board. Working together, water quality implementation projects will be more integrated, efficient, and sustainable as well as providing information from the County water quality monitoring, which could be used to prioritize future implementation projects.

I believe the effectiveness of the County's mandated water quality activities will be greatly enhanced by working with the Sonoma Ecology Center, whose connections with the local community will make these strategies meaningful to Petaluma Valley residents. I encourage you to fund the application for the Clean Streams in Southern Sonoma County project. Please do not hesitate to contact my office should you require further information.

Sincerely,

David Rabbitt
Supervisor Second District
County of Sonoma

July 10, 2014

Luisa Valiela
US EPA Region 9 (WTR-3)
75 Hawthorne
San Francisco, CA 94105

Dear Ms. Valiela,

The San Francisco Bay Regional Water Quality Control Board (Regional Water Board) urges you to fund the project *Clean Streams in Southern Sonoma County.* The partnership between Sonoma County Transportation and Public Works, Permit and Resource Management Department, and Sonoma Ecology Center (SEC) holds promise for significantly reducing the pollution caused by the everyday operations in the County, and by Sonoma Valley residents. I'm particularly supportive of the opportunity to further the County's efforts to implement Total Maximum Daily Loads in Sonoma Creek and address water quality concerns in the Petaluma River watershed. Culvert repair and replacement and other stream enhancement efforts will support the County's implementation of the municipal storm water permit and make meaningful improvements in water quality and aquatic habitat.

Another benefit of the project will be closer collaboration between Sonoma County, the City of Sonoma, SEC, and the Regional Water Board. Working together in this way, Regional Water Board staff believes that water quality implementation projects will be more integrated, efficient, and successful. The partnership also gives us confidence that information from the County's and City's required water quality monitoring will be used to prioritize future implementation projects.

Sincerely,

Fred Hetzel
Environmental Scientist

SONOMA ECOLOGY CENTER

Protecting the beauty and biodiversity of Sonoma Valley

Sonoma Ecology Center
Restoration Program
PO Box 1486
Eldridge, CA 95431

Dear Program Manager,

The purpose of this letter is to express my support for your creek restoration program. I have initially participated in your program by having the creek bank along my property assessed for restoration potential.

By participating, I understand that the project goal is to implement a habitat enhancement and sediment reduction project along my streamside property. The Sonoma Ecology Center could do one or all of the following to accomplish the project's goals: remove non-native invasive vegetation; create biotechnical bank stabilization features; install stormwater management features; perform erosion control; and/or plant native riparian vegetation along the creek bank on my property. I understand that the project would only occur 1) if grant funding is received; 2) if cost share terms can be agreed upon; and 3) pending final design and maintenance agreement between the Sonoma Ecology Center and myself.

I hereby express my intent to participate in this project and to provide permission to access and implement a project under the qualifications stated above on the properties referenced below and owned by [redacted].

Signed and dated: 6/30/14

Name: Steven Rose

Home Phone: (707) 833-[redacted]

Cell Phone:

Email: [redacted]

Parcel # 051-040-056
Parcel # 051-040-030

Physical Address: [redacted] Adobe Canyon Road, Kenwood, Ca, 95452

Mailing Address: P.O. Box [redacted], Kenwood 95452

PO Box 1486, Eldridge, CA 95431 • (707) 996-0712 • fax (707) 996-2452
Plaza Office: 20 East Spain Street, Sonoma, CA 95476
info@sonomaecologycenter.org • www.sonomaecologycenter.org

SONOMA ECOLOGY CENTER

Protecting the beauty and biodiversity of Sonoma Valley

The purpose of this letter is to express my support for your creek restoration program.

By participating, I understand that the goal is to implement a habitat enhancement and sediment reduction project on my streamside property. The Sonoma Ecology Center may do one or all of the following to accomplish the project's goals: remove non-native invasive vegetation; create biotechnical bank stabilization features; install stormwater management features; perform erosion control; and/or plant native riparian vegetation along the creek bank on my property. I understand that the project would only occur 1) if grant funding is received; 2) if cost share terms can be agreed upon; 3) if terms of access are agreed to; and 4) if a final design and maintenance plan is agreed upon between the Sonoma Ecology Center and myself.

I hereby express my intent to participate in this project and to provide permission for Sonoma Ecology Center to access and implement a project under the conditions stated above on the properties referenced below.

Signed and dated, 7-14-14

Landowner Name: [redacted]

Home Phone: (707) 833-[redacted]

Day/Cell Phone: 707-[redacted]

Email: [redacted]

Parcel #[redacted]

Physical Address: [redacted] Adobe Canyon Road, Kenwood, Ca, 95452

Mailing Address: Same

PO Box 1486, Eldridge, CA 95431 • (707) 996-0712 • fax (707) 996-2452
Sonoma Garden Park • 19996 7th St E, Sonoma 95476 • (707) 996-4883
Sugarloaf Ridge State Park • 2605 Adobe Canyon Rd, Kenwood, CA 95452 • (707) 833-5712
info@sonomaecologycenter.org • www.sonomaecologycenter.org

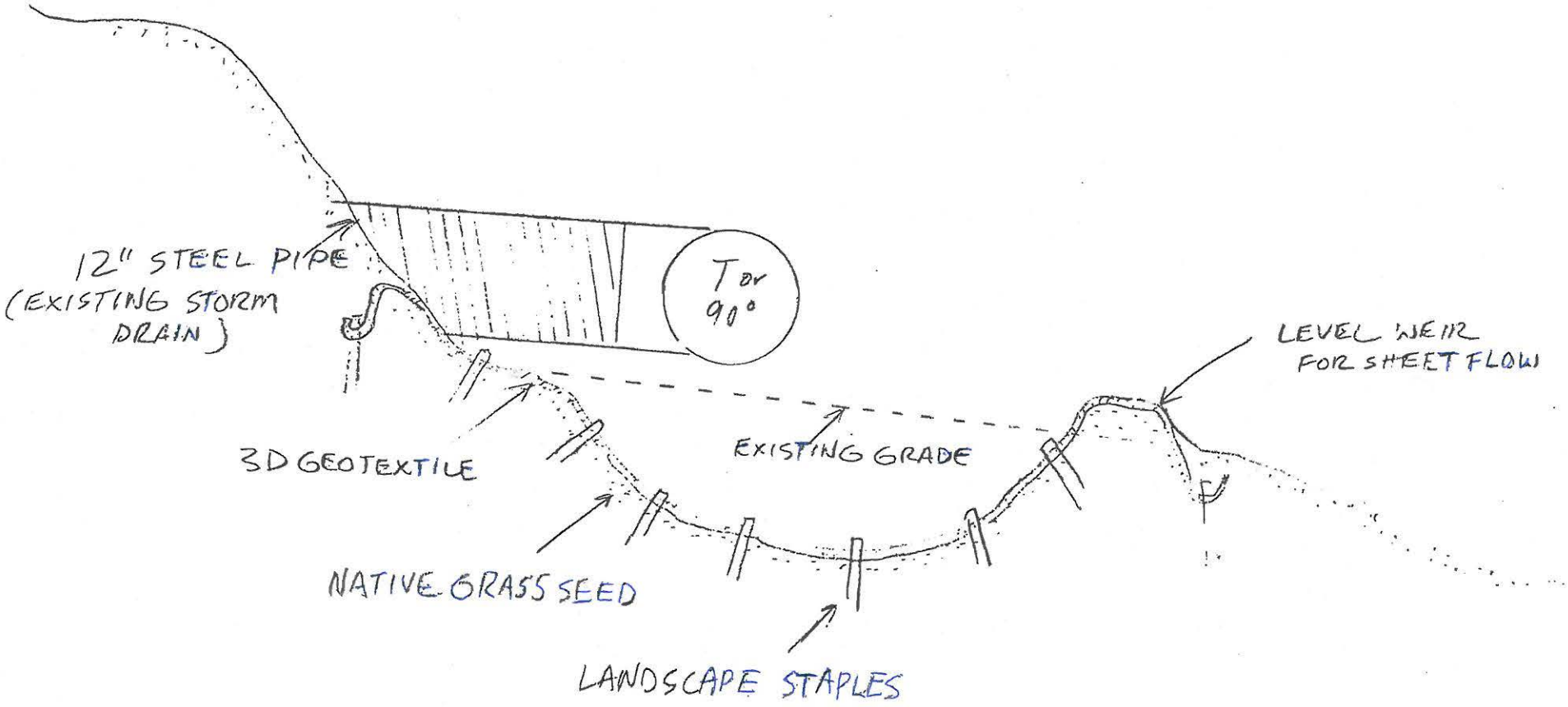
SONOMA ECOLOGY CENTER - TMDL IMPLEMENTATION PROJECT

PROPOSED STORM DRAIN ENERGY DISIPATOR - DETENTION BASIN

[redacted]

- CROSS SECTION

N.T.S

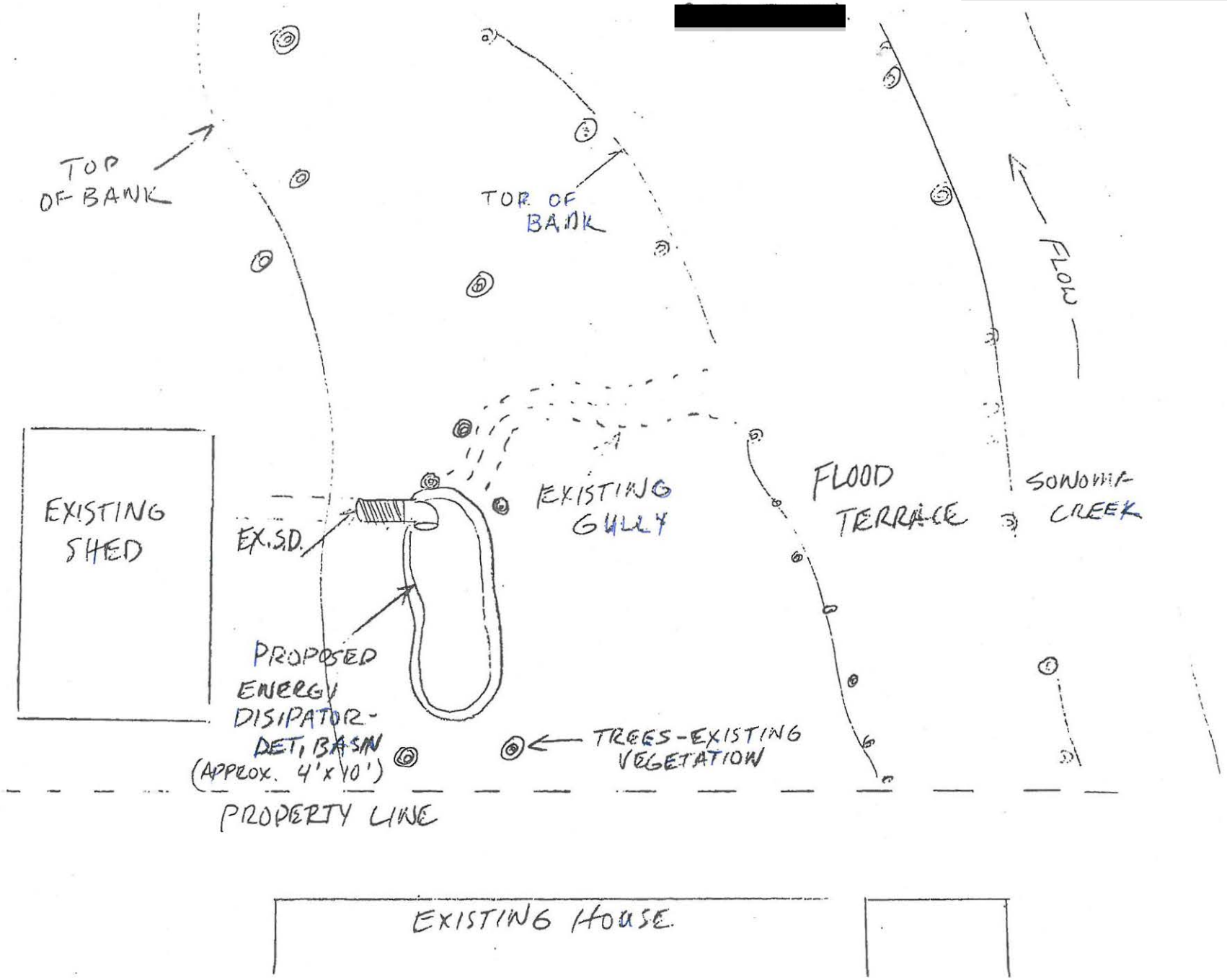


Attachment 3: Vegetated Storm Drain Outfall Energy Dissipator Basin

SONOMA ECOLOGY CENTER - TMDL IMPLEMENTATION PROJECT PROPOSED STORM DRAIN ENERGY DISIPATOR DETENTION BASIN FOR [redacted]

[redacted]

- PLAN VIEW
N.T.S



Attachment 3: Vegetated Storm Drain Outfall Energy Dissipator Basin

SONOMA ECOLOGY CENTER
Protecting the beauty and biodiversity of Sonoma Valley

Sediment Reduction and Habitat Enhancement Plan for [redacted] Properties
July 2, 2014

[redacted] ([redacted] Adobe Canyon Rd, Kenwood)

SITE DESCRIPTION

Property is located at [redacted] Adobe Canyon Rd. The property is primarily used for agricultural production, including vineyard and vegetable production. The property is organically managed and herbicide application must be conducted at minimum 25' from production areas. Sonoma Creek makes up the western boundary of the property. The creek frontage is approximately 240' in length with varying widths from approximately 5' to 40'.

The upstream section running approximately 180' in length is exposed with minimal tree canopy and sparse understory vegetation. The substrate is mixed cobble, gravel, and loose soils. European annual grasses dominate this section of the creek, with *Baccharis salicifolia* (native mulefat) interspersed on the bank edge. A few, large Agaves, planted by the landowner to reduce erosion, are established along the top of bank.

Erosion is actively occurring on the outside bend of a meander in the creek, just upstream of the residence. According to the landowner, this portion of the creek must be maintained on a regular basis to prevent the creek from eroding into the developed areas of the property. The landowner is currently working with a local contractor to grade the gravel in the creek bed to protect the property. Work is tentatively scheduled for this year, but may be postponed to integrate native plant revegetation into the grading plan.

The downstream section of the property exhibits a primarily intact riparian system dominated in certain areas by *Rubus armeniacus* (Hiimalayan blackberry) and *Vinca major (periwinkle) along the bank edge and in the active channel*. The upper bank is comprised of young redwood trees forming a closed canopy in the area adjacent to the residence.

RECOMMENDATIONS

Upstream Section – SEC recommends comprehensive weed control and native plant revegetation in the exposed section of the creek upstream of the primary residence. Agave and other weeds should be removed to allow replanting with native species. The objective is to establish a multi-tiered canopy of understory shrubs and trees that upon maturity shades the creek bed.

Eroded meander - During the proposed creek bed grading work we recommend that willow wattles and stakes be installed to reduce erosional forces on the outside bank. Additional plant material will increase roughness in the stream, thereby reducing water velocity. Upon establishment, the additional vegetation will add more habitat value and resist erosion.

Downstream Section - Activities in this area would include invasive plant removal and native plant revegetation to establish a mixed species understory and add young trees and shrubs to increase biodiversity and resiliency for future climate adaptation.

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Plaza Office: 20 East Spain Street, Sonoma, CA 95476
info@sonomaecologycenter.org • www.sonomaecologycenter.org

[redacted] ([redacted] Adobe Canyon Rd, Kenwood)

SITE DESCRIPTION

Property is located at 429 Adobe Canyon Rd. Like the downstream property, this land is also primarily used for agricultural production and managed organically. Sonoma Creek is the western boundary of the property and the length of creek frontage on is approximately 800' in length. A short rock wall/fence sits at the top of bank, reducing the width of riparian area. Greatest width is found behind the Casa Verde residence.

RECOMMENDATIONS

The riparian area is primarily intact on this property with a large patch of *Rubus armeniacus* found behind the residence. Otherwise only a handful of *Rubus armeniacus*, *Vinca major,* and mint is found interspersed in a primarily native habitat. SEC recommends that these weeds be treated as soon as possible to prevent further spread and dispersal of material.

Native plants found on and in vicinity of both properties include:
Acer macrophyllum
Alnus rhombifolia
Artemesia douglasiana
Baccharis pilularis
Baccharis salicifolia
Calycanthus occidentalis
Carex nudata
Clematis linguistifolia
Elymus glaucus
Fraxinus latifolia
Physocarpus capitatus
Quercus sp.
Rosa californica
Rubus ursinus
Salix sp.
Scrophularia californica
Symphoricarpus albus
Umbellularia californica

These plant species will make up the planting palette for native plant revegetation efforts. Additional native bunch grass including *Hordeum brachyantherum, Elymus glaucus, Festuca californica,* and *Festuca rubra* will be included in the planting palette to add complexity within the riparian corridor.

IMPLEMENTATION METHODS

Weed Eradication Methods

Invasive species eradication will be supervised and/or implemented by a restoration specialist. A combination of control methodologies will be used, including manual control (hand pulling and cutting), and herbicide treatments. Choice of control methods depends on site-specific conditions and appropriate methods for individual species. Site specific conditions include substrate, proximity to water or to existing desirable vegetation, time of year, topography, stage of growth, and the size of the infestation. Herbicide treatments will be done in accordance with California Department of Fish and Wildlife regulations and be completed by a Department of Pesticide Regulation licensed applicator. Weed eradication methods recommended by the California Invasive Plant Council and/or a certified Pest Control Advisor will be

followed for each invasive species to maximize effectiveness. When chemical control is the best choice for removal, we will use the cut-stump or foliar spray method for the English ivy, periwinkle, smilograss, and Himalayan blackberry. Only herbicide approved for use within aquatic habitats will be used near the creek. Weeds will be hand pulled or brush cut around the native plantings.

Native Plant Installation

Container Plant Acquisition

Plants needed for re-vegetation are propagated at the Sonoma Ecology Center Native Plant Nursery. Propagule sources will be collected from the project site or within the Sonoma Creek watershed. Plants will be grown in restoration containers including, super cells (small), D-pots (med.), and tree or gallon pots (large). Depending on availability and site conditions, substitutions will be made only from other species that are known from Sonoma Creek watershed, and only after consulting with the project manager. If willow staking is necessary, material for willow revetments and staking will be acquired at the time of the installation from a large source of willow near the project area or within the watershed.

Container Plant Installation

Plant locations will initially be identified with colored flags placed by an ecologist. Plant holes will be dug or drilled with an auger where necessary to allow deep root penetration for maximum stability. Holes will be twice the width and equal to the depth of the root ball of the plant. Holes will be filled, tamping down the soil to remove air pockets and watered immediately. Fertilizer will be added to the soil at the time of planting in areas above the normal high water line. Additional fertilizer is not recommended since it may promote weed growth in the planting areas. Planting will be done directly into native soil on the lower, mid and upper bank.

Trees and shrubs installed in areas above the flood plain will be protected with plastic cages held in place with bamboo stakes where herbivore predation may be a problem. Some trees will exceed browsing height in 1 year, while others, such as upland species may take 5 or more years and will require protection of the central growing tip for the duration. Weed fabric or mulch will be installed around woody specimens planted on the upper bank to suppress weeds.

Irrigation and Irrigation Maintenance

SEC will install irrigation to provide adequate water for plant survival. Plants will be irrigated from approximately May through September using drip irrigation, hand watering techniques, or sprinkler system. If a drip system is feasible, each plant should receive one 1GPH emitter and receive 3 gallons of water per week in the first year. In the second year depending on climate, the plants should receive 1-2 gallons of water per week. Plants should receive 1 gallon or less per week in the third year of establishment. Irrigation system should be checked monthly through the summer to ensure that all lines and emitters are functioning properly and rodents have not chewing through the material in search of water.

General Maintenance

The project will be monitored and maintained for 3 years following initial planting. Monthly maintenance will include removing weeds within a minimum of a 2-foot diameter around planted trees and shrubs and replacing dead plants (Chapter XI, Flosi et al. 1998).

Monitoring, Plant Mortality and Replacement

Re-vegetated areas will be monitored for plant mortality in August and dead plants will be replaced that fall and winter.

Photo-monitoring stations will be set up prior to re-vegetation following the California Department of Fish and Wildlife's photo monitoring protocol (Collins 2003). Photo point locations will be chosen to capture the majority of the area and GPS point captured at each location. A compass bearing will also be recorded in the direction of each photograph to facilitate reoccupation. Each picture will be taken with a label identifying the project, site, date, benchmark number, and compass bearing. Photo monitoring will take place on a seasonal basis for the project period and beyond, as funding allows.

Permitting

All permits necessary for work are in place and ready to go through the duration of the project. SEC's Streambed Alteration permit from Department of Fish and Game is R3-2002-0580.

SONOMA ECOLOGY CENTER
Protecting the beauty and biodiversity of Sonoma Valley

PLACEHOLDER: SITE VISIT AND SITE PLAN SCHEDULED FOR AUGUST UPON LANDOWNER'S RETURN TO THE AREA

July 13, 2014

Sediment Reduction and Habitat Enhancement Plan for [redacted] Property

SITE DESCRIPTION

Property is located at [redacted] Adobe Canyon Rd. The property is primarily used for xxxxxxxx. Sonoma Creek makes up the western boundary of the property. The creek frontage is approximately xxxx in length with varying widths from approximately xxx to xxx.

The upstream section running approximately xxx in length is exposed xxxxxxxxx. The substrate is xxxxxxxxx. European annual grasses dominate this section of the creek, with *Baccharis salicifolia* (native mulefat) interspersed on the bank edge.

Erosion is actively occurring xxxxxx.

Upstream downstream context

RECOMMENDATIONS

xxxxxx

xxxxxx

xxxxx

Native plants found on and in vicinity of the property include:
Acer macrophyllum
Alnus rhombifolia
Artemesia douglasiana
Baccharis pilularis
Baccharis salicifolia
Calycanthus occidentalis
Carex nudata
Clematis linguistifolia
Elymus glaucus
Fraxinus latifolia
Physocarpus capitatus
Quercus sp.
Rosa californica
Rubus ursinus
Salix sp.

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Plaza Office: 20 East Spain Street, Sonoma, CA 95476
info@sonomaecologycenter.org • www.sonomaecologycenter.org

Scrophularia californica
Symphoricarpus albus
Umbellularia californica

These plant species will make up the planting palette for native plant revegetation efforts. Additional native bunch grass including *Hordeum brachyantherum, Elymus glaucus, Festuca californica,* and *Festuca rubra* will be included in the planting palette to add complexity within the riparian corridor.

IMPLEMENTATION METHODS

Weed Eradication Methods

Invasive species eradication will be supervised and/or implemented by a restoration specialist. A combination of control methodologies will be used, including manual control (hand pulling and cutting), and herbicide treatments. Choice of control methods depends on site-specific conditions and appropriate methods for individual species. Site specific conditions include substrate, proximity to water or to existing desirable vegetation, time of year, topography, stage of growth, and the size of the infestation. Herbicide treatments will be done in accordance with California Department of Fish and Wildlife regulations and be completed by a Department of Pesticide Regulation licensed applicator. Weed eradication methods recommended by the California Invasive Plant Council and/or a certified Pest Control Advisor will be followed for each invasive species to maximize effectiveness. When chemical control is the best choice for removal, we will use the cut-stump or foliar spray method for the English ivy, periwinkle, smilograss, and Himalayan blackberry. Only herbicide approved for use within aquatic habitats will be used near the creek. Weeds will be hand pulled or brush cut around the native plantings.

Native Plant Installation

Container Plant Acquisition

Plants needed for re-vegetation are propagated at the Sonoma Ecology Center Native Plant Nursery. Propagule sources will be collected from the project site or within the Sonoma Creek watershed. Plants will be grown in restoration containers including, super cells (small), D-pots (med.), and tree or gallon pots (large). Depending on availability and site conditions, substitutions will be made only from other species that are known from Sonoma Creek watershed, and only after consulting with the project manager. If willow staking is necessary, material for willow revetments and staking will be acquired at the time of the installation from a large source of willow near the project area or within the watershed.

Container Plant Installation

Plant locations will initially be identified with colored flags placed by an ecologist. Plant holes will be dug or drilled with an auger where necessary to allow deep root penetration for maximum stability. Holes will be twice the width and equal to the depth of the root ball of the plant. Holes will be filled, tamping down the soil to remove air pockets and watered immediately. Fertilizer will be added to the soil at the time of planting in areas above the normal high water line. Additional fertilizer is not recommended since it may promote weed growth in the planting areas. Planting will be done directly into native soil on the lower, mid and upper bank.

Trees and shrubs installed in areas above the flood plain will be protected with plastic cages held in place with bamboo stakes where herbivore predation may be a problem. Some trees will exceed browsing height in 1 year, while others, such as upland species may take 5 or more years and will require protection of the central growing tip for the duration. Weed fabric or mulch will be installed around woody specimens planted on the upper bank to suppress weeds.

Irrigation and Irrigation Maintenance
SEC will install irrigation to provide adequate water for plant survival. Plants will be irrigated from approximately May through September using drip irrigation, hand watering techniques, or sprinkler system. If a drip system is feasible, each plant should receive one 1GPH emitter and receive 3 gallons of water per week in the first year. In the second year depending on climate, the plants should receive 1-2 gallons of water per week. Plants should receive 1 gallon or less per week in the third year of establishment. Irrigation system should be checked monthly through the summer to ensure that all lines and emitters are functioning properly and rodents have not chewing through the material in search of water.

General Maintenance
The project will be monitored and maintained for 3 years following initial planting. Monthly maintenance will include removing weeds within a minimum of a 2-foot diameter around planted trees and shrubs and replacing dead plants (Chapter XI, Flosi et al. 1998).

Monitoring, Plant Mortality and Replacement
Re-vegetated areas will be monitored for plant mortality in August and dead plants will be replaced that fall and winter.

Photo-monitoring stations will be set up prior to re-vegetation following the California Department of Fish and Wildlife's photo monitoring protocol (Collins 2003). Photo point locations will be chosen to capture the majority of the area and GPS point captured at each location. A compass bearing will also be recorded in the direction of each photograph to facilitate reoccupation. Each picture will be taken with a label identifying the project, site, date, benchmark number, and compass bearing. Photo monitoring will take place on a seasonal basis for the project period and beyond, as funding allows.

Permitting
All permits necessary for work are in place and ready to go through the duration of the project. SEC's Streambed Alteration permit from Department of Fish and Game is R3-2002-0580.

Clean Streams in Sonoma County

An Initial Proposal from the County of Sonoma, City of Sonoma, and Sonoma Ecology Center to EPA's San Francisco Bay Water Quality Improvement Fund, 2014. Project timeline 2015 - 2019

Primary 10-year Outcomes

- 12% achievement of annual sediment reduction target
- 25% achievement of annual pathogen and pesticide load reduction target

Repair high-priority sediment sources on 2 private parcels

Repair/replacement/ enhancement of 40+ high-priority eroding culverts

500 households, businesses, and pesticide applicators reached to reduce pesticide and pathogen loads in 2 watersheds

Tracking progress toward targets for sediment, pathogens, and pesticides

Cotati

Petaluma

Sonoma

San Pablo Bay

0 1 2 4 Miles

N

Benefitted Species

Steelhead trout, Chinook salmon (populations in project area not listed), California freshwater shrimp, salt marsh harvest mouse, California clapper rail

Protected Lands

- Private Protected Land
- Publicly Owned Land
- Watershed Boundary
- County Boundary

Data Sources: ESRI, SCAPOSD, SCGIS, SEC. April 2014.

SONOMA ECOLOGY CENTER

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

Board Agenda Date: April 7, 2015

Vote Requirement: Majority

Department or Agency Name(s): Sheriff-Coroner

Staff Name and Phone Number:
Analyst Lynnae Mann 565-8831

Supervisorial District(s):
All

Title: California Department of Parks and Recreation, Division of Boating and Waterways Equipment Grant for Jet Dock Purchase

Recommended Actions:

1. Adopt a resolution authorizing the Sheriff to accept an equipment grant award from the California Department of Parks and Recreation, Division of Boating and Waterways and sign contract documents and requests for reimbursement.

Executive Summary:

This item requests that your Board approve resolution to accept the California Department of Parks and Recreation equipment grant award and authorize the Sheriff to execute all grant contract and reimbursement documents for the purchase of a jet dock and mooring and fender kits, which is not to exceed $40,000.

Background. A jet dock is a static floating boat lift that gets a vessel completely out of the water. It has no moving parts and requires no electricity to operate. The drive-on ramp jet dock enables Marine Unit deputies to lift and dock a boat or personal watercraft (PWC) easily and can be used in all types of water levels, with or without an existing structure. The docks are portable and expandable. Using a jet dock allows the Sheriff's Office to keep a boat at the Bodega Bay marina. Keeping a boat at the marina increases law enforcement visibility to the public and improves response time to emergency and routine calls by eliminating transportation of the vessel from an off water storage facility to the waterway for launching. Jet dock use also extends the life of our boat assets because storing the boat out of the water safeguards it from corrosive elements of salt water and other damaging effects.

With grant funding from the 2008 Homeland Security Port Security Grant, the Sheriff's Office purchased a jet dock for the Petaluma River marina. Since the jet dock was installed in 2012, maintenance costs in the Marine Unit have decreased as a result of keeping the boats at the jet dock thereby decreasing road exposure and decreasing boat damage to the motor and hull, which often occurs during transportation of the vessel to and from the waterway.

Division of Boating and Waterways (DBW) Equipment Grant. The Sheriff's Office last received a DBW equipment grant in October 2010, which allowed for the purchase of $11,000 in marine patrol safety and emergency equipment and $24,000 to rebuild the Unit's Zodiac Hurricane Yanmar engine.

In April 2014, the Sonoma County Sheriff's Office Marine Unit applied for a $40,000 DBW equipment grant to allow for the purchase and installation of a jet dock at the Bodega Bay marina. DBW approved the Sheriff's Office grant application for the full $40,000 grant request. No County matching funds are required. The jet dock will support the Bodega Bay and Sonoma coast operations.

The DBW Law Enforcement Equipment Grant Program Contract (#C8957117) must be fully executed and all reimbursement requests must be submitted by June 30, 2015. The Sheriff's Office will work closely with County Purchasing to comply with DBW's procurement procedures. Non-approval of this Board item will result in a loss of $40,000 in revenue for an equipment grant for the Sheriff's Marine Unit. Budgetary adjustments to appropriate unanticipated DBW grant revenue and expenditures in the Marine Unit will be requested as part of the third quarter FY 14-15 consolidated budget adjustment process.

Prior Board Actions:

10/26/10: Board approved a $35,000 Equipment Grant for the purchase of $11,000 in safety equipment and $24,000 to rebuild the engine of the back-up Petaluma River and Lake Sonoma patrol vessel.
10/21/08: Board approved a $39,000 DBW Equipment Grant for the purchase and installation of a cabin for the Petaluma River patrol vessel.
3/11/08: Board approved a $80,000 DBW Boat Grant to replace the Lake Sonoma patrol boat.

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

Approval of this item will improve response times in the Sheriff's Marine Unit to respond to calls for service and enhance the County's ability to protect its boat assets.

Fiscal Summary - FY 14-15

Expenditures		**Funding Source(s)**	
Budgeted Amount	$	County General Fund	$
Add Appropriations Reqd.	$ 40,000	State/Federal	$ 40,000
	$	Fees/Other	$
	$	Use of Fund Balance	$
	$	Contingencies	$
	$		$
Total Expenditure	**$ 40,000**	**Total Sources**	**$ 40,000**

Narrative Explanation of Fiscal Impacts (If Required):			
Appropriations adjustments will be included in 3rd quarter CBA.			
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 authorizing execution of the DBW Equipment Grant documents			
Related Items "On File" with the Clerk of the Board:			
Copy of Grant Agreement Contract #C8957117 with the California Department of Parks and Recreation, Division of Boating and Waterways.			

County of Sonoma
State of California

Item Number: _____

Date: April 7, 2015 Resolution Number: _____

☑ 4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, authorizing Sonoma County Sheriff-Coroner to execute California State Department Of Boating and Waterways Equipment Grant documents in the amount of $40,000 and accept the equipment grant award of $40,000.

Whereas, the Sheriff-Coroner is required to provide law enforcement services on Sonoma County waterways; and

Whereas, the Sonoma County Sheriff's Office, Marine Unit has identified an equipment need of the Marine Unit's Bodega Bay/Sonoma Coast patrol vessel and has requested equipment funding from the California of Parks and Recreation, Division of Boating and Waterways; and

Whereas, the Sheriff-Coroner has applied for and has been awarded funding from the California Department of Parks and Recreation, Division of Boating and Waterways for equipment purchases for the Bodega Bay/Sonoma Coast patrol vessel.

Now, Therefore, Be It Resolved by the Board of Supervisors that Sonoma County Sheriff-Coroner, Steve Freitas, is authorized to execute the California Department of Parks and Recreation, Division of Boating and Waterways Equipment contract documents and requests for reimbursement up to $40,000.

Supervisors:

Rabbitt: Zane: Gore: Carrillo: Gorin:

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: 19
(This Section for use by Clerk of the Board Only.)

To: The Board of Supervisors

Board Agenda Date: April 7, 2015

Vote Requirement: Majority

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

Staff Name and Phone Number:
Susan Stark, 565-3116

Supervisorial District(s):
ALL

Title: Amendments to the Agreements for Inmate Programs

Recommended Actions:

Authorize the Sheriff to execute first amendments to Inmate Program Agreements to extend the term from June 30, 2015 to June 30, 2016 with:

1. Law Research Associates, doing business as Legal Research Associates for Legal Research Services for Inmates, increasing the contract by $60,000 resulting in a new total not to exceed $240,000.
2. Friends Outside in Sonoma County for Inmate Services, increasing the contract by $29,000 resulting in a new total not to exceed $116,000.
3. Friends Outside in Sonoma County for Constructive Conflict Resolution Workshops, increasing the contract by $18,000 maintaining the originally approved total not to exceed $54,000.
4. Sonoma County Library for Inmate Literacy & Language Skills classes, increasing the contract by $10,220 resulting in a new total not to exceed $40,220.
5. Goodwill Industries for Inmate Job Skills Training Classes, increasing the contract by $15,000 maintaining the originally approved total not to exceed $45,000.

Executive Summary:

The Sheriff is requesting the Board to authorize him to execute five Amendments to Agreements for Inmate Programs, estimated to cost a total of $132,220 per year for inmates in Sonoma County's Detention Facilities. All five Amendments will extend the term of the original agreements for one additional year. In addition, the amendments for items 1, 2, and 4 (see below) are increasing the total amount of the contract to provide for the additional services. Items 3 and 5 do not require an increase in the amount of the contract because the additional services can be provided within the remaining balance of the agreement. A balance exists on these contract because the actual amount of programs administered over the past three years was lower than what was originally planned. A brief description of each item is as follows:

1. Legal Research Associates provides access to legal research and information for inmates.
2. Friends Outside in Sonoma County responds to inmate requests and inmate visitor requests for

information and assistance regarding forms, finances, referrals, and communications.

3. Friends Outside in Sonoma County provides workshops to address antisocial personality by teaching inmates to build positive relationships.
4. Sonoma County Library provides an adult literacy program to inmates.
5. Goodwill provides inmates with an opportunity to reflect upon previous jobs and develop their skill for entering into a strong, successful job search upon release.

These agreements are a result of a Request for Proposal (RFP) process that was administered in 2012. A new RFP for these services will be issued in 2016. Title 15 of the California Code of Regulations requires that the Sheriff provide various educational opportunities and access to legal reference materials for incarcerated inmates.

Both the Sheriff and the Contractors are satisfied with the existing agreements and wish to extend the term. If approved, the Amendments will extend the terms for one additional year with a new expiration date of June 30, 2016. The annual cost of $132,220 for the aforementioned services will be included in the Sheriff's Office FY 2015-16 proposed budget. The costs are fully funded from the Inmate Welfare Trust Fund and AB 109 Realignment funds.

Prior Board Actions:

2012 Agreements for Legal Research Services for Inmates, for Inmate Services, for Constructive Conflict for Resolution Workshops, for Literacy & Language Skills and for Job Skills Classes.

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

The intent of rehabilitative programming is in alignment with the County's strategic goal to provide a safe, healthy, and caring community for its residents. It also supports the Sheriff's objective to decrease Sonoma County's recidivism rate by providing inmates the skills, education, and training necessary to reduce the potential for reoffending and to lay the foundation for their continued success as contributing members of our community upon their release.

Fiscal Summary - FY 15-16

Expenditures			**Funding Source(s)**		
Budgeted Amount	$	132,220	County General Fund	$	
Add Appropriations Reqd.	$		State/Federal	$	
	$		Fees/Other	$	132,220
	$		Use of Fund Balance	$	
	$		Contingencies	$	
	$			$	
Total Expenditure	**$**	**132,220**	**Total Sources**	**$**	**132,220**

Narrative Explanation of Fiscal Impacts (If Required):

The annual cost of $132,220 for the aforementioned services will be included in the Sheriff's Office FY 2015-16 proposed budget. The costs are fully funded from the Inmate Welfare Trust Fund and AB109 Realignment funds.

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:

2015 Amendments to: the Agreement for Legal Research Services for Inmates, Agreement for Inmate Services, Agreement for Constructive Conflict Resolution Workshops, Agreement for Literacy & Language Skills, and Agreement for Job Skills Classes.

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

2012 Agreements for: Legal Research Services for Inmates, Inmate Services, Constructive Conflict Resolution Workshops, Literacy & Language Skills, and Job Skills Classes.

FIRST AMENDMENT TO THE AGREEMENT
FOR JOB SKILLS CLASSES

This amendment ("First Amendment") is entered into by and between the County of Sonoma, Sheriff's Office, a political subdivision of the State of California, hereinafter referred to as "County", and the Goodwill Industries, a non-profit corporation, hereinafter referred to as "Contractor".

R E C I T A L S

WHEREAS, on July 1, 2012, the Parties entered into an Agreement for Job Seeking Skills Classes to incarcerated adults ("Original Agreement"); and

WHEREAS, County and Contractor have been mutually satisfied with the Original Agreement and wish to amend it to extend the term and clarify certain procedures.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree to amend the Original Agreement as follows:

A G R E E M E N T

As of the date of this First Amendment, the Original Agreement shall be deemed to be amended in the following manner:

1. Article III of the Original Agreement is hereby deleted in its entirety and replaced with the following language:

"3. Term of Agreement. The initial term shall commence with the signing of the Agreement through and including June 30, 2016, with the option to extend the Agreement as necessary, unless terminated earlier in accordance with the provisions of Article 4 below."

2. Except to the extent the Original Agreement is specifically amended or supplemented hereby, the Original Agreement, together with exhibits, shall continue to be in full force and effect as originally executed, and nothing contained herein shall be construed to modify, invalidate, or otherwise affect any provision of the Original Agreement or any right of county arising thereunder.

3. The Recitals are incorporated into and form a part of this First Amendment.

PARTIES HAVE CAREFULLY READ AND REVIEWED THIS FIRST AMENDMENT AND EACH TERM AND PROVISION CONTAINED HEREIN AND, BY EXECUTION OF THIS FIRST AMENDMENT, SHOW THEIR INFORMED AND VOLUNTARY CONSENT THERETO.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as set forth below.

GOODWILL INDUSTRIES

By:_____
Mark Idhe, President and CEO

Date: _____

COUNTY OF SONOMA

By:_____
Steve Freitas, Sheriff-Coroner

Date: _____

APPROVED AS TO FORM:

By: Exempt
County Counsel –Sonoma County

Date:_____

CERTIFICATES OF INSURANCE ON FILE WITH COUNTY:

By: _____

FIRST AMENDMENT TO THE AGREEMENT
FOR LEGAL RESEARCH SERVICES FOR INMATES

This amendment ("First Amendment") is entered into by and between the County of Sonoma, Sheriff's Office, a political subdivision of the State of California, hereinafter referred to as "County", and Law Research Associates, a limited liability company, doing business as Legal Research Associates (hereinafter "Consultant").

R E C I T A L S

WHEREAS, on July 1, 2012, the Parties entered into an Agreement for Legal Research Services to incarcerated adults ("Original Agreement"); and

WHEREAS, County and Consultant have been mutually satisfied with the Original Agreement and wish to amend it to extend the term.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree to amend the Original Agreement as follows:

A G R E E M E N T

As of the date of this First Amendment, the Original Agreement shall be deemed to be amended in the following manner:

1. Article III of the Original Agreement is hereby deleted in its entirety and replaced with the following language:

"3. Term of Agreement. The initial term shall commence with the signing of the Agreement through and including June 30, 2016, with the option to extend the Agreement as necessary, unless terminated earlier in accordance with the provisions of Article 4 below."

2. Except to the extent the Original Agreement is specifically amended or supplemented hereby, the Original Agreement, together with exhibits, shall continue to be in full force and effect as originally executed, and nothing contained herein shall be construed to modify, invalidate, or otherwise affect any provision of the Original Agreement or any right of county arising thereunder.

3. The Recitals are incorporated into and form a part of this First Amendment.

PARTIES HAVE CAREFULLY READ AND REVIEWED THIS FIRST AMENDMENT AND EACH TERM AND PROVISION CONTAINED HEREIN AND, BY EXECUTION OF THIS FIRST AMENDMENT, SHOW THEIR INFORMED AND VOLUNTARY CONSENT THERETO.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as set forth below.

CONSULTANT:

LEGAL RESEARCH ASSOCIATES

By:_____
Richard L. Williams, Owner

Date: _____

COUNTY:

COUNTY OF SONOMA

By:_____
Steve Freitas, Sheriff-Coroner

Date: _____

APPROVED AS TO FORM:

By:___Exempt_____
County Counsel –Sonoma County

Date:_____

CERTIFICATES OF INSURANCE ON FILE WITH COUNTY:

By: _____

FIRST AMENDMENT TO THE AGREEMENT
FOR LITERACY & LANGUAGE SKILLS

This amendment ("First Amendment") is entered into by and between the County of Sonoma, Sheriff's Office, a political subdivision of the State of California, hereinafter referred to as "County", and the Sonoma County Library, a separate Joint Powers Authority entity established pursuant to government Code Section 6506, et. seq., and Educations Code section 27113, hereinafter referred to as "Contractor".

R E C I T A L S

WHEREAS, on July 1, 2012, the Parties entered into an Agreement for Literacy and Language Skills Classes to incarcerated adults ("Original Agreement"); and

WHEREAS, County and Contractor have been mutually satisfied with the Original Agreement and wish to amend it to extend the term and increase the rates accordingly.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree to amend the Original Agreement as follows:

A G R E E M E N T

As of the date of this First Amendment, the Original Agreement shall be deemed to be amended in the following manner:

1. Article II of the Original Agreement is hereby deleted in its entirety and replaces with the following language:

"2. Payment. County shall pay Contractor for the cost of services, materials, and incidentals provided under this Agreement as follows:

Instruction. Contractor shall be paid at the rate of Thirty dollars and Sixty-Six cents ($30.66) per hour for each class hour performed (preparation time excluded) pursuant to this Agreement.

Individual Tutoring. Contractor shall be paid at the rate of Fifteen dollars and Thirty-Three cents ($15.33) per hour for each individual tutoring session consisting of at least one hour.

Group Tutoring. Contractor shall be paid at the rate of Forty-Six dollars ($46.00) per hour for each group tutoring session (two or more students) consisting of at least one hour.

Administrative Services. Contractor shall be paid at the rate of Thirty dollars and Sixty-Six cents ($30.66) per hour for administrative services performed pursuant to this Agreement, not to exceed a total amount of One Thousand and Twenty-Two dollars ($1,022.00), without prior written approval of County.

Cost of Materials. Contractor shall be paid the actual cost of materials provided hereunder not to exceed a total amount of One Thousand and Twenty-Two dollars ($1,022.00), without prior written approval of County.

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 above, provided, however, that annual payments to the Contractor shall not exceed Ten Thousand Two Hundred and Twenty dollars ($10,220.00), for a total of Forty Thousand Two Hundred and Twenty dollars ($40,220).

Upon completion of the work, Contractor shall submit monthly bills for payment in a form approved by County's Auditor and the Head of the County Department receiving the services. The bills shall identify the services completed and the amount charged.

Unless otherwise noted in this agreement, payments shall be made within the normal course of County business after presentation of an invoice in a form approved by the County for services performed. Payments shall be made only upon the satisfactory completion of the services as determined by the County.

Pursuant to California Revenue and Taxation Code (R&TC) Section 18662, the county shall withhold seven percent of the income paid to Contractor for services performed within the State of California under this agreement, for payment and reporting to the California Franchise Tax Board, if Contractor does not qualify as: (1) a corporation with its principal place of business in California, (2) an LLC or Partnership with a permanent place of business in California, (3) a corporation/LLC or Partnership qualified to do business in California by the Secretary of State, or (4) an individual with a permanent residence in the State of California.

If Contractor does not qualify, County requires that a completed and signed Form 587 be provided by the Contractor in order for payments to be made. If Contractor is qualified, then the County requires a completed Form 590. Forms 587 and 590 remain valid for the duration of the Agreement provided there is not material change in facts. By signing either form, the contractor agrees to promptly notify the County of any changes in the facts. Forms should be sent to the County pursuant to Article 12. To reduce the amount withheld, Contractor has the option to provide County with wither a full or partial waiver from the State of California."

2. Article III of the Original Agreement is hereby deleted in its entirety and replaced with the following language:

"3. Term of Agreement. The amendment agreement term shall commence July 1, 2015 through and including June 30, 2016, with the option to extend the Agreement as necessary, unless terminated earlier in accordance with the provisions of Article 4 below"

3. Except to the extent the Original Agreement is specifically amended or supplemented hereby, the Original Agreement, together with exhibits, shall continue to be in full force and effect as originally executed, and nothing contained herein shall be construed to modify, invalidate, or otherwise affect any provision of the Original Agreement or any right of county arising thereunder.

4. The Recitals are incorporated into and form a part of this First Amendment.

PARTIES HAVE CAREFULLY READ AND REVIEWED THIS FIRST AMENDMENT AND EACH TERM AND PROVISION CONTAINED HEREIN AND, BY EXECUTION OF THIS FIRST AMENDMENT, SHOW THEIR INFORMED AND VOLUNTARY CONSENT THERETO.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as set forth below.

SONOMA COUNTY LIBRARY

By:_____
Brett W. Lear, Director and Authorized Agent

Date: _____

COUNTY OF SONOMA

By:_____
Steve Freitas, Sheriff-Coroner

Date: _____

APPROVED AS TO FORM:

By: Exempt
County Counsel –Sonoma County

Date:_____

CERTIFICATES OF INSURANCE ON FILE WITH COUNTY:

By: _____

FIRST AMENDMENT TO THE AGREEMENT
FOR CONSTRUCTIVE CONFLICT RESOLUTION WORKSHOPS

This amendment ("First Amendment") is entered into by and between the County of Sonoma, Sheriff's Office, a political subdivision of the State of California, hereinafter referred to as "County", and the Friends Outside in Sonoma County, a non-profit corporation, hereinafter referred to as "Contractor".

R E C I T A L S

WHEREAS, on July 1, 2012, the Parties entered into an Agreement for Constructive Conflict Resolution Workshops to incarcerated adults ("Original Agreement"); and

WHEREAS, County and Contractor have been mutually satisfied with the Original Agreement and wish to amend it to extend the term.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree to amend the Original Agreement as follows:

A G R E E M E N T

As of the date of this First Amendment, the Original Agreement shall be deemed to be amended in the following manner:

1. Article III of the Original Agreement is hereby deleted in its entirety and replaced with the following language:

"3. Term of Agreement. The initial term shall commence with the signing of the Agreement through and including June 30, 2016, with the option to extend the Agreement as necessary, unless terminated earlier in accordance with the provisions of Article 4 below."

2. Except to the extent the Original Agreement is specifically amended or supplemented hereby, the Original Agreement, together with exhibits, shall continue to be in full force and effect as originally executed, and nothing contained herein shall be construed to modify, invalidate, or otherwise affect any provision of the Original Agreement or any right of county arising thereunder.

3. The Recitals are incorporated into and form a part of this First Amendment.

PARTIES HAVE CAREFULLY READ AND REVIEWED THIS FIRST AMENDMENT AND EACH TERM AND PROVISION CONTAINED HEREIN AND, BY EXECUTION OF THIS FIRST AMENDMENT, SHOW THEIR INFORMED AND VOLUNTARY CONSENT THERETO.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as set forth below.

FRIENDS OUTSIDE IN SONOMA COUNTY

By: _____
Kate Jenkins, Executive Director

Date: _____

COUNTY OF SONOMA

By: _____
Steve Freitas, Sheriff-Coroner

Date: _____

APPROVED AS TO FORM:

By: Exempt
County Counsel –Sonoma County

Date: _____

CERTIFICATES OF INSURANCE ON FILE WITH COUNTY:

By: _____

FIRST AMENDMENT TO THE AGREEMENT FOR INMATE SERVICES

This amendment ("First Amendment") is entered into by and between the County of Sonoma, Sheriff's Office, a political subdivision of the State of California, hereinafter referred to as "County", and the Friends Outside in Sonoma County, a non-profit corporation, hereinafter referred to as "Contractor".

R E C I T A L S

WHEREAS, on July 1, 2012, the Parties entered into an Agreement for services and support to incarcerated adults and their family members ("Original Agreement"); and

WHEREAS, County and Contractor have been mutually satisfied with the Original Agreement and wish to amend it to extend the term.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree to amend the Original Agreement as follows:

A G R E E M E N T

As of the date of this First Amendment, the Original Agreement shall be deemed to be amended in the following manner:

1. Article III of the Original Agreement is hereby deleted in its entirety and replaced with the following language:

"3. Term of Agreement. The initial term shall commence with the signing of the Agreement through and including June 30, 2016, with the option to extend the Agreement as necessary, unless terminated earlier in accordance with the provisions of Article 4 below."

2. Except to the extent the Original Agreement is specifically amended or supplemented hereby, the Original Agreement, together with exhibits, shall continue to be in full force and effect as originally executed, and nothing contained herein shall be construed to modify, invalidate, or otherwise affect any provision of the Original Agreement or any right of county arising thereunder.

3. The Recitals are incorporated into and form a part of this First Amendment.

PARTIES HAVE CAREFULLY READ AND REVIEWED THIS FIRST AMENDMENT AND EACH TERM AND PROVISION CONTAINED HEREIN AND, BY EXECUTION OF THIS FIRST AMENDMENT, SHOW THEIR INFORMED AND VOLUNTARY CONSENT THERETO.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as set forth below.

FRIENDS OUTSIDE IN SONOMA COUNTY

By: _____
Kate Jenkins, Executive Director

Date: _____

COUNTY OF SONOMA

By: _____
Steve Freitas, Sheriff-Coroner

Date: _____

APPROVED AS TO FORM:

By: Exempt
County Counsel –Sonoma County

Date: _____

CERTIFICATES OF INSURANCE ON FILE WITH COUNTY:

By: _____

County of Sonoma Agenda Item Summary Report

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

Agenda Item Number: 20
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: April 7, 2015

Vote Requirement: Majority

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

Staff Name and Phone Number:
Susan R. Klassen, 565-2231

Supervisorial District(s):
Second

Title: Landfill Gas Collection System, Operation, Monitoring, Maintenance and Reporting Services for the Healdsburg Closed Landfill.

Recommended Actions:

Authorize the Chair to execute an Agreement with SCS Field Services to provide ongoing operation, monitoring, maintenance and reporting services for the landfill gas collection system located at the Healdsburg Closed Landfill for the period April 1, 2015 through March 31, 2019, in the amount of $33,400 for the first year, and adjusted annually thereafter, based on the percentage change in the San Francisco-Oakland-San Jose Consumer Price Index, not-to-exceed three percent (3%) per year.

Executive Summary:

Staff is recommending the approval of an Agreement with SCS Field Services ("SCS") for the operation, monitoring, maintenance and reporting services for the Healdsburg Closed Landfill gas collection system in an annual amount of $33,400 for the first year, and thereafter adjusted annually by the percentage change in the Consumer Price Index for the San Francisco-Oakland-San Jose average, not-to-exceed three percent (3%) per year, with a term ending March 31, 2019.

SCS was originally selected from a competitive bidding process to provide services for both the Central Disposal Site and the Healdsburg Closed Landfill as provided for in the *Agreement for Landfill Gas Collection and Leachate Collection System Maintenance Services* approved by the Board on December 6, 2010. With the effectuation of the Master Operations Agreement between the County and Republic Services of Sonoma County, Inc., it is necessary to separate the services for the two sites. Although Resolution No. 15-0073, approved by the Board on March 3, 2015, authorized the Director to take further actions as necessary to meet the conditions precedent to the effectiveness of the MOA, County Counsel recommended that this agreement be brought back to the Board because the dollar amount is greater than $25,000.

SCS is a duly qualified firm experienced in landfill gas collection and control system (GCCS) maintenance and repair including specific experience at the Healdsburg closed landfill site. SCS has provided exceptional service for several years with field staff that has proven to be knowledgeable, dedicated and

very flexible in accommodating the variable nature of landfills. Under this Agreement, the Contractor will continue to perform landfill GCCS routine maintenance and repair which includes the following:

- General maintenance of the gas collection system.
- Repairs to pipelines and well heads as needed.
- Repair emission problems and ensure landfill surface remains compliance with regulations.
- Operate and maintain the Healdsburg closed landfill flare.
- Perform maintenance of systems at the other closed landfill sites as needed.

These tasks will be invoiced to the County as a monthly lump sum amount of $2,750 per month not to exceed $33,000. An additional $400 per year is included in the budget to prepare a written report to the Northern Sonoma County Air Pollution Control District detailing the landfill gas production and operating hours to comply with the County's Permit to Operate No. 04-18.

In additional to the tasks detailed in Exhibit A – Scope of Work for Ongoing Healdsburg Closed Landfill Maintenance, the Agreement allows for the County's Operations Manager to direct the Contractor to increase its crew size to handle non-routine tasks and increased work activities on a time and materials basis according to Exhibit B – Fee Schedule of the Agreement. Non-routine activities may include:

- Response to the blower/flare station automatic alarm notification system or County personnel.
- Repair of main header line breaks.
- Repair or replacement of broken values, flex hoses and condensate pumps.
- Repair of above or below grade LFG and condensate piping.
- Extension of LFG extraction wells/relocation of collection system piping.

Addressing non-routine tasks is time-sensitive requiring repairs to be resolved promptly in order that the gas collection and flare system remain in compliance with State and Federal regulations. The total amount of the performance of non-routine services is a not-to-exceed amount of $50,000 and requires prior notification and authorization to proceed by the Operations Manager.

The term of the Agreement is five years, while giving the County the option of terminating the Agreement earlier by providing five-day's notice to SCS.

Prior Board Actions:

None.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

This agreement provides for an economic and environmentally sound method of collecting and disposing of landfill gas that complies with State and Federal laws and regulations.

Fiscal Summary - FY 14-15					
Expenditures			**Funding Source(s)**		
Budgeted Amount	$	8,650		$	
Add Appropriations Reqd.	$		State/Federal	$	
	$		Fees/Other	$	8,650
	$		Use of Fund Balance	$	
	$		Contingencies	$	
	$			$	
Total Expenditure	**$**	**8,650**	**Total Sources**	**$**	**8,650**

Narrative Explanation of Fiscal Impacts (If Required):

Total estimated value of work to be completed by end of fiscal year FY 14-15 is $8,650. Appropriations have been included in the Requested FY 15-16 budget.

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:

None.

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

Agreement for Landfill Gas Collection Services for the Healdsburg Closed Landfill.

County of Sonoma Agenda Item Summary Report

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

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

To: Board of Supervisors

Board Agenda Date: April 7, 2015

Vote Requirement: Majority

Department or Agency Name(s): Board of Supervisors

Staff Name and Phone Number:
Board of Supervisors (707) 565-2241

Supervisorial District(s):

Title: Minutes of March 10, 2015 and March 17, 2015

Recommended Actions:

Approval.

Executive Summary:

Approval of Minutes:

(A) Minutes of the Meeting of March 10, 2015 for the following: Agricultural Preservation and Open Space District, Russian River County Sanitation Districts, Sonoma County Water Agency, and Board of Supervisors; and

(B) Minutes of the Meeting of March 17, 2015 for the following: 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, South Park County Sanitation District, Sonoma County Water Agency, and Board of Supervisors; and

(C) Minutes of the Meeting of March 10, 2015 and March 17, 2015 of the Sonoma Valley County Sanitation District.

Prior Board Actions:

None.

Strategic Plan Alignment Not Applicable

Fiscal Summary - FY 14-15			
Expenditures		**Funding Source(s)**	
Budgeted Amount	$	County General Fund	$
Add Appropriations Reqd.	$	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 **MARCH 10, 2015** **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		
James Gore	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.

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Santa Rosa City Bus: 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

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8:30 A.M. CALL TO ORDER

8:35 A.M. Chair Gorin called the meeting to order.

Supervisors Present: Susan Gorin, David Rabbitt, Shirlee Zane, James Gore, Efren Carrillo

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

Chair Gorin presiding.

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

Supervisor Gore attended a Permit Resource Management Department vacation rental by owner meeting March 9, 2015; he announced that he is now serving on the Pepperwood Education and Career Technical Education. He visited the Council on Aging meals on wheels program, and attended a Water Agency floating solar panels meeting.

Supervisor Zane attended meetings for the SMART (Sonoma Marin Area Rail Transit) Board on March 3, 2015; Earn it-Keep it-Save it event on March 4, 2015 which occurs in Rohnert Park Wednesday evenings 4-7 p.m. weekly through tax preparation season; She co-hosted the North Coast Builder exchange morning forum on March 5, 2015; She reminded the public that distracted driving is killing people, and she asked the Department Heads to remind their employees not to text and drive.

Supervisor Carrillo attended the Forestville wellness center open house last week; Roseland village neighborhood center community meeting last week; Sonoma Clean Power has 189,000 current customers which is exceeding their fee savings of 6-9% and promoting local renewable power. He attended a Board meeting at Palm Drive District Hospital, where their Board voted to reopen in the future.

Supervisor Rabbitt attended meetings in Sacramento with the North Bay water reuse authority last week; March 5, 2015 North Coast marijuana meeting with many Counties participating. In 2016, legislation to legalize the use of recreational use of marijuana will be coming forward, so regulations are needed such as at dispensaries; Sonoma County transportation meeting March 9, 2015. He received correspondence about honoring the lifelong achievements of the late Henry Trione, possibly renaming Annadel State Park in his memory.

Supervisor Gorin will look into ways that Henry Trione could be honored. She was in Sacramento March 4, 2015 on North Bay water reuse, and the Sonoma Development Center, discussing how to protect and provide access to some of the undeveloped land and essential

BOARD ANNOUNCEMENTS (Continued)

services to our most vulnerable populations. The marijuana forum involved many counties to examine what's involved in the legalization of recreational marijuana. March 11, 2015 meeting will occur regarding Highway 37 future uses. March 14, 2015 will be a legislative meeting about possibly closing the Sonoma Development Center, as well as a Bay Area east slope ridge trail dedication. We have a new regional park Jacob's Ranch due to be dedicated soon, on a narrow, sometimes one-lane wide road. There are challenging parking and driving conditions on Sonoma Mountain Road. The Economic Development Board is hosting restaurant week this week.

III. CONSENT CALENDAR (Items 1 through 16)

PRESENTATIONS/GOLD RESOLUTIONS
(Items 1 through 2)

PRESENTATION AT THE BOARD MEETING

1. Adopt a Gold Resolution declaring the month of March 2015 as National Professional Social Worker Month in Sonoma County. (Countywide)

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolution 15-0074

PRESENTATIONS AT A DIFFERENT DATE

2. Adopt a Gold Resolution recognizing Brian Mann as Sonoma County Peace Officer 2014. (Third District)

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolution 15-0075

SONOMA COUNTY WATER AGENCY
(Directors: Gorin, Rabbitt, Zane, Gore, Carrillo)

3. Authorize the Chair to execute an agreement with the City of Petaluma to provide funding for the Flood Capacity and Habitat Enhancement Projects ($729,500, agreement terminates on December 31, 2017). (Second District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

4. Authorize the Chair to sign an agreement with Univar USA for emergency caustic soda cleanup and evaluation services in the amount of $105,000; term ends December 31, 2014.

Board Action: Approved as Recommended
UNANIMOUS VOTE

CONSENT CALENDAR (Continued)

SONOMA COUNTY WATER AGENCY/RUSSIAN RIVER COUNTY SANITATION DISTRICT/SONOMA VALLEY COUNTY SANITATION DISTRICT
(Directors: Gorin, Rabbitt, Zane, Gore, Carrillo)
AND
(Directors: Gorin, Carrillo, Mayor Cook)

5. Authorize the Chair to execute Amendment No. 2 to the joint agreement for janitorial services with the City of Santa Rosa increasing the amount by $131,320, and extending the agreement term by one year for a new not-to-exceed agreement total of $399,317 and end date of February 28, 2016. (First, Fourth, and Fifth Districts)

Board Action: Approved as Recommended
UNANIMOUS VOTE

FIRE AND EMERGENCY SERVICES

6. Adopt a Resolution terminating the proclamation of a local emergency due to Winter Storm Damage.

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolution 15-0076

HEALTH SERVICES

7. CalRecycle Grant Applications - Adopt a Resolution authorizing the Director of Health Services to execute grant applications and related agreements for Local Enforcement Agency; Solid Waste Disposal and Site Cleanup; and Tire Recycling, Cleanup, and Enforcement programs, to secure grant funding from the California Department of Resources, Recycling and Recovery from February 1, 2015 through January 31, 2020, and to implement and carry out the purposes specified in the grant applications.

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolution 15-0077

8. Psychiatric Crisis Services Agreement - Authorize the Director of Health Services to execute an agreement with Santa Rosa Memorial Hospital and SRM Alliance Hospital Services dba Petaluma Valley Hospital for the period April 15, 2015 through April 14, 2017 in the amount of $200,000 to fund a new program that will provide for the transfer of patients in mental health crisis from the hospital to the County's Crisis Stabilization Unit.

Board Action: Approved as Recommended
UNANIMOUS VOTE

CONSENT CALENDAR (Continued)

HUMAN SERVICES

9. Authorize the Director of Human Services to execute an agreement for the Transportation and Mobility Management Consultant funded through a grant from Metropolitan Transportation Commission for the term of March 15, 2015 to December 31, 2016 in the amount of $55,200.

Board Action: Approved as Recommended
UNANIMOUS VOTE

10. Authorize the Director of Human Services to amend the current contract with Legal Aid Sonoma County to add $33,500 for additional legal services for SonomaWORKS clients and Child Welfare clients for a new total agreement amount of $83,500 for the term July 1, 2014 through June 30, 2015.

Board Action: Approved as Recommended
UNANIMOUS VOTE

PERMIT AND RESOURCE MANAGEMENT

11. Adopt a Resolution and Conditions of Approval of a Lot Line Adjustment among four parcels subject to a Land Conservation Act Contract, owned by Shelton-Mackenzie Land, LLC; LLA14-0029, for property located at 421 W. North Street, Healdsburg; APNs 089-140-015, -016, -017, and -018. (Fourth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolution 15-0078

PROBATION

12. Authorize the Chief Probation Officer to execute an agreement with Restorative Resources to facilitate restorative conferencing for AB 109 offenders for the period of March 10, 2015 through June 30, 2016 in an amount not-to-exceed $35,000.

Board Action: Approved as Recommended
UNANIMOUS VOTE

13. Authorize the Chief Probation Officer to execute amendments for existing Memorandums of Understanding and Professional Services Agreements pertaining to local AB 109 Public Safety Realignment programs. The amendments increase their respective funding and payment limits as follows: Sonoma County Office of Education for Adult GED Preparation and Testing Services ($24,827); Inter-Faith Shelter Network for transitional housing ($24,800); and the Santa Rosa Police Department for reimbursement of costs associated with AB 109 joint operations ($50,000).

Board Action: Approved as Recommended
UNANIMOUS VOTE

CONSENT CALENDAR (Continued)

SHERIFF

14. Authorize the Sheriff to execute amendment No. 1 to the agreement for polygraph examination services with Warnock Forensic Services to increase the contract amount to $60,000 for the term of the agreement of October 1, 2012 to October 1, 2015.

Board Action: Approved as Recommended
UNANIMOUS VOTE

TRANSPORTATION AND PUBLIC WORKS

15. Authorize the Chair to execute an agreement with Creative Bus Sales for the purchase of three 40-foot, low-floor, natural gas powered, heavy-duty transit coaches for Sonoma County Transit not-to-exceed $1,786,280.

Board Action: Approved as Recommended
UNANIMOUS VOTE

16. Sonoma County Transit - Lifeline Transportation Funding Program Request -
    (A) Adopt a Resolution seeking Lifeline Transportation Program funds to expand feeder bus service during weekday commute periods on routes serving the Healdsburg, Lower Russian River and Sonoma-Springs areas and to assist with the purchase of two 30-foot, natural gas powered, low-floor replacement buses;
    (B) Authorize the Director of Transportation and Public Works to issue a Notice of Exemption with respect to the Lifeline Transportation Program outlined herein pursuant to 14 CFR 15061(b)(3) .

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolution 15-0079

IV. REGULAR CALENDAR (Items 17 through 24)

UNIVERSITY OF CALIFORNIA COOPERATIVE EXTENSION/HEALTH SERVICES/ REGIONAL PARKS/ GENERAL SERVICES/AGRICULTURAL COMMISSIONER/AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT/SONOMA COUNTY WATER AGENCY
AND
(Directors: Gorin, Rabbitt, Zane, Gore, Carrillo)

17. Receive an assessment report on Phase II of the County Land for Food Production Program.

Presenters:
Stephanie Larson, University of California Cooperative Extension Director
Bill Keene, Agricultural Preservation and Open Space District Director

Supervisor Gore left the meeting: 9:50 a.m.
Supervisor Gore returned to the meeting: 9:52 a.m.

Public Speaker:
Tim Tesconi

Board Action: Approved as Recommended
UNANIMOUS VOTE

The Board recessed: 10:18 a.m.
The Board reconvened: 10:32 a.m.

COUNTY ADMINISTRATOR/COUNTY COUNSEL

18. Adopt a Resolution Authorizing the Chair to sign a Memorandum of Agreement with the Lytton Rancheria of California regarding the development of tribal homelands within Sonoma County. The term of the agreement is for 22 years from date of approval by both parties. (Fourth District)

Presenters:
Chris Thomas, Assistant County Administrator
Jeff Brax, Deputy County Counsel

Public Speakers:
Larry Stidham
Bruce OKrepkie
Whitney Hopkins
Robert Hopkins
Deborah Tavaras

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolution 15-0080

REGULAR CALENDAR (Continued)

TRANSPORTATION AND PUBLIC WORKS

19. Adopt a Resolution authorizing the issuance and sale of a County Note to support Sonoma County Airport in the amount of $1,000,000 with a term ending March 31, 2016.

Presenter:
Jon Stout, Airport Manager

Public Speaker:
Deborah Tavares

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolution 15-0081

20. Adopt a Resolution introducing and waiving further reading of an ordinance establishing a 45 mile per hour speed limit on Petaluma Hill Road between MP 18.04 and the Santa Rosa City Limit MP 18.81. (First Reading) (Third District)

Presenter:
Jason Nutt, Deputy Director Transportation Operations

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolution 15-0082

TRANSPORTATION AND PUBLIC WORKS/
REGIONAL PARKS

21. Adopt a Resolution introducing and waiving further reading of an ordinance establishing no parking zones on both sides of Sonoma Mountain Road in the vicinity of the North Sonoma Mountain Regional Park & Open Space Preserve over two segments between a) MP 22.80 and MP 23.25, and b) MP 23.45 and MP 23.88. (First Reading) (First District)

Presenter:
Jason Nutt, Deputy Director Transportation Operations

Public Speaker:
Deborah Tavaras

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolution 15-0083

REGULAR CALENDAR (Continued)

BOARD OF SUPERVISORS/COUNTY ADMINISTRATOR

22. Board of Supervisors 2015 Priorities - Affirm Board priorities for 2015 identified in the Board's January 29, 2015 Study Session.

Presenters:
Veronica Ferguson, County Administrator
Chris Thomas, Assistant County Administrator
Christina Rivera, Deputy County Administrator
Rebecca Wachsberg, Deputy County Administrator for Community and Government Affairs

Public Speaker:
Deborah Tavaras

Board Action: Approved as Recommended
UNANIMOUS VOTE

BOARD OF SUPERVISORS

23. Approve a fee waiver of the Sheriff's Office and Probation Department fees in the amount of $2,000 to provide fingerprint services for the Boys and Girls Clubs of Central Sonoma County. (First, Third, Fourth and Fifth Districts)

Public Comment:
Deborah Tavaras

Board Action: Approved as Recommended
UNANIMOUS VOTE

24. Approve a fee waiver in the amount of $1,143 to Regional Parks to cover permit, day use and parking fees at Westside Park for the Bodega Bay 4th of July Celebration Fireworks. (Fifth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

The Board recessed into closed session: 12:43 p.m.
The Board reconvened from closed session:

V. CLOSED SESSION CALENDAR (Items 25 through 27)

2:01 P.M. County Counsel Goldstein reported on Closed Session Items #25 – 27.

25. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - Hollynn Delil v. County of Sonoma, consolidated U.S. Northern District Court Case Nos. C13-0423 and 14-00445. (Gov't. Code Section 54956.9(d)(1)).

No Reportable Action. Direction Given to Counsel and Staff.

26. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - Daren Heatherly, et al. v. County of Sonoma, et al., Northern District Court Case No. CV 13 4327. (Gov't. Code Section 54956.9(d)(1)).

No Reportable Action. Direction Given to Counsel and Staff.

27. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - Marlon Whitmore v. Timothy Wilhelm, County of Sonoma et. al., U.S. Northern District Court Case No. 4:13-cv-01408 PJH (Gov't. Code Section 54956.9(d)(1)).

By a vote of 5 to 0, approval was given by the Board for a settlement with Plaintiff in the amount of $350,000.00 of which the County shall pay $140,000.00. The Risk Manager and County Counsel are authorized to execute all documents necessary to effectuate the settlement.

VI. REGULAR AFTERNOON CALENDAR (Items 28 through 31)

Supervisors Present: Susan Gorin, David Rabbitt, Shirlee Zane, James Gore, Efren Carrillo.

Staff Present: Veronica Ferguson, County Administrator and Bruce Goldstein, County Counsel

28. PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA (Comments are restricted to matters within the Board's jurisdiction. The Board will hear Public Comments at this time for up to thirty minutes. Please be brief and limit your comments to three minutes. Any additional Public Comments will be heard at the conclusion of the meeting. While members of the public are welcome to address the Board, under the Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally may only listen.)

2:02 P.M. Public Comment Opened.

Public Speakers:
Ramon Meraz
Rabbi George Gittleman
Marni Wroth
Duane DeWitt
Peter Tscherneff
Rachel Lamm
Maria Stubbert
Chris Githens
Richard Hannah
Mary Morrison
John Jenkel
Eda Kahlstrong
Colleen Fernauld

2:38 P.M. Supervisor Zane Exits the Meeting.

2:38 P.M. Public Comment Closed

RECONVENE FROM CLOSED SESSION

29. Report on Closed Session.

2:01 P.M. County Counsel Goldstein reported on Closed Session Items #25 through 27. See Item V.

REGULAR AFTERNOON CALENDAR (Continued)

30. 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 (All materials related to these actions and determinations can be reviewed at: http://www.sonoma-county.org/prmd/b-c/index.htm)

2:41 P.M.

Board Action: Accept Acts and Determinations
UNANIMOUS VOTE

31. ADJOURNMENTS

2:42 P.M. The Board adjourned the meeting in the memory of Mabel King, Robert Smith, and George Peter. The meeting was adjourned to March 17, 2015 8:30 A.M.

Respectfully submitted,

Roxanne Epstein,
Chief Deputy Clerk of the Board

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

TUESDAY **MARCH 17, 2015** **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		
James Gore	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.

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8:30 A.M. CALL TO ORDER

8:33 A.M. Chair Gorin called the meeting to order.

Supervisors Present: Susan Gorin, David Rabbitt, Shirlee Zane, James Gore, Efren Carrillo

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

Chair Gorin presiding.

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

Supervisor Gore met with Senator McGuire at the Community Soil Foundation, Maddux Field Community Garden event. He will work with the County Administrator's Office on a neighbor's meeting about the pending Lytton deed of trust agreement. He met with residents who live near the airport, where we also use that vicinity to train our police, sheriff, and bomb squad personnel. He will participate in a Dry Creek Valley association annual meeting this week, and an upcoming Calpine Geyser tour.

Supervisor Zane attended the Dream Center groundbreaking ceremony on March 11, 2015 which will provide housing and services for homeless youth. She attended the Peace Officers' annual award ceremony and presented a Gold Resolution to Brian Mann. She was in Washington D.C. working on the National Committee to preserve Social Security and MediCare Foundation. They received a grant to conduct a fiscal modeling program to assess how much poverty is alleviated in the Counties through Social Security and Disability payments.

Supervisor Rabbitt attended a Regional Highway 37 meeting; He was in Sacramento for the California Association of Water Agency conference, and attended meetings for the BEST (Building Economic Success Together) Board and Golden Gate Bridge District Board.

Supervisor Gorin opened a Conference changing Sonoma County today, sponsored by the First 5 Commission. She attended the Regional Highway 37 meeting; March 14, 2015 was a Sonoma Developmental Center parent-hospital association legislative day. She helped to dedicate the East Slope Sonoma Mountain ridge top trail.

III. CONSENT CALENDAR (Items 1 through 33)

PRESENTATIONS/GOLD RESOLUTIONS
(Item 1)

PRESENTATION AT THE BOARD MEETING

1. Approve a Gold Resolution proclaiming March 15 through March 21, 2015 as National Surveyor’s Week presented to the California Land Surveyor’s Association. (Fourth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolution 15-0084

CONSENT CALENDAR (Continued)

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT
(Directors: Gorin, Rabbitt, Zane, Gore, Carrillo)

2. Adopt a Resolution authorizing the Air Pollution Control Officer of the Northern Sonoma County Air Pollution Control District to: (A) Execute a funding agreement with Sunspeed Enterprises for the Duncans Mills Electric Vehicle Charging Station Project in the amount of $31,000 to fund a portion of the purchase of one Level 3 Fast Charge Electric Vehicle Charging Station in the parking lot at 25179 Highway 116 in Duncans Mills; and (B) Execute a funding agreement with Sunspeed Enterprises for the Stewart's Point Electric Vehicle Charging Station Project in the amount of $44,000 to fund a portion of the purchase of two Level 3 Fast Charge Electric Vehicle Charging Stations in the parking lot at 32000 CA Highway 1 in Stewart's Point; and (C) Execute a funding agreement with the City of Healdsburg for the Healdsburg City Hall Electric Vehicle Charging Station Project in the amount of $20,336 to fund the purchase of four Level 2 charging stations in the City Hall Parking lot at 401 Grove Street in Healdsburg. (Fourth and Fifth Districts)

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolution 15-0085

SONOMA COUNTY WATER AGENCY
(Directors: Gorin, Rabbitt, Zane, Gore, Carrillo)

3. Petaluma River Flood Control Feasibility Study - Authorize the Chair to execute an agreement with consultant RMC Water and Environment to provide watershed hydrologic and hydraulic modeling and engineering feasibility study services for the amount of $294,000; agreement terminates on April 30, 2017. (Second District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

4. North Bay Water Reuse Authority Funding from the U.S. Bureau of Reclamation - Adopt a Resolution authorizing the General Manager of the Sonoma County Water Agency, or his designee, to: (A) File a grant application to the Bureau of Reclamation's Title XVI Water Reclamation and Reuse Program; (B) Execute a cooperative agreement with the U.S. Bureau of Reclamation; and (C) Take all actions necessary to implement the grant agreement. (First and Second Districts)

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolution 15-0086

CONSENT CALENDAR (Continued)

SONOMA COUNTY WATER AGENCY/OCCIDENTAL COUNTY SANITATION DISTRICT/RUSSIAN RIVER COUNTY SANITATION DISTRICT/SOUTH PARK COUNTY SANITATION DISTRICT
(Directors/Commissioners: Gorin, Rabbitt, Zane, Gore, Carrillo)
AND
SONOMA VALLEY COUNTY SANITATION DISTRICT
(Directors: Gorin, Carrillo, D. Cook)

5. Adopt a Concurrent Resolution authorizing the General Manager to execute License Agreements with property owners for temporary entry and use of private property for surveys and studies required for the design of Sonoma County Water Agency and South Park, Sonoma Valley, Russian River, and Occidental County Sanitation District projects, and to authorize payment for temporary entry and use when compensation is $2,500 or less.

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolution 15-0087

Sonoma Valley County Sanitation District
Board Action: Approved as Recommended
AYES: Susan Gorin, Efren Carrillo
ABSENT: Mayor Cook

COUNTY ADMINISTRATOR/REGIONAL PARKS

6. Reaffirm the County's position opposing the implementation of parking fees at State parks, and direct staff to return to the Board with options for modifying Regional Parks' fees in consideration of the State's determination on fees in coastal areas. (Fifth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

ECONOMIC DEVELOPMENT BOARD

7. Receive the Sonoma County Economic Development Board Foundation's Annual Report for Fiscal Year ending June 30, 2014.

Board Action: Approved as Recommended
UNANIMOUS VOTE

GENERAL SERVICES

8. Authorize Figtree Financing to participate in the Sonoma County Property Assessed Clean Energy (PACE) Financing Marketplace as an additional PACE provider by: (A) Authorizing the Director of General Services to execute Agreements for Collaborative Services between the County and Figtree Financing to provide PACE financing options to property owners in the County; and (B) Adopting the required Resolution allowing residents in the unincorporated areas of Sonoma County to participate in the Figtree PACE financing products and approving the amendment to a certain joint powers agreement related thereto.

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolution 15-0088

CONSENT CALENDAR (Continued)

9. City of Sebastopol License for Accessible Parking - (A) Authorize the General Services Director to execute a Revocable License Agreement with the City of Sebastopol and, with the support of the Sebastopol Veterans Local Chapter and Sebastopol Center for the Arts, for use of a portion of the Sebastopol Veterans Memorial Building parking lot located at 282 South High Street, Sebastopol, to accommodate installation of accessible parking improvements to serve the adjacent City Ives Park facilities. (B) Find pursuant to Government Code Section 26227 that the license is necessary to meet the social needs of the population of the County and that the County does not need the premises during the term of the license. (Fifth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

GENERAL SERVICES/HEALTH SERVICES

10. Lease Amendment for 1250-1300 Coddingtown Center - Authorize the Clerk to publish a notice declaring the Board's intention to execute a lease amendment with Codding Enterprises for the Department of Health Services Driving under the Influence Program office space, comprised of 9,711 square feet, in order to: (A) Extend the lease term through February 28, 2018; (B) Specify rental payments of $15,537 per month ($1.60 per square feet); and (C) Specify tenant improvements to be completed by the landlord.

Board Action: Approved as Recommended
UNANIMOUS VOTE

HEALTH SERVICES

11. Healthy Eating Active Living Program Agreements - (A) Authorize the Director of Health Services to execute a grant agreement with Kaiser Foundation Hospitals to accept $1,000,000 in revenue to implement the South Santa Rosa Healthy Eating Active Living Zones Project (2015-2016) for the period January 1, 2015 through January 1, 2017. (B) Authorize the Director of Health Services to execute the first amendment to an agreement with Linda Garric to assist with facilitation of a community/school engagement process to develop a Countywide Physical Education Strategic Plan aimed to improve the quantity and quality of physical education in elementary schools, increasing the contract by $50,000, resulting in a new total not-to-exceed amount of $58,335, and extending the term from June 30, 2015 to December 31, 2016.

Board Action: Approved as Recommended
UNANIMOUS VOTE

12. Investments in Health Access - Adopt a Resolution authorizing the Director of Health Services to execute a Grant Agreement providing funding for capital costs and service expansion to Alliance Medical Center in the amount of $50,000.

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolution 15-0089

CONSENT CALENDAR (Continued)

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, Gore, Carrillo)

13. Miscellaneous Classification and Compensation Changes - (A) Adopt a Concurrent Resolution amending the Salary Resolution No. 95-0926, Appendix A - Salary Tables, to reflect the re-titling of the classifications of Associate Architect to Senior Capital Project Manager and Major Project Architect to Capital Project Manager; and to establish the new classification and salary for Executive Assistant to the Sheriff, effective March 17, 2015. (B) Adopt a Resolution amending the Department Allocation List for the Sheriff's Office to reflect the addition of 1.0 Full-Time Equivalent Executive Assistant to the Sheriff and the deletion of 1.0 Full-Time Equivalent Executive Secretary - Confidential, effective March 17, 2015.

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolutions 15-0090 and 15-0091

HUMAN SERVICES

14. Authorize the Human Services Director to execute a contract with ACF Technologies Inc., to implement a lobby management and appointment system to reduce client wait time for the Economic Assistance lobbies located at 2550 Paulin and 520 Mendocino Avenue from March 17, 2015 through March 17, 2018 in the amount of $336,403.

Board Action: Approved as Recommended
UNANIMOUS VOTE

15. Authorize the Human Services Director to sign and execute a contract for transportation services for clients of the Economic Assistance Paulin Lobby with MV Transportation, Inc. for $57,600 for the period March 30, 2015 through July 15, 2015.

Board Action: Approved as Recommended
UNANIMOUS VOTE

INFORMATION SYSTEMS

16. Authorize the Director of Information Systems to execute a Professional Services agreement with Nexus IS, Inc. for the managed services and daily operational support of the new Cisco Unified Communications System (Voice over IP) for a total not-to-exceed $1,683,658 for a two-year period from March 19, 2015 to March 19, 2017 with the option to extend for a one-year period. (4/5 vote required)

Board Action: Approved as Recommended
UNANIMOUS VOTE

CONSENT CALENDAR (Continued)

PERMIT AND RESOURCE MANAGEMENT

17. Adopt a Resolution to approve the appointment of Leonard Gabrielson as County Surveyor beginning on March 17, 2015.

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolution 15-0092

SHERIFF

18. Authorize the Sheriff to execute the agreement for Helicopter Maintenance Services with Rotorcraft Support, Inc. for the term April 1, 2015 through March 31, 2018 for an amount not-to-exceed $956,660.

Board Action: Approved as Recommended
UNANIMOUS VOTE

19. Authorize the Sheriff-Coroner to execute an agreement for forensic pathology services with A. Jay Chapman, M.D. from April 1, 2015 through June 30, 2017 based on time and materials.

Board Action: Approved as Recommended
UNANIMOUS VOTE

TRANSPORTATION AND PUBLIC WORKS

20. Authorize the Chair to execute an agreement for right-of-way services with Associated Right of Way Services, Inc. for five Federal-Aid bridge projects for an amount not-to-exceed $280,500, which includes a 10% contingency, with a term ending March 17, 2018. (First, Fourth, and Fifth Districts)

Board Action: Approved as Recommended
UNANIMOUS VOTE

21. Award of Contract - (A) Approve plans and specifications for the Sonoma County Leachate Pipeline Cotati Trunk Sewer Connection. (B) Grant Bid Relief for West Bay Builders under Public Contract Code Section 4100. (C) Reject Roger Cook General Contracting's Bid due to Non-Responsibility. (D) Award contract to lowest responsible bidder Piazza Construction in the amount of $259,923 and Authorize the Chair to execute construction contract W06985. (E) Approve a construction contingency for the project in the amount of $39,000. (Second District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

22. Find and determine the proposed ordinance is exempt from the California Environmental Quality Act and Adopt an Ordinance establishing No Parking zones on both sides of Sonoma Mountain Road (#66060) in the vicinity of the North Sonoma Mountain Regional Park & Open Space Preserve over two segments between a) MP 22.80 and MP 23.25 and b) MP 23.45 and MP 23.88. (Second Reading - Ready for Adoption) (First District)

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Ordinance 6095

CONSENT CALENDAR (Continued)

23. Find and determine the proposed ordinance is exempt from the California Environmental Quality Act and Adopt an Ordinance establishing a 45 mile per hour speed limit on Petaluma Hill Road (#5710B) between MP 18.04 and the Santa Rosa City Limit, MP 18.81. (Second Reading - Ready for Adoption) (Third District)

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Ordinance 6096

MISCELLANEOUS

24. Approve the Minutes of the Meeting of March 3, 2015 for the following: 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, South Park County Sanitation District, Sonoma County Water Agency, and Board of Supervisors; and Approve the Minutes of the Meeting of March 3, 2015 for the Sonoma Valley County Sanitation District.

Board Action: Approved as Recommended
UNANIMOUS VOTE

APPOINTMENTS/REAPPOINTMENTS
(Items 25 through 33B)

25. Approve the appointment of Mike Harris to the Sonoma County Transportation Authority Citizens Advisory Committee for a two-year term beginning on March 17, 2015 and ending on March 17, 2017. (Second District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

26. Approve the appointment of Nick Papadopoulos to the Economic Development Board for a two-year term beginning on March 17, 2015 and ending on March 17, 2017. (Fourth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

27. Approve the appointment of Linda Mayberry-Chavez to the Community Development Committee for a two-year term beginning on March 17, 2015 and ending on March 17, 2017. (Fourth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

28. Approve the appointment of Rebecca Hernandez to the Commission on the Status of Women for a two-year term beginning on March 17, 2015 and ending on March 17, 2017. (Fourth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

CONSENT CALENDAR (Continued)

29. Approve the appointment of Jennifer Mendoza to the Commission on Human Rights for a two-year term beginning on March 17, 2015 and ending on March 17, 2017. (Fourth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

30. Approve the reappointment of Eric Koenigshofer to the Agricultural Preservation and Open Space Fiscal Oversight Commission for a two-year term beginning on February 27, 2015 and ending on February 26, 2017. (Fifth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

31. Approve the reappointment of Jeffrey Holtzman to the Agricultural Preservation and Open Space District Advisory Committee for a two-year term beginning on December 16, 2014 and ending on December 15, 2016. (Fifth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

32. Approve the reappointment of John Nagle to the Agricultural Preservation and Open Space District Advisory Committee for a two-year term beginning on March 20, 2015 and ending on March 19, 2017. (Fifth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

33. Approve the appointment of Jessica Vega to the Sonoma County Community Development Committee as a tenant representative for a two-year term beginning on March 17, 2015 and ending on March 16, 2017. (Community Development Commission)

Board Action: Approved as Recommended
UNANIMOUS VOTE

FIRE AND EMERGENCY SERVICES

33.A Adopt a 30 Day extension of the Resolution proclaiming a drought emergency in Sonoma County. (Added via Agenda Addendum Two)

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolution 15-0093

APPOINTMENTS/REAPPOINTMENTS

33.B Approve the appointment of the Director of Transportation and Public Works as second alternate to the Sonoma County Waste Management Agency. (Added via Agenda Addendum Three)

Board Action: Approved as Recommended
UNANIMOUS VOTE

Public Speakers on the Consent Calendar:
Deborah Tavaras
Gary O'Connor

IV. REGULAR CALENDAR (Items 34 through 42)

HUMAN SERVICES

34. Workforce Innovation and Opportunity Act (WIOA) - (A) Receive a report on the Workforce Innovation and Opportunity Act of 2014, which supersedes the Workforce Investment Act of 1998. (B) Authorize the Chair to sign the application for Sonoma County's designation as a Local Workforce Development Area, and approve the designation of Sonoma County Workforce Investment Board for Initial Local Board Certification under WIOA.

Presenters:
Robin Bartholow, Workforce Investment Board Chair
Sherry Alderman, Workforce Investment Board Director

Board Action: Approved as Recommended
UNANIMOUS VOTE

ECONOMIC DEVELOPMENT BOARD

35. Present and Accept the Fiscal Year 2014-15 Hispanic Demographics Trends Report.

Presenters:
Ben Stone, Economic Development Board Director
Albert Lerma, Department Program Manager
Marcos Suarez, Bilingual Business program manager

Board Action: The Board approved to support the Bilingual Business Assistance Outreach Program Workplan, including to following:

- Establishing a new bilingual English-Spanish Business Assistance Hotline and answering queries to assist new and existing businesses with start-up and expansion issues;
- Coordinating business workshops and seminars on a variety of topics such as exporting, how start or market your business, and access to capital targeted to the bilingual and underserved populations;
- Serving as a liaison to governmental regulatory bodies to troubleshoot issues that may impact the growth and expansion of bilingual local businesses;
- Establish partnerships with area lenders and micro lenders to actively reach out to the Hispanic/Latino business community to support access to small business loans.
- Making public presentations regarding the services offered through the Economic Development Board and translating program materials and toolkits into a Spanish format.
- Coordinate and provide Spanish language translation services for workshops, one-on-one business advising sessions, and in public meetings as needed;
- Establish partnerships with Latino serving organizations and liaison with existing and new programs that provide business resources to the target populations and support capacity building within these efforts;

REGULAR CALENDAR (Continued)
Item #35 Continued

Research other available programs that could benefit the community including grant opportunities and resources available to local businesses and supporting entities; and
Liaison with schools and training programs based on identified needs within the Hispanic business community.

Board Action: Approved as Recommended
UNANIMOUS VOTE

GENERAL SERVICES/AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR/
SONOMA COUNTY PUBLIC FINANCING AUTHORITY
AND
SONOMA COUNTY WATER AGENCY
(Directors: Gorin, Rabbitt, Zane, Gore, Carrillo)

36. Sonoma County Energy Independence Program Bonding Authorization - (A) Adopt Resolutions and approve agreements with the County authorizing continued issuance and sale of revenue bonds and loan of funds to the County, to fund the Sonoma County Energy Independence Program; and (B) Adopt Resolutions authorizing the Treasurer to invest in bonds issued by the Public Finance Authority and authorizing execution of various related agreements with the Public Finance Agency, including a bond purchase agreement and a loan agreement; and (C) Adopt Resolutions withdrawing funds from the County Treasury Pool, and authorizing the withdrawn funds to be invested in Sonoma County Energy Independence Program bonds as a long-term Water Agency investment.

Presenters:
Jane Elias, Sonoma County Energy Independence Program (SCEIP) Department Program Manager
David Sundstrom, Auditor-Controller-Treasurer-Tax Collector Director

Board Action: Approved as Recommended
UNANIMOUS VOTE
Approved by Resolutions 15-0094, 15-0095, 15-0096, 15-0097, 15-0098

SONOMA COUNTY WATER AGENCY
(Directors: Gorin, Rabbitt, Zane, Gore, Carrillo)
AND
PERMIT AND RESOURCE MANAGEMENT

37. Sustainable Groundwater Management Act - (A) Receive a report on the Sustainable Groundwater Management Act and the recommended strategy for initial implementation in Sonoma County. (B) Authorize the Chair to execute an agreement with Consensus Building Institute, Inc. to perform a stakeholder assessment in an amount not-to-exceed $40,000 for the period April 1, 2015 to September 30, 2015. (C) Authorize the Chair to execute the first amended agreement with Pete Parkinson increasing the amount by $90,000, and expanding

REGULAR CALENDAR (Continued)
Item # 37 Continued

the scope of work to include consultation for implementing the Sustainable Groundwater Management Act of 2014 for a new not-to-exceed agreement total of $115,000 and end date of June 30, 2017.

Presenters:
Jay Jasperse, Chief Engineer/Director of Groundwater Management, Sonoma County Water Agency
Sandi Potter, Environmental Review Manager, Permit and Resource Management Department
Cory O'Donnell, Deputy County Counsel
Peter Bruland, County Administrator Analyst

Public Speakers:
James M. Bouler
Deborah Tavaras
Jane Nielson
David Keller

Board Action: Approved as Recommended
UNANIMOUS VOTE

TRANSPORTATION AND PUBLIC WORKS

38. Approve the recommended 2-Year Pavement Preservation Program of projects for the 2015 and 2016 Construction Seasons.

Presenters:
Susan Klassen, Transportation Public Works Director
Tom O'Kane, Deputy Director Engineering and Maintenance

Board Action: Approved as Recommended
UNANIMOUS VOTE

REGULAR CALENDAR (Continued)

COUNTY ADMINISTRATOR/GENERAL SERVICES/REGIONAL PARKS/
TRANSPORTATION AND PUBLIC WORKS
AND
SONOMA COUNTY WATER AGENCY
(Directors: Gorin, Rabbitt, Zane, Gore, Carrillo)

39. Capital Project Plan 2015-2020 Update - Receive the Five-Year Capital Project Plan for the period Fiscal Year 2015-16 through Fiscal Year 2019-20, and refer the finalized Plan to the Sonoma County Planning Commission for conformance review.

Presenters:
Mary Booher, County Administrator Analyst
Tawny Tesconi, General Services Director
Mark Hummel, Associate Architect
Steve Ehert, Regional Parks Planning Manager
Susan Klassen, Transportation and Public Works Director
Kent Gylfe, Water Agency Principal Engineer

Board Action: Approved as Recommended
UNANIMOUS VOTE

BOARD OF SUPERVISORS

40. Approve a fee waiver in the amount of $1,085 in building permit fees for the Cloverdale Veterans Hall for the Cloverdale's Food Pantry "Christmas In June" event. (Fourth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

41. Approve a fee waiver in the amount of $1,247 for the Occidental Center for the Arts use permit modification. (Fifth District)

Board Action: Approved as Recommended
UNANIMOUS VOTE

42. Approve a fee waiver of health inspection fees in the amount of $8,369 for 15 facilities for the Council on Aging's Congregate Dining Sites and Adult Day Programs where meals are served to seniors throughout Sonoma County. (Countywide)

Board Action: Approved as Recommended
UNANIMOUS VOTE

The Board recessed to Closed Session: 1:10 p.m.

V. CLOSED SESSION CALENDAR (Items 43 through 46)

RECONVENE FROM CLOSED SESSION

48. Report on Closed Session.

2:14 P.M. Chair Gorin deferred reporting on Closed Session until after Item 52.

4:41 P.M. County Counsel Goldstein reported on Closed Session Items #43 through 46B.

43. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel, possible initiation of litigation, 53 Van Ness Avenue, Camp Meeker, CA (abatement). (Govt. Code Section 54956.9 (d)(4)). (Item will be removed under approval of the agenda.)

This matter was Continued.

44. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - Sonoma County Association of Retired Employees (SCARE) v. Sonoma County, U.S. Northern District Court Case No. CV-09-4432 CW. (Gov't. Code Section 54956.9(d)(1)).

No Reportable Action. Direction Given to Counsel and Staff.

45. The Board of Supervisors will consider the following in closed session: Public Employee Performance Evaluation - Health Services Director. (Gov't. Code Section 54957(b)(1)).

No Reportable Action. Direction Given to Staff.

46. 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: Christina Cramer/Carol Allen. Employee organization: All. Unrepresented employees: All, including retired employees. (Govt. Code Section 54957.6 (b)).

This matter was Continued.

46 A. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel -Existing Litigation - Watertrough Children's Alliance v. County of Sonoma et al., Sonoma County Superior Court SCV 254679. (Gov't. Code Section 54956.9(d)(1)). (added via Addendum Agenda)

No Reportable Action. Direction Given to Counsel and Staff.

46 B. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel -Existing Litigation - Friends of the Gualala River et al. v. County of Sonoma et al., Sonoma County Superior Court SCV 255465. (Gov't. Code Section 54956.9(d)(1)). (Added via Addendum Agenda)

No Reportable Action. Direction Given to Counsel and Staff.

VI. REGULAR AFTERNOON CALENDAR (Items 47 through 53)

Supervisors Present: Susan Gorin, David Rabbitt, Shirlee Zane, James Gore, Efren Carrillo.

Staff Present: Veronica Ferguson, County Administrator and Bruce Goldstein, County Counsel.

47. PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA (Comments are restricted to matters within the Board's jurisdiction. The Board will hear Public Comments at this time for up to thirty minutes. Please be brief and limit your comments to three minutes. Any additional Public Comments will be heard at the conclusion of the meeting. While members of the public are welcome to address the Board, under the Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally may only listen.)

2:15 P.M. Public Comment Opened

Public Speakers:
Dawna Gallagher
Mary Morrisson
Chris Gibbons
Richard Hannon
John Jenkel
Rev. Chris Bell
Colleen Fernauld
Peter Jordon
Duane Dewitt

2:49 P.M. Public Comment Closed

49. 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 (All materials related to these actions and determinations can be reviewed at: http://www.sonoma-county.org/prmd/b-c/index.htm)

Board Action: None

REGULAR AFTERNOON CALENDAR (Continued)

COMMUNITY DEVELOPMENT COMMISSION
(Commissioners: Gorin, Rabbitt, Zane, Gore, Carrillo)

50. Conduct a Public Hearing and Adopt a Resolution of the Sonoma County Community Development Commission, in its capacity as the governing body of the Sonoma County Housing Authority, approving the Sonoma County Public Housing Agency 5-Year Plan for Fiscal Years 2015-16 through 2019-20 and the Annual PHA Plan for the period of July 1, 2015 through June 30, 2016, and an amended Housing Choice Voucher Administrative Plan, and authorizing submission to the U.S. Department of Housing and Urban Development.

Presenters:
James Hackett, Housing Authority Deputy Director and Tracy Becker, Housing Authority Supervisor.

3:13 P.M. Public Comment Opened

Public Speakers:
Duane Dewitt
Scott Johnson

3:32 P.M. Public Comment Closed

Board Action: Approve as Recommended Resolution 15-0101.
UNANIMOUS VOTE

PERMIT AND RESOURCE MANAGEMENT

3:33 P.M. Deputy County Counsel Jeff Brax replaced County Counsel Goldstein.

51. ZCE11-0007 - Request for a Zone Change as a Condition of Approval for a previously approved Lot Line Adjustment and Minor Subdivision; Dutton Ranch Family Partnership. (Fifth District)
    (A) APPLICANT: Dutton Ranch Family Partnership.
    (B) LOCATION: 96.02 acre parcel at 900, 780, and 770 Mill Station Ranch Road, Sebastopol.
    (C) ASSESSOR'S PARCEL NO.: 061-230-004 and -005.
    (D) ENVIRONMENTAL DOCUMENT: Categorical Exemption.
    (E) REQUEST: Conduct a Public Hearing and Adopt an Ordinance approving a Zone Change as a condition of a previously approved Lot Line Adjustment and Minor Subdivision (PLP10-0027). (Uncontested)

Presenter:
Jennifer Barrett, Deputy Director of Planning, Permit and Resource Management Department.

REGULAR AFTERNOON CALENDAR (Continued)

3:35 P.M. Public Comment Opened

Public Speaker:
None

3:35 P.M. Public Comment Closed

Board Action: Approve as Recommended Ordinance 6097.
UNANIMOUS VOTE

52. ZCE14-0003 - Request for a Zone Change by the Sonoma County Agricultural Preservation and Open Space District. (First District)
(A) APPLICANT: N/A.
(B) LOCATION: 368.31 acre parcel located at 3000 and 3035 Porter Creek Road, Santa Rosa
(C) ASSESSOR'S PARCEL NO.: 079-090-008, -013, -014, and -016.
(D) ENVIRONMENTAL DOCUMENT: Categorical Exemption.
(E) REQUEST: Conduct a Public Hearing and Adopt an Ordinance approving a Zone Change as a condition of a previously approved Lot Line Adjustment (LLA13-0050). (Uncontested)

Presenter:
Jennifer Barrett, Deputy Director of Planning, Permit and Resource Management Department.

3:36 P.M. Public Comment Opened

Public Speaker:
Mark Cresta

3:39 P.M. Public Comment Closed

Board Action: Approve as Recommended Ordinance 6098.
UNANIMOUS VOTE

53. ADJOURNMENTS

4:43 P.M. The Board adjourned the meeting in memory of Jean Gilmore, Mina Bridges, Bille Lee Largent “Punky” Evenich, and Mel Davis. The meeting was adjourned to April 7, 2015.

Respectfully submitted,

Roxanne Epstein,
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: 22
(This Section for use by Clerk of the Board Only.)

To:	Board of Supervisors		
Board Agenda Date:	April 7, 2015	**Vote Requirement:**	No Vote Required
Department or Agency Name(s):	Board of Supervisors		
Staff Name and Phone Number:		**Supervisorial District(s):**	
Supervisor Susan Gorin, 565-2241		First District	
Title:	Appointment		

Recommended Actions:

Reappoint Cynthia Woods to the Sonoma Valley Citizens Advisory Commission, South Valley, for a term expiring on 4/7/2018 (First District).

Executive Summary:

Prior Board Actions:

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 14-15

Expenditures		**Funding Source(s)**	
Budgeted Amount	$	County General Fund	$
Add Appropriations Reqd.	$	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: 23
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: April 7, 2015	**Vote Requirement:** Majority
Department or Agency Name(s): Board of Supervisors	
Staff Name and Phone Number:	**Supervisorial District(s):**
Supervisor David Rabbitt, 707/565-2241	Second

Title: Appointment

Recommended Actions:

Approve the appointment of Gonzalo Romo to the Sonoma County Community Development Committee beginning April 7, 2015 as a coterminous appointment. (Second District)

Executive Summary:

Prior Board Actions:

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

Fiscal Summary - FY 14-15

Expenditures		**Funding Source(s)**	
Budgeted Amount	$		$
Add Appropriations Reqd.	$	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: 24
(This Section for use by Clerk of the Board Only.)

To:	Board of Supervisors
Board Agenda Date:	April 7, 2015
Vote Requirement:	Majority
Department or Agency Name(s):	Board of Supervisors
Staff Name and Phone Number:	Supervisor Shirlee Zane, (707) 565-2241
Supervisorial District(s):	Third District
Title:	Appointment

Recommended Actions:

Approve the appointment of Shellie Hadley to the Mental Health Board for a three-year term beginning on April 7, 2015 and ending on December 31, 2018. (Third District)

Executive Summary:

Prior Board Actions:

Strategic Plan Alignment Goal 4: Civic Services and Engagement

Fiscal Summary - FY 14-15

Expenditures		**Funding Source(s)**	
Budgeted Amount	$	County General Fund	$
Add Appropriations Reqd.	$	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: 25
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: April 7, 2015

Vote Requirement: Majority

Department or Agency Name(s): Human Services Department

Staff Name and Phone Number:
Oscar Chavez, 565-3812

Supervisorial District(s):
All

Title: Upstream Investments Portfolio Review Committee Appointments

Recommended Actions:

1. Reappoint current members B.J. Bischoff, Julie Sabbag-Maskey, Katie Greaves, Leo Tacata, Robert Halverson and Carlos Ayala to the Upstream Portfolio Review Committee.
2. Appoint new member Megan Sirna to the Upstream Portfolio Review Committee.

Executive Summary:

The Upstream Investments Policy, sponsored by the Sonoma County Board of Supervisors and widely supported throughout the community, seeks to eliminate poverty in Sonoma County and ensure equal opportunity for quality education and good health in nurturing home and community environments. The three primary strategies are:

- Invest Early: Whenever possible, dedicate funding and other resources to prevention-focused policies and interventions.
- Invest Wisely: Ensure that upstream policies and interventions have the highest possible likelihood of success by selecting those that are backed by sound evidence. Programs that meet the criteria for the Portfolio of Model Upstream Programs (the Portfolio) have demonstrated this commitment to evidence-informed practice.
- Invest Together: Focus community-wide upstream policies and interventions on preventing six targeted factors and improving 26 indicators of success to achieve the Upstream vision, mission, goals, and measureable impacts.

Portfolio Review Committee Description and Responsibilities

The purpose of the Portfolio Review Committee is to review submissions to the Portfolio of Model Upstream Programs in accordance with the Portfolio Review and Decision Process and to determine Tier Placement for each submission.

The Review Committee is also responsible for ensuring that the Portfolio Submission Criteria and the Portfolio Review and Decision Process continue to meet County policy and accepted industry practices

related to evidence-based practice, and to make recommendations for changes in both to the Upstream Policy Committee when appropriate.

- The Human Services Department, as the "backbone agency" for Upstream Investments, is responsible for recruiting members for the Portfolio Review Committee. Based on the criteria below (as per the established committee Bylaws), HSD recommends new members to the Board of Supervisors, who then appoints new members for a two-year term. Recommendations for new members are made by HSD on the basis of the individual's demonstrated expertise in research methodology and outcomes-driven practice.
- In March, 2012, the Board appointed the first 15 members of the Review Committee. Half were appointed for a one-year term and half for a two-year term to stagger the time when terms ended and to ensure that the Portfolio always has experienced members.

The following criteria are used for all Portfolio Review Committee membership appointments:

- Demonstrated experience with evidence-based practice in program design, implementation, and evaluation.
- Willingness to review six (6) Portfolio submissions each year within ten (10) business days of receipt. Each review requires approximately two hours.
- Willingness to attend monthly meetings which are two (2) hours in duration.
- Willingness to attend one half day (4 hour) orientation.
- Availability to serve a two-year term.

Membership Recommendations

The Department recommends re-appointing the following five individuals for two-year terms ending 3/30/17.

Category	Recommended Member
Criminal Justice	Leo Tacata, District Attorney's Office
Criminal Justice	Robert Halverson, Probation Department
Health and Human Services	Julie Sabbag-Maskey, Human Services Department
	Katie Greaves, Human Services Department
Local Universities or Colleges	Dr. Carlos Ayala, Sonoma State University
Community at Large	Dr. BJ Bischoff, Bischoff Consulting

The Department recommends appointing the following individual for two-year terms ending 3/30/17.

Category	Recommended Member
Health and Human Services	Megan Sirna, Human Services Department

The full committee list with these recommendations is attached.

Recommended Member Qualifications

Reappointments: The following members were approved by the Board on 3/13/2012 and have served

with distinction. They are being recommended for reappointment.

1. B.J. Bischoff, representing the community at large
2. Julie Sabbag-Maskey, representing the Human Services Department
3. Katie Greaves, Representing the Human Services Department
4. Leo Tacata, representing the District Attorney's Office
5. Rob Halverson, representing the Probation Department
6. Carlos Ayala, Sonoma State University

New appointment: The following member is recommended as a new member of the Portfolio Review Committee.

Megan Sirna, MPH is the Program Planning and Evaluation Analyst for the Road to the Early Achievement and Development of Youth (READY) project. Previously she served as the lead evaluator for SNAP-Ed and Sonoma County Youth Ecology Corps (SCYEC). She has also provided technical assistance to local community based organizations seeking to apply programs to the Upstream Portfolio, written the Indicators of Success Report Update, and participated in the Upstream Investments Shared Measurement Workgroup.

Prior Board Actions:

In March 2014 the Board re-appointed 4 members and appointed 4 new members to the Portfolio Review Committee.
In March 2013 the Board re-appointed 5 members and appointed 3 new members to the Portfolio Review Committee.
In March 2012 the Board appointed the first 15 members of the Upstream Portfolio Review Committee.
In November 2011 the Upstream Ad Hoc Board Committee made a progress report to the Board that described the Upstream Ad Hoc Board Committees' accomplishments. The Board approved 10 next steps including creating the Board-Appointed Portfolio of Model Upstream Programs Review Committee.

Strategic Plan Alignment Goal 3: Invest in the Future

The work of the Portfolio Review Committee ensures that prevention-focused investments in Sonoma County have the highest likelihood of success because they meet rigorous criteria for the use of evidence to inform their program design and because they have data that suggest positive outcomes.

Fiscal Summary - FY 14-15			
Expenditures		**Funding Source(s)**	
Budgeted Amount	$		$
Add Appropriations Reqd.	$	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:

Upstream Portfolio Review Committee Roster

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

None

Portfolio Review Committee Members

Category	Name	Term Ending
County Administrator's Office Up to 1 member	Rebecca Wachsberg, County Administrator's Office	3/30/16
Health and Human Services Up to 4 members	Katie Greaves, Human Services Department	3/30/17
	Ellen Bauer, Department of Health Services	4/08/16
	Julie Sabbag-Maskey, Human Services Department	3/30/17
Criminal Justice Up to 4 members	Leo Tacata, District Attorney's Office	3/30/17
	Monique Chapman, Sheriff's Office	3/30/16
	Robert Halverson, Probation Department	3/30/17
Early Childhood Development Up to 2 members	Carol Simmons, Child Care Planning Council	3/30/16
	Kathryn Pack, First 5	4/08/16
K-12 Education Up to 2 members	Megan Sirna, Human Services Department	3/30/17
Local Funder Up to 3 members	Jennifer O'Donnell, United Way	3/30/16
	Karin Demarest, Community Foundation	3/30/16
	Serena Lienau, City of Santa Rosa	3/30/16
Local Universities or Colleges Up to 2 members	Dr. Carlos Ayala, Sonoma State University	3/30/17
Community at Large Up to 2 members	BJ Bischoff, Bischoff Consulting	3/30/17

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 of Sonoma County

Board Agenda Date: April 7, 2015

Vote Requirement: Majority

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

Staff Name and Phone Number:	**Supervisorial District(s):**
Rita Scardaci, x7876	Countywide

Title: Partnership HealthPlan of California Commission Reappointments

Recommended Actions:

Adopt a resolution reappointing Mich Riccioni and Rita Scardaci to the Partnership HealthPlan of California Commission for the four-year term of January 1, 2015 through December 31, 2018.

Executive Summary:

Partnership HealthPlan of California (PHC) Commission ("Commission") is a multi-county commission that provides for a managed healthcare plan for Medi-Cal recipients. Implementation of a county organized health system is authorized by Welfare and Institutions Code Section 14087.54. In September 2009 the Board of Supervisors of Sonoma County approved an ordinance adding Chapter 34 to the Sonoma County Code, authorizing the County to join the Commission.

The PHC Commission is comprised of representatives from Del Norte, Humboldt, Lake, Lassen, Modoc, Marin, Mendocino, Napa, Solano, Shasta, Siskiyou, Sonoma, Trinity, and Yolo counties and provides coverage to over 510,000 Medi-Cal enrollees, including over 100,000 current Medi-Cal enrollees in Sonoma County.

The PHC Commission has a proven record of improving access to quality health care by members and improving Medi-Cal reimbursement rates to health care providers. Medi-Cal beneficiaries enrolled in PHC are assigned or select a primary care physician to provide medical care and coordinate the member's services. PHC staff provide assistance with access to care, questions about benefits, and resolution of claims or billing issues. PHC staff also provide increased clinical support to beneficiaries and providers through care management and coordination, while managing costs and improving health outcomes.

The number of per-county Commission member seats is based upon the number of Medi-Cal beneficiaries within each county. In April 2013 the formula approved by the PHC Commission and specified in the PHC bylaws used to determine the number of Commission member seats per county was revised to accommodate additional member counties on the Commission. Based on the revised formula, Sonoma County has been granted four seats on the PHC Commission. The revised formula

reduced Sonoma County's seats down from the previously allocated five. There are currently 36 PHC Commission members with per-county seats as follows: Del Norte (1), Humboldt (3), Lake (2), Lassen (1), Modoc (1), Marin (3), Mendocino (3), Napa (3), Solano (4), Shasta (4), Siskiyou (2), Sonoma (4), Trinity (1), and Yolo (4).

Member counties whose Commission seats were reduced due to the membership formula revision of April 2013 were allowed two years to come into compliance through attrition. On December 31, 2014 three of the five Sonoma County Commission members' terms expired. Per the PHC Commission bylaws and Chapter 34 of the Sonoma County Code (County Organized Health System), Commission members representing Sonoma County are permitted to serve multiple terms. In addition, members are allowed to retain their Commission seat upon conclusion of their term until a successor member has been selected. The Sonoma County Board of Supervisors is responsible for appointing members to the Commission based on the selection process and criteria specified in Chapter 34. The term of office is four years.

Members whose terms expired include Dr. Kirk Pappas, Rita Scardaci, and Mich Riccioni. Reappointment is requested for Mich Riccioni as the representative of Sonoma County hospitals and Rita Scardaci as the representative of the Sonoma County Department of Health Services. The table below provides a complete list of Sonoma County PHC Commission representatives.

Partnership HealthPlan of California Commission Membership

Name	Representation	On Commission Since	Term Expiration
Mich Riccioni	Hospital Representative	January 1, 2010	December 31, 2018 (pending approval)
Rita Scardaci	Sonoma County Director of Health Services	January 1, 2010	December 31, 2018 (pending approval)
Kathryn Powell	Clinic Representative	May 22, 2012	December 31, 2016
Richard Fogg	Public Representative	January 1, 2010	December 31, 2015

Dr. Kirk Pappas, whose term expired on December 31, 2014, is recognized for his four years of service on the PHC Commission. His leadership and contributions to improving quality and strategic planning during PHC's expansion to additional counties have been important to PHC's ongoing success. Dr. Pappas may continue to serve on PHC committees and advisory groups.

In a related agenda item today, the Board is being asked to adopt a resolution introducing, reading the title of, and waiving further reading of a proposed ordinance amending Chapter 34 of the Sonoma County Code to revise the criteria to be eligible for appointment to the multi-county Partnership HealthPlan of California Commission.

Prior Board Actions:

In July 2013 the Board adopted an ordinance amending Chapter 34 of the Sonoma County Code to add participating counties and revise the formula for determining the number of Partnership HealthPlan of California Commission seats per county.

In June 2013 the Board adopted a resolution introducing, reading the title of, and waiving further reading of a proposed ordinance amending Chapter 34 of the Sonoma County Code to add participating counties and revise formula for determining the number of Partnership HealthPlan of California Commission seats per county.

In May 2012 the Board adopted a resolution appointing Kathryn Powell to the Partnership HealthPlan of California Commission for the term of four years.

In January 2012 the Board adopted a resolution appointing Richard Fogg to the Partnership HealthPlan of California Commission for the term of four years.

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

Participating in the PHC Commission serves to support Medi-Cal beneficiaries in Sonoma County; improving the efficiency and effectiveness of providing Medi-Cal services to eligible and potentially eligible individuals and their families.

Fiscal Summary - FY 14-15

Expenditures		**Funding Source(s)**	
Budgeted Amount	$ 0	County General Fund	$ 0
Add Appropriations Reqd.	$ 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 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:

Resolution

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

None

County of Sonoma
State of California

Item Number: _____

Date: April 7, 2015 Resolution Number: _____

☐ 4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Reappointing Mich Riccioni And Rita Scardaci To The Partnership HealthPlan Of California Commission For The Four-Year Term Of January 1, 2015 Through December 31, 2018.

Whereas, on September 1, 2009, the Board of Supervisors adopted Ordinance 5849 adding Chapter 34 of the Sonoma County Code entitled County Organized Health System authorizing the County of Sonoma to join a multi-county commission called Partnership HealthPlan of California and implement a county organized health system;

Whereas, the Partnership HealthPlan of California Commission has the authority to negotiate with the California Department of Health Care Services for the arrangement of provision of health care services; and

Whereas, Chapter 34 authorizes the Board of Supervisors to appoint Sonoma County's Partnership HealthPlan of California Commission members.

Now, Therefore, Be It Resolved that the Board of Supervisors of the County of Sonoma hereby does reappoint Mich Riccioni and Rita Scardaci to the Partnership HealthPlan of California Commission for the four-year term of January 1, 2015 through December 31, 2018.

Supervisors:

Rabbitt: Zane: Gore: Carrillo: Gorin:

Ayes: Noes: Absent: Abstain:

So Ordered.

County of Sonoma Agenda Item Summary Report

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

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

To: Board of Supervisors	
Board Agenda Date: April 7, 2015	**Vote Requirement:** Majority
Department or Agency Name(s): Sonoma County Economic Development Board	
Staff Name and Phone Number:	**Supervisorial District(s):**
Ben Stone / 565-7170	District 4
Title: Sonoma Country Day School - Issuance of ABAG Revenue Bonds	

Recommended Actions:

1. Conduct public hearing on approval of issuance of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations.
2. Authorize Resolution approving the issuance of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an amount not to exceed $18,000,000 for the benefit of Sonoma Country Day School, a California nonprofit public benefit corporation.

Executive Summary:

Federal and State laws provide the ability for cities and counties to join together under cooperative agreements to form joint powers authorities to issue tax-exempt and taxable bonds to fund projects that provide a public benefit and serve the needs of residents within the jurisdictions of the participating members. Generally speaking, cities and counties in California have the ability to act as issuers of conduit revenue bonds, but many jurisdictions utilize joint powers authorities primarily for economies of scale, to access specialized transaction knowledge and resources, and to avoid using valuable local staff time on these types of transactions. The ABAG Finance Authority for Nonprofit Corporations (the "Authority") has been established by the Association of Bay Area Governments to help fund projects for nonprofit organizations located within current and future member jurisdictions.

The County of Sonoma (the "County") is a member of the Authority. The purpose of the public hearing is to satisfy the Federal Internal Revenue Service requirement of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA), that as a condition to issuing the financing, the approval of the elected governmental offices of the jurisdiction where the facility is located be obtained following a public hearing. The hearing allows the public an opportunity to review and make comments regarding the proposed tax exempt financing for the project.

The County has previously conducted public hearings and approved the issuance of bonds and revenue obligations for other nonprofit organizations. The County will have no liability for payment of interest or principal, or for any debts or obligations of the Authority. Previously the Auditor Controller Treasurer Tax Collector submitted these financing requests to the Board. As these requests are seen to have a broader economic impact to our local economy by supporting jobs as well as supporting efforts to provide access to

capital for local facilities, the responsibility for presenting these requests to the BOS has moved over to Economic Development Board as agreed upon by both departments.

Sonoma Country Day School, a California nonprofit public corporation ("SCDS"), has requested the Authority's assistance in issuing revenue bonds to (a) refinance certain outstanding revenue bonds issued for the benefit of SCDS, the proceeds of which were used to finance or refinance the cost of the acquisition, construction, improvement, equipping, renovation and expansion of SCDS's educational facilities on its campus (the "Campus") situated generally at 4400 Day School Place (formerly known as 441 Aviation Blvd.), Santa Rosa, California (the "Prior Projects"); (b) finance routine capital expenditures, equipment purchases and other construction, improvement and renovation of SCDS's educational facilities, all to be located on the Campus (the "New Projects" and, together with the Prior Projects, the "Projects"); and (c) pay certain costs of issuance of the bonds. The Projects are or will be owned by SCDS. SCDS established Sonoma Country Day School (the "School") in 1983, and has serviced Sonoma and Napa Counties for 31 years. As an independent, coed, prep school for kindergarten through eighth grade, the School currently serves 280 students. The School is accredited through the California Association of Independent Schools and the Western Association of Schools and Colleges.

The financing for SCDS involves the issuance of tax-exempt bonds by the Authority, and may be completed through the Authority only if the County approves the financing.

Requested Board Action:

1. Conduct public hearing on approval of issuance of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations.
2. Authorize Resolution approving the issuance of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an amount not to exceed $18,000,000 for the benefit of Sonoma Country Day School, a California nonprofit public benefit corporation.

Prior Board Actions:

The Board of Supervisors held similar TEFRA hearings for other financings with the most recent being on [January 28, 2014]. The Board has conducted many other TEFRA hearings in the past.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Fiscal Summary - FY 14-15

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

Narrative Explanation of Fiscal Impacts (If Required):

No Fiscal Impact. Conduit revenue bonds are a special, limited obligation of the Authority payable solely through the payment of principal and interest from the borrower. Revenue bonds issued by the Authority will not be a direct obligation of the Authority, the County or any member of the Authority. Neither the faith or credit, nor the taxing power of the County, any member of the Authority, the State or any political subdivision is pledged to the repayment of the bonds.

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) Affidavit of Publication of TEFRA Hearing Notice
2) ABAG Project Application
3) Trust Indenture
4) Loan Agreement

County of Sonoma
State of California

Date: April 7, 2015 Resolution Number: _____

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA AUTHORIZING AND APPROVING THE ISSUANCE OF BONDS BY THE ABAG FINANCE AUTHORITY FOR NONPROFIT CORPORATIONS FOR THE BENEFIT OF SONOMA COUNTRY DAY SCHOOL IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $18,000,000 FOR THE PURPOSE OF FINANCING AND REFINANCING THE COST OF THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN PROPERTY, PROVIDING THE TERMS AND CONDITIONS FOR SUCH BONDS AND OTHER MATTERS RELATING THERETO

WHEREAS, Sonoma Country Day School (the "Borrower"), a nonprofit public benefit corporation duly organized and existing under the laws of the State of California (the "State") has requested that ABAG Finance Authority for Nonprofit Corporations (the "Authority") sell and issue one or more series of the Authority's tax-exempt or taxable revenue bonds (the "Bonds") in the aggregate principal amount not to exceed $18,000,000, and lend the proceeds thereof to the Borrower under a loan agreement (the "Loan Agreement") pursuant to Chapter 5 of Division 7 of Title 1 of the Government Code of the State (commencing with Section 6500) (the "Act") to (a) refinance certain outstanding revenue bonds issued for the benefit of the Borrower (the "Prior Bonds"), the proceeds of which were used to finance or refinance the cost of the acquisition, construction, improvement, equipping, renovation and expansion of the Borrower's educational facilities on its campus (the "Campus") situated generally at 4400 Day School Place (formerly known as 441 Aviation Blvd.), Santa Rosa, California (the "Prior Projects"); (b) finance routine capital expenditures, equipment purchases and other construction, improvement and renovation of the Borrower's educational facilities, all to be located on the Campus (the "New Projects" and, together with the Prior Projects, the "Projects"); and (c) pay certain costs of issuance of the Bonds and of refunding the Prior Bonds; and

WHEREAS, the Bonds must be approved by the governmental unit on behalf of which the Bonds are issued and a governmental unit having jurisdiction over the territorial limits in which the Projects are located pursuant to the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Projects are wholly located within the territorial limits of the County of Sonoma (the "County") and the Board of Supervisors of the County (the "Board") is the elected legislative body of the County; and

WHEREAS, the County is a member of the Authority; and

WHEREAS, the Authority and the Borrower have requested that the Board approve the Authority's Bonds and the financing and refinancing of the Projects with the proceeds of the Bonds in order to satisfy the public approval requirement of Section 147(f) of the Code; and

WHEREAS, a public hearing was held by the Board on this 7th day of April, 2015, at the meeting which commenced at the hour of 3:00 p.m., in the Supervisor's Chambers, Sonoma County Administration Building, 575 Administration Drive, Room 102 A, Santa Rosa, CA 95403, following duly published notice thereof in a newspaper of general circulation in the County of Sonoma, on March 23, 2015, and all persons desiring to be heard have been heard; and

WHEREAS, it is intended that this Resolution shall comply with the public approval requirements of Section 147(f) of the Code; and

WHEREAS, the Board understands that its actions in holding this public hearing and in approving this Resolution do not obligate the County in any manner for payment of the principal, interest, fees or any other costs associated with the Bonds, and the Board expressly conditions its approval of this Resolution on that understanding;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the County of Sonoma as follows:

Section 1. The Board hereby approves the Authority's Bonds in an aggregate principal amount not to exceed $18,000,000 for the Projects, including the financing and refinancing of the Projects, and the lending of the proceeds of the Bonds to the Borrower pursuant to the Loan Agreement. It is the purpose and intent of the Board that this Resolution constitute approval of the Authority's Bonds for the purposes of (a) Section 147(f) of the Code by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Projects are or are to be located, in accordance with said Section 147(f) and (b) the Act.

Section 2. All actions heretofore taken by the officers, employees and agents of the County with respect to the approval of the Bonds are hereby approved, confirmed and ratified, and the officers and employees of the County and their authorized deputies and agents are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all certificates and documents which they or bond counsel may deem

necessary or advisable in order to consummate the issuance of the Bonds and otherwise to effectuate the purposes of this Resolution.

Section 3. Neither the faith and credit nor the taxing power of the County, the State, or any other political corporation, subdivision, or agency of the County or State, is pledged to the payment of the principal of, premium, if any, or interest on, the Bonds, nor shall the County, the State or any other political corporation, subdivision or agency of the County or State be liable or obligated to pay the principal of, premium, if any, or interest on, the Bonds.

Section 4. This Resolution shall take effect from and after its adoption.

RESOLVED FURTHER, the Clerk of the Board shall certify the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Sonoma held on this 7th day of April, 2015, by the following vote:

Supervisors:

Rabbitt:	Zane:	Gore:	Carrillo:	Gorin:
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: 28
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors of Sonoma County

Board Agenda Date: April 7, 2015

Vote Requirement: Majority

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

Staff Name and Phone Number:	**Supervisorial District(s):**
Julianne Kamplain, 565-3583	All

Title: ACTTC - Appointment of Retiree Extra-Help

Recommended Actions:

Pursuant to Government Code §7522.56 approve the appointment of Joseph Loomis as an Accounting Assistant Retiree Extra-Help, in order to fill a critically needed position within 180 days of his retirement, with an appointment date as early as April 14, 2015.

Executive Summary:

Pursuant to the California Public Employees' Pension Reform Act (PEPRA), Government Code §7522.56, an exception can be made to reappoint a retiree as extra-help provided the governing body certifies that the appointment is necessary to fill a critically needed position, in those circumstances where 180 days from the date of retirement has not yet passed. This approval must be in a noticed public meeting and not on a consent calendar. PEPRA includes other requirements in order for a retiree to be eligible for an Extra-Help appointment, such as not having accepted a retirement incentive and not having accepted unemployment arising out of prior public appointment. The individual and delegated department staff have completed the Retiree Extra-Help Compliance Form certifying the appropriateness of the appointment.

JOSEPH LOOMIS, ACCOUNTING ASSISTANT, will be retiring on April 13, 2015. Mr. Loomis has served the Auditor-Controller-Treasurer-Tax Collector's Office for 11 years as the primary support to the Cost Plan Accountant-Auditor, who retired in March 2015. Mr. Loomis's services are necessary in order to provide support to the incoming Cost Plan Accountant-Auditor and Accounting Assistant.

The Cost Plan Accountant-Auditor is responsible for establishing the County's annual cost allocation plan and indirect cost rates. This is a highly complex and specialized position that must interpret and apply Federal Office of Management and Budget principles and standards, and determine claimable costs incurred by County departments, agencies and districts under federal awards and sub-awards. Additionally, the cost allocation plan and indirect rates are used to allocate the cost for County service departments and to operating departments, agencies and special districts. The incoming Accountant-Auditor will require a well-trained Accounting Assistant until new support can be hired and trained.

This extra-help position is temporary and will not be ongoing. The position will only be needed until new Cost Plan staff have become proficient at the position's responsibilities and duties.

The Auditor-Controller-Treasurer-Tax Collector's Office has consulted with the Human Resources Department which is supportive of the recommended action.

In accordance with Government Code section 7422.56, the Auditor-Controller-Treasurer-Tax Collector's Office is asking the Board certify as follows:

- Joseph Loomis's appointment to an Accounting Assistant is necessary to fill a critically needed position within 180 days of his retirement date;
- Joseph Loomis did not accept retirement incentives upon his retirement; and
- Joseph Loomis's appointment shall not exceed 960 hours per year.

If the Board of Supervisors makes the foregoing certifications, Joseph Loomis will be hired as of April 14, 2015 as an Accounting Assistant.

Prior Board Actions:

None.

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

It is vital for the County's economic stewardship of public resources that knowledgeable and well-trained staff be available to provide Cost Plan services. This extra-help position will provide that knowledge until a suitable replacement can be found and trained.

Fiscal Summary - FY 14-15

Expenditures		**Funding Source(s)**	
Budgeted Amount	$ 10,000		$
Add Appropriations Reqd.	$	State/Federal	$
	$	Fees/Other	$
	$	Use of Fund Balance	$ 10,000
	$	Contingencies	$
	$		$
Total Expenditure	**$ 10,000**	**Total Sources**	**$ 10,000**

Narrative Explanation of Fiscal Impacts (If Required):

The estimated $10,000 cost for this extra-help position will be covered by salary savings within the division.

Staffing Impacts			
Position Title (Payroll Classification)	**Monthly Salary Range** (A – I Step)	**Additions** (Number)	**Deletions** (Number)
Narrative Explanation of Staffing Impacts (If Required):			
This is a Retiree Extra-Help appointment; no permanent allocations are being added or changed.			
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: 29
(This Section for use by Clerk of the Board Only.)

To:	Board of Supervisors of Sonoma County
Board Agenda Date:	April 7, 2015
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:	Amendment to Chapter 34 of the Sonoma County Code - County Organized Health System

Recommended Actions:

Adopt a resolution introducing, reading the title of, and waiving further reading of a proposed ordinance amending Chapter 34 of the Sonoma County Code to revise the criteria to be eligible for appointment to the multi-county Partnership HealthPlan of California Commission.

Executive Summary:

This item requests adoption of a resolution introducing, reading the title of, and waiving further reading of a proposed ordinance amending Chapter 34 of the Sonoma County Code to revise the criteria to be eligible for appointment to the multi-county Partnership HealthPlan of California Commission. The proposed ordinance amendment serves to ensure that Commission membership represents key stakeholders by adding specific requirements for Commission seats representing Sonoma County as follows: 1) Clinic Representative, 2) Hospital Representative, 3) Public Representative, and 4) Director of Health Services or designee.

Partnership HealthPlan of California (PHC) Commission ("Commission") is a multi-county commission that provides for a managed healthcare plan for Medi-Cal recipients. Implementation of a county organized health system is authorized by Welfare and Institutions Code Section 14087.54. In September 2009 the Board of Supervisors of Sonoma County approved an ordinance adding Chapter 34 to the Sonoma County Code, authorizing the County to join the Commission.

The PHC Commission is comprised of representatives from Del Norte, Humboldt, Lake, Lassen, Modoc, Marin, Mendocino, Napa, Solano, Shasta, Siskiyou, Sonoma, Trinity, and Yolo counties and provides coverage to over 510,000 Medi-Cal enrollees, including over 100,000 current Medi-Cal enrollees in Sonoma County.

The PHC Commission has a proven record of improving access to quality health care by members and improving Medi-Cal reimbursement rates to health care providers. Medi-Cal beneficiaries enrolled in PHC are assigned or select a primary care physician to provide medical care and coordinate the member's services. PHC staff provide assistance with access to care, questions about benefits, and

resolution of claims or billing issues. PHC staff also provide increased clinical support to beneficiaries and providers through care management and coordination, while managing costs and improving health outcomes.

Amendment to Chapter 34 of the Sonoma County Code (County Organized Health System)

The number of Commission member seats per county is based upon the number of Medi-Cal beneficiaries within each county. In April 2013 the formula specified in the PHC bylaws used to determine the number of Commission member seats per county was revised and approved by the PHC Commission to accommodate additional member counties on the Commission. Based on the revised formula, Sonoma County has been granted four seats on the PHC Commission. The revised formula reduced Sonoma County's seats down from the previously allocated five.

The Department of Health Services is proposing an ordinance amending Chapter 34, consistent with Partnership HealthPlan of California Commission bylaws, adding specific requirements for Commission seats representing Sonoma County. This will ensure that membership of the Sonoma County Commission represents key PHC stakeholders including a Clinic Representative, Hospital Representative, Public Representative, and Director of Health Services or designee. As stated in the PHC bylaws, each County shall have its own member selection criteria.

Prior Board Actions:

In July 2013 the Board adopted an ordinance amending Chapter 34 of the Sonoma County Code to add participating counties and revise the formula for determining the number of Partnership HealthPlan of California Commission seats per county.

In June 2013 the Board adopted a resolution introducing, reading the title of, and waiving further reading of a proposed ordinance amending Chapter 34 of the Sonoma County Code to add participating counties and revise formula for determining the number of Partnership HealthPlan of California Commission seats per county.

In September 2009 the Board approved an ordinance adding Chapter 34 of the Sonoma County Code to join an existing multi-county commission entitled Partnership HealthPlan of California to negotiate with the California Medical Assistance Commission for the arrangement of provision of health care services.

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

Participating in the PHC Commission serves to support Medi-Cal beneficiaries in Sonoma County; improving the efficiency and effectiveness of providing Medi-Cal services to eligible and potentially eligible individuals and their families.

Fiscal Summary - FY 14-15			
Expenditures		**Funding Source(s)**	
Budgeted Amount	$ 0	County General Fund	$ 0
Add Appropriations Reqd.	$ 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 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:

Resolution, ordinance (redline and clean versions)

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

None

County of Sonoma
State of California

Item Number:

Date: April 7, 2015 Resolution Number:

☐ 4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Introducing, Reading The Title, And Waiving Further Reading Of A Proposed Ordinance Amending Chapter 34 Of The Sonoma County Code Revising The Criteria To Be Eligible For Appointment To The Multi-County Partnership HealthPlan Of California Commission.

Whereas, a proposed ordinance entitled "An Ordinance of the Board of Supervisors of the County of Sonoma, State of California, Amending Chapter 34 of the Sonoma County Code revising the criteria to be eligible for appointment to the multi-county Partnership HealthPlan of California Commission" has been introduced and read.

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

Be It Further Resolved that the Sonoma County Board of Supervisors will consider adoption of the proposed ordinance on April 21, 2015 in the Board of Supervisors Chambers, 575 Administration Drive, Room 102A, Santa Rosa, California.

Supervisors:

Rabbitt: Zane: Gore: Carrillo: Gorin:

Ayes: Noes: Absent: Abstain:

So Ordered.

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA AMENDING CHAPTER 34 OF THE SONOMA COUNTY CODE REVISING THE CRITERIA TO BE ELIGIBLE FOR APPOINTMENT TO THE MULTI-COUNTY PARTNERSHIP HEALTHPLAN OF CALIFORNIA COMMISSION.

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

SECTION I. Chapter 34 of the Sonoma County Code is amended to read:

Chapter 34: County Organized Health System

Sec. 34-1. Purpose.

Partnership HealthPlan of California Commission ("Commission") is a multicounty commission that has created a managed health care plan for Medi-Cal recipients. The purpose of this chapter is to authorize the County of Sonoma to join the existing Commission. This will allow the implementation of a county organized health system in Sonoma County as authorized by Welfare and Institutions Code Section 14087.54.

The Commission has a proven record of improving health care access to its members, who are Medi-Cal recipients, and improving Medi-Cal reimbursement rates to health care providers. The Commission links each member with a primary care provider and has been successful in reducing inappropriate use of emergency rooms, providing appropriate levels of inpatient care for its members, developing innovative case management programs and arranging for the provision of an enhanced level of local health care services.

Sec. 34-2. Designation of Commission.

Pursuant to Welfare and Institutions Code section 14087.54, the Sonoma County Board of Supervisors hereby authorizes the County of Sonoma to join the Commission in conjunction with the provisions of the Napa County Code, the Solano County Code, the Yolo County Code, the Marin County Code, the Mendocino County Code, the Del Norte County Code, the Humboldt County Code, the Lake County Code, the Lassen County Code, the Modoc County Code, the Shasta County Code, the Siskiyou County Code, and the Trinity County Code. Other counties also may consider joining the Commission. The Commission shall continue to represent Sonoma County until the Sonoma County Board of Supervisors terminates the representation. To terminate representation, the Sonoma County Board of Supervisors or its designee shall provide 90-day notice to the other participating counties and provide notice to the State Department of Health Care Services as set forth in Welfare and Institutions Code Section 14087.54(g).

Sec. 34-3. Membership.

The number of Commission member seats granted per county is based upon the number of Medi-Cal beneficiaries within each county and shall be determined according to the following formula:

(1) 0 – 10,000 Medi-Cal beneficiaries within the county equals one Commission seat.
(2) 10,000 – 25,000 Medi-Cal beneficiaries within the county equals two Commission seats.
(3) 25,000 – 40,000 Medi-Cal beneficiaries within the county equals three Commission seats.
(4) 40,000 + Medi-Cal beneficiaries within the county equals four Commission seats.

Any deletion of commissioners will be achieved through attrition, with a maximum of two years to come into compliance.

The Commissioners appointed by the Sonoma County Board of Supervisors shall serve at the pleasure of the Board and shall be selected as follows:

(a) One member shall be a Community Clinic representative identified by the Redwood Community Health Coalition (Clinic Representative).

(b) One member shall be a hospital representative from a Sonoma County hospital identified by the hospitals in Sonoma County (Hospital Representative).

(c) One member shall be the Director of the Sonoma County Department of Health Services or designee (County Official).

(d) One member~~Members~~ from the community ("Public Representative"). The Sonoma County Department of Health Services may make recommendations based on the following criteria:

(1) Legal resident of Sonoma County;
(2) Knowledge of the healthcare needs of children, the aged, and disabled;
(3) Business experience;
(4) Political experience; and
(5) Finance experience.

Sec. 34-4. Term of Office.

Members of the Commission shall serve four-year terms of office. Nothing herein shall prohibit a person from serving more than one term. Vacancies shall be filled in accordance with the procedures set forth in Section 34-3.

Sec. 34-5. Powers and Duties of Commission.

Pursuant to the provisions of Section 14087.54 of the Welfare and Institutions Code, the Commission shall:

(a) Have the power to negotiate the exclusive contract with the California Department of Health Care Services as specified in Section 14087.5 of the Welfare and Institutions Code, and to arrange for the provision of health care services provided under Chapter 7, Part 3, Division 9 of the Welfare and Institutions Code;

(b) Be considered an entity separate from the County of Sonoma;

(c) File the statement required by Section 53051 of the Government Code;

(d) Have the power to acquire, possess, and dispose of real or personal property, as may be necessary for the performance of its functions, to employ personnel and contract for services required to meet its obligations, and to sue or be sued; and

(e) Have all the rights, powers, duties, privileges, and immunities conferred by Article 2.8 of Chapter 7, Part 3, Division 9 of the Welfare and Institutions Code in addition to those previously specified in this section.

Sec. 34-6. Obligations.

Pursuant to the provisions of Section 14087.54(d) of the Welfare and Institutions Code, any obligations of the Commission, statutory, contractual, or otherwise, shall be the obligations solely of the Commission and shall not be the obligations of the County of Sonoma.

Sec. 34-7. Committees.

The Commission may establish committees from time to time for any purpose that will be beneficial in accomplishing the work of the Commission.

At a minimum, two standing advisory committees shall be established:

(1) The physicians advisory committee, and
(2) The consumers' advisory committee.

SECTION II. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or 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 anyone or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION III. This ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in *The Press Democrat,* a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma introduced on the 7th day of April, 2015, and finally passed and adopted this ____ day of _____, 2015, on regular roll call of the members of said Board by the following vote:

Supervisors:

Rabbitt:	Zane:	Gore:	Carrillo:	Gorin:
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:

_____

Clerk of the Board of Supervisors

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA AMENDING CHAPTER 34 OF THE SONOMA COUNTY CODE REVISING THE CRITERIA TO BE ELIGIBLE FOR APPOINTMENT TO THE MULTI-COUNTY PARTNERSHIP HEALTHPLAN OF CALIFORNIA COMMISSION.

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

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Sec. 34-1. Purpose.

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Sec. 34-2. Designation of Commission.

Pursuant to Welfare and Institutions Code section 14087.54, the Sonoma County Board of Supervisors hereby authorizes the County of Sonoma to join the Commission in conjunction with the provisions of the Napa County Code, the Solano County Code, the Yolo County Code, the Marin County Code, the Mendocino County Code, the Del Norte County Code, the Humboldt County Code, the Lake County Code, the Lassen County Code, the Modoc County Code, the Shasta County Code, the Siskiyou County Code, and the Trinity County Code. Other counties also may consider joining the Commission. The Commission shall continue to represent Sonoma County until the Sonoma County Board of Supervisors terminates the representation. To terminate representation, the Sonoma County Board of Supervisors or its designee shall provide 90-day notice to the other participating counties and provide notice to the State Department of Health Care Services as set forth in Welfare and Institutions Code Section 14087.54(g).

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(c) One member shall be the Director of the Sonoma County Department of Health Services or designee (County Official).

(d) One member from the community ("Public Representative"). The Sonoma County Department of Health Services may make recommendations based on the following criteria:

    (1) Legal resident of Sonoma County;
    (2) Knowledge of the healthcare needs of children, the aged, and disabled;
    (3) Business experience;
    (4) Political experience; and
    (5) Finance experience.

Sec. 34-4. Term of Office.

Members of the Commission shall serve four-year terms of office. Nothing herein shall prohibit a person from serving more than one term. Vacancies shall be filled in accordance with the procedures set forth in Section 34-3.

Sec. 34-5. Powers and Duties of Commission.

Pursuant to the provisions of Section 14087.54 of the Welfare and Institutions Code, the Commission shall:

(a) Have the power to negotiate the exclusive contract with the California Department of Health Care Services as specified in Section 14087.5 of the Welfare and Institutions Code, and to arrange for the provision of health care services provided under Chapter 7, Part 3, Division 9 of the Welfare and Institutions Code;

(b) Be considered an entity separate from the County of Sonoma;

(c) File the statement required by Section 53051 of the Government Code;

(d) Have the power to acquire, possess, and dispose of real or personal property, as may be necessary for the performance of its functions, to employ personnel and contract for services required to meet its obligations, and to sue or be sued; and

(e) Have all the rights, powers, duties, privileges, and immunities conferred by Article 2.8 of Chapter 7, Part 3, Division 9 of the Welfare and Institutions Code in addition to those previously specified in this section.

Sec. 34-6. Obligations.

Pursuant to the provisions of Section 14087.54(d) of the Welfare and Institutions Code, any obligations of the Commission, statutory, contractual, or otherwise, shall be the obligations solely of the Commission and shall not be the obligations of the County of Sonoma.

Sec. 34-7. Committees.

The Commission may establish committees from time to time for any purpose that will be beneficial in accomplishing the work of the Commission.

At a minimum, two standing advisory committees shall be established:

(1) The physicians advisory committee, and
(2) The consumers' advisory committee.

SECTION II. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or 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 anyone or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION III. This ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in *The Press Democrat,* a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma introduced on the 7th day of April, 2015, and finally passed and adopted this ____ day of _____, 2015, on regular roll call of the members of said Board by the following vote:

Supervisors:

Rabbitt:	Zane:	Gore:	Carrillo:	Gorin:
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:

_____

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

To:	Board of Supervisors of Sonoma County
Board Agenda Date:	April 7, 2015
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:	Tobacco Retailer Licensing Ordinance

Recommended Actions:

Adopt a resolution introducing, reading the title of, and waiving further reading of a proposed ordinance adding Chapter 32A (Licensure of Tobacco Retailers) to the Sonoma County Code to require the licensure of tobacco retailers within unincorporated Sonoma County.

Executive Summary:

This item requests approval of a resolution introducing, reading the title of, and waiving further reading of a proposed ordinance adding Chapter 32A (Licensure of Tobacco Retailers) to the Sonoma County Code to require the licensure of tobacco retailers within unincorporated Sonoma County. On June 10, 2014 the Board reviewed an ordinance amending Chapter 32 (Ordinance Regulating Smoking and Secondhand Smoke) of the Sonoma County Code prohibiting electronic smoking devices in certain public places and making other conforming changes. At that time, the Board instructed the Department of Health Services (DHS) to explore a tobacco retailer license ordinance, found to be one of the most effective health policies localities can implement to address youth smoking rates, and return at a future date with a proposal.

A tobacco retailer license (TRL) is one of the most effective methods proven to reduce youth access to tobacco products. The primary function of a tobacco retailer license is to reduce illegal sales of tobacco products to minors by enacting retailer conditions that reduce the appeal and access of products to underage youth and by using the fees generated through licensing to ensure age limits are complied with by tobacco retailers. If approved, the proposed ordinance will require that tobacco retailers acquire a license to sell tobacco; regulate location, density, and the types of businesses that can sell tobacco; and set a minimum price with restricted discounting for certain tobacco products. The TRL ordinance is scheduled to be considered for adoption by the Board on April 21, 2015. If adopted as scheduled, the ordinance will become effective May 21, 2015 (30 days after adoption), with a 90-day grace period.

Smoking remains the number one cause of preventable death and illness in the United States. Each year, over 480,000 preventable deaths occur as a result of smoking cigarettes and an additional 16 million people suffer from a smoking related disease. People who smoke are up to 4 times more likely to have

heart disease or suffer a stroke and are more likely to develop a variety of cancers throughout the body. In 2014 alone, over $80 million was spent in Sonoma County ($13.3 billion in California) on smoking related medical care.

The data is particularly concerning for youth. Nearly 9 out of 10 long-term smokers start smoking by age 18. In Sonoma County, 13 percent of 11th graders report using cigarettes in the past 30 days. Additionally, local data indicates that 70 percent of 11th graders report that it is "fairly" or "very" easy to obtain cigarettes. Youth are drawn to a number of tobacco products, as the tobacco industry continues to create new products that are especially appealing to kids. A recent survey of retailers found that Sonoma County communities are saturated with a diversity of tobacco products, with most retailers surveyed selling little cigars (83.1%), chewing tobacco (75.6%), flavored tobacco products (83.1%), and e-cigarettes (60.5%).

The importance of continuing efforts to reduce smoking is further illustrated in *A Portrait of Sonoma County (2014)*, which recommends redoubling anti-smoking efforts as a top strategy for reducing health disparities Countywide.

Research has shown that youth are particularly vulnerable to tobacco sales and advertising when retailers are located near schools. The Portrait report, which highlights areas of income, health and educational disparity, has identified five priority areas in the County. Two of these areas are located predominantly within unincorporated Sonoma County, "The Springs" in Sonoma Valley and "South West Santa Rosa." These areas have by far the highest concentration of tobacco retailers located within 1,000 feet of a school.

TRL ordinances have already been passed by over 140 jurisdictions in California. Results from studies, such as from the American Lung Association in California's Center for Policy and Organizing, overwhelmingly demonstrate that local TRL ordinances with strong enforcement provisions are effective. Rates of illegal tobacco sales to minors have decreased in almost every California jurisdiction that has passed a strong TRL ordinance. For example, in San Luis Obispo County, rates of youth access to tobacco products dropped from 33.3 percent to 5 percent after passage of their 2008 ordinance. Current estimates in Sonoma County conservatively place our youth access rate as high as 20 percent in some communities in the County, twice the statewide average.

The American Lung Association states that a strong local tobacco retailer licensing ordinance is defined as one that includes the following four components:

- A requirement that all retailers must obtain a license in order to sell tobacco products and renew it annually.
- A fee that will sufficiently fund an effective program, including the administration of the program and enforcement efforts, and a plan outlining enforcement efforts, including compliance checks.
- Coordination of tobacco regulations so that a violation of any existing local, state, or federal tobacco regulation constitutes a violation under the terms of the license.
- A financial deterrent through fines and penalties, including the suspension and revocation of the license.

TRL Provisions

The proposed Sonoma County TRL ordinance has all four of the components that constitute a strong TRL ordinance and, additionally, includes evidence-based provisions to further address youth access and

exposure to tobacco and to close loopholes in federal and state regulations. Not all the provisions will apply to existing retailers, as noted under each provision below:

- Retailing near schools: No license will be issued for tobacco retailing within 1,000 feet of schools. Existing tobacco retailers with a State of California tobacco license as of the effective date of this ordinance will be grandfathered and will be exempt from this provision.
- Retailer density: No license may be issued to authorize tobacco retailing if the number of licensed retailers in unincorporated Sonoma County exceeds one retailer per 2,000 inhabitants. Existing tobacco retailers with a State of California tobacco license as of the effective date of this ordinance will be grandfathered and will be exempt from this provision. Licensing for new business or businesses being sold will be allowed once density limits fall below the one retailer per 2,000 inhabitants threshold.
- Significant Tobacco Retailers: No license for a retailer that primarily sells tobacco, tobacco paraphernalia, or both, as evidenced by any of the following: twenty percent (20%) or more of floor or display area is devoted to Tobacco Products, Tobacco Paraphernalia, or both; or 60 percent (60%) or more of gross sales receipts are derived from the sale or exchange of Tobacco Products, Tobacco Paraphernalia, or both; or fifty percent (50%) or more of completed sales transactions include Tobacco Products or Tobacco Paraphernalia, referred to as a *significant tobacco retailer* (e.g., discount cigarette shops). Existing significant tobacco retailers with a State of California tobacco license as of the effective date of this ordinance will be grandfathered and will be exempt from this provision.
- Pharmacies: No license will be issued for a business that contains a pharmacy.
- Minimum Package Sizes for Cigars: Eliminates single serving little cigars "cigarillos" and inexpensive cigars (under $5) and sets minimum pack sizes of 20 for little cigars and 5 for inexpensive cigars.
- Minimum Pricing and Discounts: Sets a minimum price of $7.00 for a pack of cigarettes and little cigars, and inexpensive cigars, and prohibits price discounts for cigarettes and little cigars, and large cigars.

TRL Administration, Compliance & Enforcement

The Department of Health Services (DHS) Tobacco Prevention Program will administer the TRL program. TRL administration will involve:

- Set-up and maintenance of a retailer database in order to issue and track licenses;
- Set-up and maintenance of fee collection system, in coordination with fiscal department;
- Set-up and implementation of the appeals process;
- Delivery of initial in-person educational workshop series for retailers about the licensing process and how to be in compliance;
- Conducting program evaluation, and maintaining coordination with CTCP partners to inform; quality improvement of the program;
- Providing ongoing technical assistance and education to retailers, in coordination with the Northern California Center for Wellbeing, that was awarded the community based California Tobacco Control Program grant with merchant education in their scope of work for 2015-2020;
- Coordination of compliance & enforcement activities with various partners.

TRL program elements related to compliance & enforcement include:

- Retailer compliance checks, and re-inspections;
- Youth tobacco purchase surveys (YTPS);
- Enforcement to include issuing of warnings and citations;
- Youth decoy operations, run by the Sherriff's office, in order to enforce California Penal Code (Section 308).

All licensed tobacco retailers will be visited at least annually by DHS staff in order to determine if they are in compliance with the TRL provisions, as well as relevant local, state and federal laws related to tobacco retailing. If merchants are not in compliance, they may receive an official warning or be subject to a citation. Violations of the TRL ordinance may result in license suspension or revocation. Within a five-year period, the first citation will receive a 30-day license suspension, the second citation a 60-day license suspension, the third violation a 90-day license suspension. A fourth violation within a 5 year period would result in permanent license revocation.

DHS will partner with the Sonoma County Sheriff's Office Community Oriented Policing and Problem Solving Unit (COPPS) to conduct periodic *youth decoy purchasing operations*. The Sheriff's Office participation will allow for additional enforcement options for retailers who sell to minors, as they have authority to issue California Penal Code (Section 308) citations to retailers.

Youth Tobacco Purchasing Surveys (YTPS) will also be conducted annually. YTPS outcomes will be used to educate retailers, and will not result in citations. They will inform staff of potential problem areas in order to target the Tobacco Prevention Program's outreach, technical assistance and other compliance activities. Results from the compliance checks and the YTPS will also provide valuable evaluation data. Baseline YTPS and trial compliance checks were conducted for a randomized sample of tobacco retailers in County of Sonoma unincorporated area in February 2015. The data collected will be compared with post-TRL implementation compliance and YTPS data to evaluate changes in the retail environment based on the TRL program. The YTPS follows a strict, standardized methodology set forth by the California Department of Public Health, so Sonoma County rates can then be compared to other jurisdictions, including the State of California's annual, aggregate YTPS rate.

The TRL program is designed as a 100 percent cost recovery program. Annual license fees collected from the TRL will be used to attend to program administration, compliance and enforcement activities, supporting staffing and other necessary costs. The formula used to establish fees, consistent with Proposition 26, will include the reasonable regulatory costs associated with issuing licenses, developing and maintaining a database of retailers, supporting complaint calls, providing retailer technical support and education, performing annual compliance checks, paying for Sheriff's Office staff time associated with youth decoy purchasing operations, and implementing of the full enforcement plan. The Tobacco Retailer License fee is scheduled for Board consideration in late April and is estimated at $950-$1050.

The TRL ordinance is scheduled to be considered for adoption by the Board on April 21, 2015. If adopted as scheduled, the ordinance will become effective May 21, 2015 (30 days after adoption), with a 90-day grace period. The grace period allows time for the Department to set up and implement the local licensing program and allows time for tobacco retailers to seek additional information regarding implementation of the ordinance and acquire a local tobacco license.

Collaboration and Engagement with Affected Public/Retailers

The development of this strong local TRL ordinance has been a collaborative effort with community

partners through the Coalition for a Tobacco-Free Sonoma County, co-chaired by the American Lung Association and the Northern California Center for Well Being, and Health Action's Committee for Healthcare Improvement. Additional review and input has also been solicited to the Sonoma County Permit and Resource Management Department, County Counsel, Sheriff's Office, and the Economic Development Board. The TRL ordinance language was developed with significant technical assistance from ChangeLab Solutions, which is funded by the State of California Tobacco Control Program to support counties in implementing effective tobacco policy, as well as the California LGBT Tobacco Education Partnership, which is funded by the state to support counties in banning sales of tobacco products in pharmacies.

Though the proposed TRL ordinance only applies to unincorporated areas of the County, the City of Healdsburg has adopted a TRL ordinance, the City of Sonoma's Council is currently discussing a TRL, and seven other cities have requested department support in pursuing their own TRL ordinance. The Department is currently working with each jurisdiction to provide assistance in their efforts to adopt TRL's. This technical support is specifically aimed at standardizing policy across all county jurisdictions, and includes assistance with development of standard provisions, analysis of pertinent research, information on best practices, and health impact assessment. The Department also assists city staff with the development of public information efforts including program fact sheets, a policy provisions overview, frequently asked questions, and talking points on key provisions being considered.

In order to ensure impacted businesses are fully aware of the proposed TRL ordinance, the Department has implemented a multi-pronged outreach plan. There are approximately 140 businesses in unincorporated Sonoma County currently licensed by the state to sell tobacco products. These businesses, as well as businesses that are known to sell electronic smoking devices, have been informed about the TRL ordinance, and have been provided with opportunities to learn more and provide feedback on the ordinance. Documents summarizing the public's frequently asked questions (FAQs), a policy provisions overview, and a program fact sheet have been posted on the BreatheEasy website. The following outreach activities have occurred or are planned:

- Mailings via US Postal Service: (1) In early February, a mailing of post cards informing of the proposed ordinance, referring to the County's tobacco education website, and inviting to the two public information meetings that had been schedules thus far. (2) Early March, letters were mailed to all retailers informing of them of the proposed TRL ordinance, including details (pre-adoption summary), and the aggregate results of the baseline youth purchase survey. This mailing was done via certified mail to all retailers located within 1,000 feet of schools, all significant tobacco retailers and pharmacies to ensure those most impacted received notification.
- Email: DHS staff will email retailers for which an email address is known with information and links to details. This will occur in between the first and second reading by the Board.
- Public meetings: There are four public meetings (February 24th, March 10th, March 24th and April 9th). These meetings are located in different areas of the county and at different times of the day in an effort to accommodate the varied needs of retailers. At the meetings, a presentation is made by DHS staff on the proposed TRL ordinance, as well as a Q & A opportunity and time for feedback on the TRL ordinance. Pending approval by the Board, additional meetings will be held to inform retailers of the TRL ordinance provisions, and to assist retailers with compliance and license application. The application and other pertinent materials will also be translated into

Spanish. As needed, educational visits can also be made to Spanish only speaking retailers by the Center for Well-Being tobacco prevention staff.

- Website: Information regarding the proposed TRL program is posted on the County's tobacco information website (www.sonoma-county.org/BreatheEasy) including: summary of the proposed ordinance with information on key provisions; program policy brief; program fact sheet; responses to frequently asked questions (FAQs) that are regularly updated as new questions are received via public meetings, e-mails, letters or electronic submissions; and a schedule of public meetings.
- In addition, the website provides an easy to use function for public comment to be submitted electronically. DHS staff will continue to post the most current tobacco merchant education resources and information for tobacco retailers.
- Phone and email: DHS staff are available via phone and email to respond to questions and concerns, and this contact information is supplied via the BreatheEasy website and other correspondence.

At this time, this constellation of outreach opportunities should provide retailers with the information and notice needed to respond with their questions and concerns. Should DHS become aware of the need for more opportunities, this plan will be updated. With the Board's approval today, staff will proceed with the third public meeting, continue to update the public with new information concerning the TRL ordinance, and gather feedback.

Prior Board Actions:

On June 24, 2014, the Board adopted an ordinance amending Chapter 32 (Ordinance Regulating Smoking and Secondhand Smoke) of the Sonoma County Code prohibiting electronic smoking devices in certain public places and making other conforming changes.

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

The proposed ordinance serves to reduce smoking among youth in Sonoma County. This effort aligns with the *Agenda for Action* section of *A Portrait of Sonoma County* (2014), which recommends redoubling anti-smoking efforts as a top strategy for reducing disparities in health.

Fiscal Summary - FY 14-15

Expenditures		**Funding Source(s)**	
Budgeted Amount	$ 0	County General Fund	$ 0
Add Appropriations Reqd.	$ 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):

TRL fees will cover 100% of the program costs. Based on efforts associated with licensure of 138 retailers, the TRL program is estimated to cost between $131,100 and $144,900 annually. Program activities include DHS staff and associated costs (95%) and Sheriff's Office staff (5%). As the number of vendors aligns with density guidelines, adjustments will be made to the program to ensure continued sustainability through fee collection. No additional appropriations will be requested to support the program in FY 14-15. Appropriations for FY 15-16 will be requested through the budgetary adjustments process following fee adoption (currently scheduled for late April 2015).

Staffing Impacts

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

Narrative Explanation of Staffing Impacts (If Required):

Tobacco Retailer License fees will support a 0.5 FTE Health Information Specialist and a 0.5 FTE Senior Office Assistant, however, no additional position allocations will be requested for this program. The fee will also support Sheriff's Office staff who will conduct the youth decoy purchasing operations.

Attachments:

1) Resolution, 2) Ordinance, 3) Pre-Adoption Ordinance Summary, 4) Policy Provisions Overview, 5) Fact Sheet, 6) Frequently Asked Questions, 7) Retailer Outreach Summary, 8) Comments from Retailers, and 9) Response to Retailer Comments

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

None

County of Sonoma
State of California

Item Number: _____

Date: April 7, 2015 Resolution Number: _____

☐ 4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Introducing, Reading The Title, And Waiving Further Reading Of A Proposed Ordinance Adding Chapter 32A To The Sonoma County Code To Require The Licensure Of Tobacco Retailers Within Unincorporated Sonoma County

Whereas, a proposed ordinance entitled "An Ordinance of the Board of Supervisors of the County of Sonoma, State of California, Adding Chapter 32A to the Sonoma County Code to Require the Licensure of Tobacco Retailers" has been introduced and the title read.

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

Be It Further Resolved that the Sonoma County Board of Supervisors will consider adoption of the proposed ordinance on April 21, 2015 in the Board of Supervisors Chambers, 575 Administration Drive, Room 102A, Santa Rosa, California.

Supervisors:

Rabbitt: Zane: Gore: Carrillo: Gorin:

Ayes: Noes: Absent: Abstain:

So Ordered.

Ordinance No. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, ADDING CHAPTER 32A TO THE SONOMA COUNTY CODE TO REQUIRE THE LICENSURE OF TOBACCO RETAILERS.

The Board of Supervisors of the County of Sonoma, State of California, does ordain as follows:

SECTION I. Chapter 32A of the Sonoma County Code is added to read:

Chapter 32A: Licensure of Tobacco Retailers

Sec. 32A-1. Findings and Purpose.

(a) Findings. The Board of Supervisors of the County of Sonoma hereby finds and declares as follows:

(1) Based in part on the information contained in this Section, the Board of Supervisors finds that if tobacco retailers fail to comply with all tobacco control laws, particularly laws prohibiting the sale of tobacco products to minors, this presents a threat to the public health, safety, and welfare of the residents of the County of Sonoma; and

(2) The Board of Supervisors finds that a local licensing system for tobacco retailers is appropriate to ensure that retailers comply with tobacco control laws and business standards of the County, to protect the health, safety, and welfare of our residents; and

(3) Approximately 480,000 people die in the United States from tobacco-related diseases every year, making tobacco use the nation's leading cause of preventable death; and

(4) Over 590 residents of the County of Sonoma die each year from tobacco related causes; and

(5) State law requires all tobacco retailers to be licensed by the Board of Equalization primarily to curb the illegal sale and distribution of cigarettes due to tax evasion and counterfeiting (Cal. Bus. & Prof. Code §§ 22970.1, 22972); and

(6) State law explicitly permits cities and counties to enact local tobacco retail licensing ordinances, and allows for the suspension or revocation of a local license for a violation of any state tobacco control law (Cal. Bus. & Prof. Code § 22971.3); and

(7) California courts have affirmed the power of the County to regulate business activity to discourage violations of law. See, e.g., *Cohen v. Board of Supervisors*, 40 Cal. 3d 277 (1985); *Bravo Vending v. City of Rancho Mirage*, 16 Cal. App. 4th 383 (1993); *Prime Gas, Inc. v. City of Sacramento*, 184 Cal. App. 4th 697 (2010); and

(8) Despite the state's and County's efforts to limit youth access to tobacco, minors are still able to access cigarettes, as evidenced by the fact that:

(i) In California, 36.8 percent of high school students have smoked a whole cigarette by 14 years of age; and

(ii) In California, 64 percent of adult smokers started by the age of 18; and

(iii) In Sonoma County, 26 percent of 11th graders have smoked a whole cigarette and 13 percent report any use of cigarettes in the past 30 days; and

(iv) In Sonoma County, 70 percent of 11th graders and 52 percent of 9th graders report that it is “fairly” or “very” easy to obtain cigarettes; and

(9) California retailers continue to sell tobacco to underage consumers, as evidenced by the following:

(i) Nearly 9 percent of all tobacco retailers were witnessed unlawfully selling to minors in 2014 according to the State Youth Tobacco Purchase Survey;

(ii) Among the 14.2 percent of minors nationwide who smoked cigarettes in 2011, 98.5% percent of the 14.2% had usually obtained their own cigarettes by buying them in a store or gas station; and

(10) Research demonstrates that local tobacco retail ordinances dramatically reduce youth access to cigarettes. For example:

(i) A review of 33 California communities with strong tobacco retailer licensing ordinances shows that the youth sales rate declined in 31 of these communities after the ordinances were enacted, with an average decrease of 26 percent in the youth sales rate;

(ii) A requirement for a tobacco retailer license will allow the County to regulate the operation of lawful businesses to discourage violations of federal, state, and local tobacco-related laws, but it will not unduly burden legitimate business activities of retailers who sell or distribute cigarettes or other tobacco products to adults; and

(11) The County has a substantial interest in promoting compliance with federal, state, and local laws intended to regulate tobacco sales and use; in discouraging the illegal purchase of tobacco products by minors; in promoting compliance with laws prohibiting sales of cigarettes and tobacco products to minors; and finally, and most importantly, in protecting children from being lured into illegal activity through the misconduct of adults; and

(12) The Tobacco Education and Research Oversight Committee for California, as well as the American Pharmacists Association, the California Pharmacists Association, and the California Medical Association have called for the adoption of state and local prohibitions of tobacco sales in drug stores and pharmacies; and

(13) A study of California high school students found that the prevalence of smoking was higher at schools in neighborhoods with five or more tobacco outlets than at schools in neighborhoods without tobacco outlets; and

(14) A California study found that the density of tobacco retailers near schools was positively associated with the prevalence of students reporting experimental smoking; and

(15) High density of tobacco retailers has been associated with increased smoking rates, particularly among youth; and

(16) A study of California neighborhoods found that the density and proximity of tobacco retailers influence smoking behaviors, including number of cigarettes smoked per day; and

(17) Studies show that the number and density of tobacco retailers serving areas of economic disadvantage are disproportionately high; and

(18) Over 9 percent of all tobacco retailers statewide sold unlawfully to minors in 2014. Significant Tobacco Retailers (defined as businesses in which at least 80 percent of merchandise was tobacco products) sold to minors at an even higher rate than the statewide average, as high as 18.6 percent in 2014; and

(19) Many retailers sell cigars, little cigars, and cigarillos individually, making them more affordable and appealing to youth; and

(20) Cigarillos are often sold individually for less than 70 cents each; and

(21) Smoking is the second most common form of tobacco use among youth; and

(22) In California the cheapest available cigarettes sell for an average of only $4.30 per package; and

(23) The availability of inexpensive tobacco products leads to increased tobacco use as evidenced by the over 100 academic studies which conclusively show that when tobacco products are made more expensive fewer people use tobacco, fewer initiate tobacco use, and more people quit tobacco use; and

(24) For every one percent increase in the cost of tobacco products there is a decrease in consumption and a 20% price increase on the price of a package of cigarettes would reduce:

  (i) Demand for cigarettes by approximately 10.4%;

  (ii) The prevalence of adult tobacco use by 3.6%;

  (iii) Initiation of tobacco use by young people by 8.6%; and

(25) Youth under age 18 are particularly responsive to changes in price. For example:

  (i) When cigarettes cost more, fewer adolescents start smoking;

  (ii) Price reductions can offset the effects of price increases on youth smoking initiation, especially among youth ages 14 to 17 years old;

  (iii) The evidence is suggestive that tobacco companies deliberately target youth with price reductions; and

(26) In the State of California, the average pack price is $5.76. Setting a $7 minimum price would represent a 21.5% increase in average price. Based on price elasticity data for the State of California, which has been estimated at between 0.4 and 0.5, an increase to a $7 minimum price would be expected to decrease consumption by between 8.6% and 10.7%. Similarly it would be expected to reduce the prevalence of adult tobacco use by approximately 3.7%, and initiation of tobacco use by young people by 8.8%; and

(27) Price reduction strategies are used by the tobacco industry to counter state and local tobacco control efforts and appeal to price-sensitive consumers; and

(28) Tobacco companies spend significant amounts of money to decrease the price of their products in order to increase demand for cigarettes. For example:

(i) Tobacco companies spend the majority of their marketing budget on price discounts, accounting for nearly $7 billion of their $8.4 billion advertising and promotional expenditures in 2011;

(ii) Tobacco companies spend hundreds of millions – nearly $758 million in 2011 – on promotional allowances requiring tobacco retailers and wholesalers to reduce the costs of cigarettes and other tobacco products at the point of sale;

(iii) Tobacco companies use a variety of promotional strategies including off-invoice discounts, buy downs, and voluntary price reductions; and

(29) The tobacco industry's price discounting strategies, such as coupons, multiple pack discounts, and cartons, are popular among consumers. For example:

(i) An estimated 55.4% of adults use some price minimizing strategy;

(ii) Those who use price minimizing strategies save an average of $1.04 per pack in California (or a 18.6% savings off the total price);

(iii) The 19.8% of adults who smoke cigarettes report that they use coupons to purchase cigarettes;

(iv) The 24.3% of adults who smoke cigarettes report that they purchase cartons of cigarettes, which results in an average savings of $0.75 per pack;

(v) The tobacco industry spent over $171.2 million in 2011 on coupons for consumers; and

(30) Approximately half of stores in California that sell cigarettes advertise price promotions for cigarettes; and

(31) Although the sale of individual cigarettes is banned by federal and state law, neither federal nor state laws restrict the sale of individual cigars, including cigarillos and little cigars; and

(32) Many retailers sell cigars, little cigars, and cigarillos individually, making them more affordable and appealing to youth. For example:

(i) 76% of the tobacco retailers in Sonoma County sell the most popular brands of cigarillos for under $1.00;

(ii) 78.1% of California stores sell cigarillos for less than $1;

(iii) From 1995 to 2008, annual sales of cigarillos increased by 255%, and sales of little cigars increased by 316%;

(iv) Cigar smoking is the second most common form of tobacco use among youth; and

(33) A 10% increase in cigar prices leads to a significant reduction in cigar use among youth; and

(34) A simple flat rate minimum price would, if high enough, "eliminate low-cost cigarettes from the retail market regardless of cigarette manufacturer action"; and

(35) State law prohibits sales of "drug paraphernalia"; and

(36) Many cigarette, tobacco, and head shops sell items that are commonly known to be drug paraphernalia, including bongs and pipes used to smoke methamphetamine and other illicit drugs, and claim that such items are intended for tobacco use; and

(37) The United States Drug Enforcement Agency reports that synthetic drugs, such as "spice", have been commonly purchased by young people at smoke shops and head shops.

(b) Purpose. It is the intent of the Board of Supervisors, in enacting this ordinance, to ensure compliance with the business standards and practices of the County and to assure more responsible tobacco retailing and to discourage violations of tobacco-related laws, especially those which prohibit or discourage the sale or distribution of tobacco and nicotine products to minors, but not to expand or reduce the degree to which the acts regulated by federal or state law are criminally proscribed or to alter the penalties provided therein.

Sec. 32A-2. Definitions.

The following words and phrases, whenever used in this Chapter shall have the meanings defined in this Section unless the context clearly requires otherwise:

(a) "Arm's Length Transaction" means a sale in good faith and for valuable consideration that reflects the fair market value in the open market between two informed and willing parties, neither of which is under any compulsion to participate in the transaction. A sale between relatives, related companies or partners, or a sale for which a significant purpose is avoiding the effect of the violations of this Chapter is not an Arm's Length Transaction.

(b) "Cigar" means any roll of tobacco other than a Cigarette wrapped entirely or in part in tobacco or any substance containing tobacco and weighing more than three pounds per thousand.

(c) "Cigarette" means: (1) any roll of tobacco wrapped in paper or in any substance not containing tobacco; and (2) any roll of tobacco wrapped in any substance containing

tobacco which, because of its appearance, the type of tobacco used in the filler, or its Packaging and Labeling, is likely to be offered to, or purchased by, consumers as a cigarette described herein.

(d) "Consumer" means a person who purchases a Tobacco Product for consumption and not for Sale to another.

(e) "Coupon" means any voucher, rebate, card, paper, note, form, statement, ticket, image, or other issue; whether in paper, digital, or other form; used for commercial purposes to obtain an article, product, service, or accommodation without charge or at a discounted price.

(f) "County" means the unincorporated territory of the County of Sonoma.

(g) "Department" means the County of Sonoma Department of Health Services and any agency or Person designated by the Department to enforce or administer the provisions of this Chapter.

(h) "Drug Paraphernalia" has the meaning set forth in California Health & Safety Code Section 11014.5, as that section may be amended from time to time.

(i) "Full Retail Price" means the price listed for a Tobacco Product on its Packaging or on any related shelving, advertising, or display where the Tobacco Product is sold or offered for Sale, plus all applicable taxes and fees if such taxes and fees are not included in the listed price.

(j) "Health Officer" means the Sonoma County public health officer or his/her designee.

(k) "Hearing Officer" means the Health Officer or designated alternate who shall represent the Department as the Hearing Officer.

(l) "Labeling" means written, printed, or graphic matter upon any Tobacco Product or any of its Packaging, or accompanying such Tobacco Product.

(m) "Little Cigar" means any roll of tobacco other than a Cigarette wrapped entirely or in part in tobacco or any substance containing tobacco and weighing no more than three pounds per thousand. "Little Cigar" includes, but is not limited to, tobacco products known or labeled as "small cigar" or "little cigar."

(n) "Manufacturer" means any person, including any repacker or relabeler, who manufactures, fabricates, assembles, processes, or labels a Tobacco Product; or imports a finished Tobacco Product for sale or distribution into the United States.

(o) "Package" or "Packaging" means a pack, box, carton, or container of any kind or, if no other container, any wrapping (including cellophane) in which a Tobacco Product is sold or offered for Sale to a Consumer.

(p) "Person" means any natural person, corporation, partnership, firm, organization or other legal entity.

(q) "Pharmacy" shall mean a retail establishment in which the profession of pharmacy by a pharmacist licensed by the State of California in accordance with the Business and Professions Code is practiced and where prescriptions are offered for sale. A pharmacy may also offer other retail goods in addition to prescription pharmaceuticals.

(r) “Proprietor” means a Person with an ownership or managerial interest in a business. An ownership interest shall be deemed to exist when a Person has a ten percent (10%) or greater interest in the stock, assets, or income of a business other than the sole interest of security for debt. A managerial interest shall be deemed to exist when a Person can or does have or share ultimate control over the day-to-day operations of a business.

(s) “Sale” or “Sell” means any transfer, exchange, barter, gift, offer for sale, or distribution for a commercial purpose, in any manner or by any means whatsoever.

(t) “Self-Service Display” means the open display or storage of Tobacco Products or Tobacco Paraphernalia in a manner that is physically accessible in any way to the general public without the assistance of the retailer or employee of the retailer and a direct person-to-person transfer between the purchaser and the retailer or employee of the retailer. A vending machine is a form of Self-Service Display.

(u) “Significant Tobacco Retailer” means any Tobacco Retailer for which the principal or core business is selling Tobacco Products, Tobacco Paraphernalia, or both, as evidenced by any of the following: twenty percent (20%) or more of floor or display area is devoted to Tobacco Products, Tobacco Paraphernalia, or both; or 60 percent (60%) or more of gross sales receipts are derived from the sale or exchange of Tobacco Products, Tobacco Paraphernalia, or both; or fifty (50%) percent or more of completed sales transactions include Tobacco Products or Tobacco Paraphernalia.

(v) “Tobacco Paraphernalia” means any item designed for the consumption, use, or preparation of Tobacco Products.

(w) “Tobacco Product” means:

(1) Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff; and

(2) Any electronic device that delivers nicotine or other substances to the person inhaling from the device, including, but not limited to an electronic cigarette, cigar, pipe, or hookah.

(3) Notwithstanding any provision of subsections (1) and (2) to the contrary, “tobacco product” includes any component, part, or accessory of a tobacco product, whether or not sold separately. “Tobacco product” does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where such product is marketed and sold solely for such an approved purpose.

(x) "Tobacco Retailer" means: any Person who sells, offers for sale, or does or offers to exchange for any form of consideration, tobacco, Tobacco Products or Tobacco Paraphernalia. "Tobacco Retailing" shall mean the doing of any of these things. This definition is without regard to the quantity of tobacco, Tobacco Products, or Tobacco Paraphernalia sold, offered for sale, exchanged, or offered for exchange.

Sec. 32A-3. Requirements and Prohibitions.

(a) Tobacco retailer's license required. It shall be unlawful for any Person to act as a Tobacco Retailer in the County without first obtaining and maintaining a valid Tobacco Retailer's license pursuant to this Chapter for each location at which that activity is to occur. Tobacco Retailing without a valid Tobacco Retailer's license is a nuisance as a matter of law.

(b) Lawful business operation. In the course of Tobacco Retailing or in the operation of the business or maintenance of the location for which a license is issued, it shall be a violation of this Chapter for a licensee, or any of the licensee's agents or employees, to violate any local, state, or federal law applicable to Tobacco Products, Tobacco Paraphernalia, or Tobacco Retailing.

(c) Display of license. Each Tobacco Retailer license shall be prominently displayed in a publicly visible location at the licensed location.

(d) Positive identification required for sale. No Person engaged in Tobacco Retailing shall sell or transfer a Tobacco Product or Tobacco Paraphernalia to another Person who appears to be under the age of twenty-seven (27) years without first examining the identification of the recipient to confirm that the recipient is at least the minimum age under state law to purchase and possess the Tobacco Product or Tobacco Paraphernalia.

(e) Minimum age for persons selling tobacco. No Person who is younger than the minimum age established by state law for the purchase or possession of Tobacco Products shall engage in Tobacco Retailing.

(f) Self-service displays prohibited. Tobacco Retailing by means of a Self-Service Display is prohibited.

(g) False and misleading advertising prohibited. A Tobacco Retailer or a Proprietor without a valid Tobacco Retailer license, including, for example, a Person whose license has been suspended or revoked:

(1) Shall keep all Tobacco Products and Tobacco Paraphernalia out of public view. The public display of Tobacco Products or Tobacco Paraphernalia in violation of this provision shall constitute Tobacco Retailing without a license under Section 32A-3(a); and

(2) Shall not display any advertisement relating to Tobacco Products or Tobacco Paraphernalia that promotes the sale or distribution of such products from the Tobacco Retailer's location or that could lead a reasonable consumer to believe that such products can be obtained at that location.

(h) Packaging and labeling. No Tobacco Retailer shall Sell any Tobacco Product to any Consumer unless such product: (1) is sold in the original manufacturer's Packaging intended for Sale to the Consumer; and (2) conforms to all applicable federal labeling requirements.

(i) Drug paraphernalia. It shall be a violation of this Chapter for any licensee or any of the licensee's agents or employees to violate any local, state, or federal law regulating controlled substances or Drug Paraphernalia, such as, for example, California Health and Safety Code Section 11364.7.

(j) Display of price. The price of each Tobacco Product offered for Sale shall be clearly and conspicuously displayed to clearly indicate the price of the product.

(k) Prohibition of tobacco coupons and discounts.

(1) Cigarettes. No Tobacco Retailer shall:

(i) Honor or redeem, or offer to honor or redeem, a Coupon to allow a Consumer to purchase a Package of Cigarettes for less than the Full Retail Price;

(ii) Sell any Package of Cigarettes to a Consumer through a multi-package discount or otherwise provide any Package of Cigarettes to a Consumer for less than the Full Retail Price in exchange for the purchase of any Tobacco Product or any other item by the Consumer;

(iii) Provide any free or discounted item to a Consumer in consideration for the purchase of a Package of Cigarettes.

(2) Tobacco Products that are not Cigarettes. No Tobacco Retailer shall:

(i) Honor or redeem, or offer to honor or redeem, a Coupon to allow a Consumer to purchase a Tobacco Product that is not a Cigarette for less than the Full Retail Price;

(ii) Sell any Tobacco Product that is not a Cigarette to a Consumer through a multi-package discount or otherwise provide any such product to a Consumer for less than the Full Retail Price in exchange for the purchase of any Tobacco Product that is not a Cigarette or any other item by the Consumer;

(iii) Provide any free or discounted item to a Consumer in consideration for the purchase of any Tobacco Product that is not a Cigarette.

(l) Minimum package size for little cigars and cigars. No Tobacco Retailer shall Sell to a Consumer:

(1) Any Little Cigar unless it is sold in a Package of at least twenty Little Cigars.

(2) Any Cigar unless it is sold in a Package of at least five Cigars; provided, however, that this subsection shall not apply to a Cigar that has a price of at least $5.00 per Cigar, including all applicable taxes and fees.

(m) Minimum price for cigarettes, little cigars, and cigars. No Tobacco Retailer shall Sell to a Consumer:

(1) A Package of Cigarettes at a price that is less than $7.00 per Package of 20 cigarettes, including all applicable taxes and fees.

(2) A Package of Little Cigars at a price that is less than $7.00 per Package of 20 little cigars, including all applicable taxes and fees.

(3) A Package of Cigars at a price that is less than $7.00 per five Cigars, including all applicable taxes and fees.

(n) Positive identification required for entry: Significant Tobacco Retailers. No Significant Tobacco Retailer shall allow the following individuals to enter its premises: (1) any individual who is younger than the minimum age established by state law for the purchase or possession of Tobacco Products; (2) any individual who appears to be under the age of twenty-seven (27) years, unless an examination of the individual's identification confirms that the individual is at least the minimum age under state law to purchase and possess Tobacco Products.

Sec. 32A-4. Limits on Eligibility for a Tobacco Retailer License.

(a) Mobile vending. No license may issue to authorize Tobacco Retailing at other than a fixed location. For example, Tobacco Retailing by Persons on foot or from vehicles is prohibited.

(b) Medical marijuana dispensary. No license may be issued to authorize Tobacco Retailing in a medical marijuana dispensary established pursuant to Chapter 26 of the County Code regardless of whether the retail establishment sells other retail goods in addition to medical marijuana.

(c) Pharmacies. No license may be issued to authorize Tobacco Retailing in a Pharmacy. For the purposes of this subsection, "Pharmacy" means any retail establishment in which the profession of pharmacy is practiced by a pharmacist licensed by the State of California in accordance with the Business and Professions Code and where prescription pharmaceuticals are offered for sale, regardless of whether the retail establishment sells other retail goods in addition to prescription pharmaceuticals.

(d) Excessive density. The issuing of Tobacco Retailer licenses is limited as follows:

(1) No license may be issued to authorize Tobacco Retailing if the number of Tobacco Retailer licenses issued exceeds one (1) retailer per 2,000 inhabitants countywide.

(2) For the purposes of this subsection, the total population of the County shall be determined by the most current published total available from the U.S. Census Bureau or the California State Department of Finance, whichever has been more recently updated, as of the date the license application is filed.

(3) So long as the number of Tobacco Retailer licenses issued equals or exceeds the total number authorized pursuant to subsection (1), no license may issue to authorize Tobacco Retailing.

(e) Schools. No license may be issued to authorize Tobacco Retailing within one thousand (1,000) feet of a School as measured by a straight line from the nearest point of the property line of the parcel on which the School is located to the nearest point of the property line of the parcel on which the applicant's business is located. For the purposes of this subsection, a "School" means a parcel of the County that is occupied by a private or public kindergarten, elementary, middle, junior high, or high school.

(f) Significant tobacco retailers. No license may be issued to authorize Tobacco Retailing by a Significant Tobacco Retailer.

(g) Exceptions.

(1) A Tobacco Retailer that meets all of the following requirements shall be exempt from the limitations specified in subsections (d) – (f) and may receive or renew a license so long as it is otherwise eligible.

(i) On the effective date of this ordinance, the Tobacco Retailer is open for business and is operating as a Tobacco Retailer;

(ii) On the effective date of this ordinance, the Tobacco Retailer maintains a valid tobacco retailer's license issued by the State of California's Board of Equalization, if the Tobacco Retailer sells products that require such license;

(iii) The Tobacco Retailer license issued by the County of Sonoma is timely obtained and is renewed without lapse or permanent revocation (as opposed to temporary suspension);

(iv) The Tobacco Retailer is not closed for business or otherwise suspends Tobacco Retailing for more than sixty (60) consecutive days;

(v) The Tobacco Retailer does not substantially change the business premises or business operation;

(vi) The Tobacco Retailer retains the right to operate under other applicable laws including without limitation Chapter 7 and Chapter 26 of the County Code.

Sec. 32A-5. Application Procedure.

(a) Application for a Tobacco Retailer's license shall be submitted in the name of each Proprietor proposing to conduct retail tobacco sales and shall be signed by each Proprietor or an authorized agent thereof on an annual basis.

It is the responsibility of each Proprietor to be informed regarding all laws applicable to Tobacco Retailing, including those laws affecting the issuance of a Tobacco Retailer's license. No Proprietor may rely on the issuance of a license as a determination by the County that the Proprietor has complied with all laws applicable to Tobacco Retailing. A license issued contrary to this Chapter, contrary to any other law, or on the basis of false or misleading information supplied by a Proprietor shall be revoked pursuant to Section 32A-11 of this Chapter. Nothing in this Chapter shall be construed to vest in any Person

obtaining and maintaining a Tobacco Retailer's license any status or right to act as a Tobacco Retailer in contravention of any provision of law.

All applications shall be submitted on a form supplied by the Department and shall contain the following information:

(1) The name, address, and telephone number of each Proprietor of the business seeking a license.

(2) The business name, address, and telephone number of the single fixed location for which a license is sought and if fixed location is within one thousand (1,000) feet of a School as measured in Section 32A-4(e) and/or is a Significant Tobacco Retailer as defined by Section 1(u).

(3) A single name and mailing address authorized by each Proprietor to receive all communications and notices (the "Authorized Address") required by, authorized by, or convenient to the enforcement of this Chapter If an Authorized Address is not supplied, each Proprietor shall be understood to consent to the provision of notice at the business address specified in subparagraph (2) above.

(4) Proof that the location for which a Tobacco Retailer's license is sought has been issued a valid state tobacco retailer's license by the California Board of Equalization.

(5) Whether or not any Proprietor or any agent of the Proprietor has admitted violating, or has been found to have violated, this Chapter and, if so, the dates and locations of all such violations within the previous five years.

(6) A statement signed by each Proprietor that no Drug Paraphernalia is or will be sold at the location for which the license is sought.

(7) Such other information as the Department deems necessary for the administration or enforcement of this Chapter as specified on the application form required by this Section.

(b) A licensed Tobacco Retailer shall inform the Department in writing of any change in the information submitted on an application for a Tobacco Retailer's license within ten (10) business days of a change.

(c) All information specified in an application pursuant to this Section shall be subject to disclosure under the California Public Records Act (California Government Code Section 6250 *et seq*.) or any other applicable law.

Sec. 32A-6. Issuance of License.

Upon the receipt of a complete application for a Tobacco Retailer's license and the license fee required by this Chapter on an annual basis, the Department shall issue a license for one year, unless sufficient evidence demonstrates that one or more of the following bases for denial exists and that none of the exceptions set out in Section 4(g) are applicable:

(a) The information presented in the application is inaccurate or false. Intentionally supplying inaccurate or false information shall be a violation of this Chapter.

(b) The application seeks authorization for Tobacco Retailing at a location for which this Chapter prohibits issuance of Tobacco Retailer licenses.

(c) The application seeks authorization for Tobacco Retailing for a Proprietor to whom this Chapter prohibits a license to be issued.

(d) The application seeks authorization for Tobacco Retailing that is prohibited pursuant to this Chapter, that is unlawful pursuant to this Code including without limitation Chapter 7 and Chapter 26 of the County Code, or that is unlawful pursuant to any other law.

(e) Any denial of a license under this Section may be appealed pursuant to Section 12.

Sec. 32A-7. Licenses Nontransferable.

(a) A Tobacco Retailer's license may not be transferred from one Person to another or from one location to another. A new Tobacco Retailer's license is required whenever a Tobacco Retailing location has a change in Proprietor(s).

(b) Notwithstanding any other provision of this Chapter, prior violations at a location shall continue to be counted against a location and license ineligibility periods shall continue to apply to a location unless:

(1) The location has been transferred to new Proprietor(s) in an Arm's Length Transaction; and

(2) The new Proprietor(s) provide the County with clear and convincing evidence that the new Proprietor(s) have acquired or are acquiring the location in an Arm's Length Transaction.

Sec. 32A-8. License Conveys a Limited, Conditional Privilege.

Nothing in this Chapter shall be construed to grant any Person obtaining and maintaining a Tobacco Retailer's license any status or right other than the limited conditional privilege to act as a Tobacco Retailer at the location in the County identified on the face of the license. For example, nothing in this Chapter shall be construed to render inapplicable, supersede, or apply in lieu of, any other provision of applicable law, including but not limited to, any provision of this Code including without limitation Chapter 7 and Chapter 26 of the County code, or any condition or limitation on smoking in an enclosed place of employment pursuant to California Labor Code Section 6404.5. For example, obtaining a Tobacco Retailer's license does not make the retailer a "retail or wholesale tobacco shop" for the purposes of California Labor Code Section 6404.5.

Sec. 32A-9. Fee for License.

The fee to issue or to renew a Tobacco Retailer's license shall be paid annually. The fee may be adjusted from time to time by resolution of the County. The fee shall be calculated so as to recover the reasonable regulatory cost of administration and enforcement of this Chapter,

including, for example, issuing a license, administering the license program, retailer education, retailer inspection including use of youth decoys at least once annually and compliance checks, documentation of violations, and prosecution of violators, but shall not exceed the cost of the regulatory program authorized by this Chapter. All fees and interest upon proceeds of fees shall be used exclusively to fund administration and enforcement of this Chapter. Fees are nonrefundable except as may be required by law.

Sec. 32A-10. Compliance Monitoring.

(a) Compliance with this Chapter shall be monitored by the Department. The County may designate any number of Persons to monitor compliance with this Chapter.

(b) The Department, or other Person designated to enforce the provisions of this Chapter shall inspect each Tobacco Retailer at least once every twelve (12) months. The Sonoma County Sheriff's Office shall also have authority to assist in the enforcement of the provisions of this Chapter. Nothing in this paragraph shall create a right of action in any licensee or other Person against the County or its agents.

(c) The County shall not enforce any law establishing a minimum age for Tobacco purchases or possession against a Person who otherwise might be in violation of such law because of the Person's age (hereinafter "Youth Decoy") if the potential violation occurs when:

(1) The Youth Decoy is participating in an inspection supervised by a peace officer, code enforcement official, or the Person designated by the County to monitor compliance with this Chapter;

(2) The Youth Decoy is acting as an agent of a Person designated by the County to monitor compliance with this Chapter; or

(3) The Youth Decoy is participating in an inspection funded in part, either directly or indirectly through subcontracting, by the County of Sonoma Department of Health Services or the California Department of Health Services.

Sec. 32A-11. Suspension or Revocation of License.

(a) Suspension or revocation of license for violation. In addition to any other penalty authorized by law, a Tobacco Retailer's license shall be suspended or revoked if any court of competent jurisdiction determines, or the Department finds based on a preponderance of the evidence, after the licensee is afforded notice and an opportunity to be heard, that the licensee, or any of the licensee's agents or employees, has violated any of the requirements, conditions, or prohibitions of this Chapter.

(1) Upon a finding by the Department of a first violation of this Chapter at a location within any sixty-month (60) period, the license shall be suspended for thirty (30) days.

(2) Upon a finding by the Department of a second violation of this Chapter at a location within any sixty-month (60) period, the license shall be suspended for sixty (60) days.

(3) Upon a finding by the Department of a third violation of this Chapter at a location within any sixty-month (60) period, the license shall be suspended for ninety (90) days.

(4) Upon a finding by the Department of four or more violations of this Chapter at a location within any sixty-month (60) period, the license shall be revoked.

(b) Revocation of license wrongly issued. A Tobacco Retailer's license shall be revoked if the Department finds, after the licensee is afforded notice and an opportunity to be heard, that one or more of the bases for denial of a license under Section 6 existed at the time application was made or at any time before the license issued. Such a revocation shall be without prejudice to the filing of a new license application.

(c) Any suspension or revocation of a license under this Section may be appealed pursuant to Section 12.

Sec. 32A-12. Appeals.

(a) Appeal of denial, suspension or revocation. A decision of the Department to deny a license or to suspend or revoke a license) is appealable to the Hearing Officer and any appeal must be filed in writing to the Department within ten days of mailing of the Department's decision, or within ten days of the effective date of notice of suspension or revocation of a license. With respect to suspensions or revocations, if such an appeal is timely made, it shall stay enforcement of the appealed action.

(b) Appeal hearing procedures. Whenever this Chapter provides for a hearing or an opportunity to be heard, any such hearing shall be conducted in accordance with this Section.

(1) No later than 15 calendar days after receipt of the request for a hearing, the Hearing Officer shall set a hearing at the earliest practicable time and shall give notice of the hearing to the parties at least 10 calendar days before the date of the hearing.

(2) Neither the provisions of the Administrative Procedure Act (Government Code Section 11500 et seq.) nor the formal rules of evidence in civil or criminal judicial hearings shall apply to such hearing. At the hearing, the Hearing Officer may admit any evidence, including witnesses, relevant to the determination of the matter, except as otherwise provided in this Chapter. A record of the hearing shall be made by any means, including electronic recording, so long as a reasonably accurate and complete written transcription of the proceedings can be made.

(3) The Hearing Officer may continue the hearing from time to time, in his or her sole discretion, to allow for orderly completion of the hearing.

(4) After the conclusion of the hearing, the Hearing Officer shall issue a written decision. Notice of the written decision, including findings of facts, conclusions of law, and notification of the time period in which judicial review may be sought pursuant to Code of Civil Procedure Section 1094.6 shall be served upon all parties. Any decision rendered by the Hearing Officer shall be a final administrative decision.

(c) Judicial review. The decisions of the Hearing Officer on appeal shall be final, subject to judicial review under the provisions of California Code of Civil Procedure Sections 1094.5 and 1094.6. C.C.P. Section 1094.6 governs limitation of time for filing petitions under Section 1094.5, as set forth in Sonoma County Code Section 1-7.5.

(d) Settlement in lieu of appeal. For a first or second alleged violation of this Chapter within any five year period, the Department or designee may engage in settlement negotiations and may enter into a settlement agreement with a Tobacco Retailer alleged to have violated this Chapter; provided that a timely appeal has been filed. Settlements shall not be confidential.

(1) After a first alleged violation, any settlement must contain the following minimum terms:

(i) Suspension of the Tobacco Retailer License for at least fifteen days;

(ii) A settlement payment to the Department of Health Services of at least one-thousand five hundred dollars; and

(iii) An admission by the licensee that the violation occurred and a stipulation that the violation will be counted when considering what penalty will be assessed for any future violations.

(2) After a second alleged violation, any settlement must contain the following minimum terms:

(i) Suspension of the Tobacco Retailer License for at least forty-five days;

(ii) A settlement payment to the Department of Health Services of at least five-thousand five hundred dollars; and

(iii) An admission by the licensee that the violation occurred and a stipulation that the violation will be counted when considering what penalty will be assessed for any future violations.

Sec. 32A-13. Tobacco Retailing Without a Valid License.

(a) In addition to any other penalty authorized by law, if the Department finds based on a sufficient evidence, after notice and an opportunity to be heard, that any Person has engaged in Tobacco Retailing at a location without a valid Tobacco Retailer's license, either directly or through the Person's agents or employees, the Person shall be ineligible to apply for, or to be issued, a Tobacco Retailer's license as follows:

(1) After a first violation of this Section at a location within any sixty-month (60) period, no new license may issue for the Person or the location (unless ownership of the business at the location has been transferred in an Arm's Length Transaction), until one (1) year has passed from the date of the violation.

(2) After a second violation of this Section at a location within any sixty-month (60) period, no new license may issue for the Person or the location (unless ownership of

the business at the location has been transferred in an Arm's Length Transaction), until three (3) years have passed from the date of the violation.

(3) After a third or subsequent violation of this Section at a location within any sixty-month (60) period, no new license may issue for the Person or the location (unless ownership of the business at the location has been transferred in an Arm's Length Transaction).

(b) These provisions shall begin only after a ninety-day (90) grace period after the effective date of this Chapter.

Sec. 32A-14. Additional Remedies.

(a) The remedies provided by this Chapter are cumulative and in addition to any other remedies available at law or in equity.

(b) Whenever evidence of a violation of this Chapter is obtained in any part through the participation of a Person under the age of eighteen (18) years old, such a Person shall not be required to appear or give testimony in any civil or administrative process brought to enforce this Chapter and the alleged violation shall be adjudicated based on sufficiency and persuasiveness of the evidence presented.

(c) Violations of this Chapter are subject to a civil action brought by the County, including suits for injunctive relief. A violation of this Chapter shall be an infraction, and may be punishable by:

(1) A fine, not exceeding one hundred dollars ($100.00), for the first violation;

(2) A fine, not exceeding two hundred dollars ($200.00), for a second violation of this Chapter within one (1) year;

(3) A fine, not exceeding five hundred dollars ($500.00), for each additional violation of this Chapter within one (1) year.

The County may elect to seek recovery of its own attorneys' fees as set forth in Sonoma County Code Section 1-7. Under Section 1-7, in any action or proceeding where the County seeks recovery of its attorneys' fees, an award of attorneys' fees may be made available to the prevailing party, provided that the award of attorneys' fees to the prevailing party shall not exceed the amount of reasonable attorneys' fees incurred by the County in the same action or proceeding.

(d) Causing, permitting, aiding, abetting, or concealing a violation of any provision of this Chapter shall also constitute a violation of this Chapter.

(e) For the purposes of the civil remedies provided in this Chapter:

(1) Each day on which a Tobacco Product or Tobacco Paraphernalia is offered for sale in violation of this Chapter; or

(2) Each individual retail Tobacco Product and each individual retail item of Tobacco Paraphernalia that is distributed, sold, or offered for sale in violation of this Chapter; shall constitute a separate violation of this Chapter.

Sec. 32A-15. Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this Ordinance, or its application to any other person or circumstance. The Board of Supervisors of the County of Sonoma hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

SECTION II. 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 III. Adoption and implementation of this ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the State CEQA Guidelines because it can be seen with certainty that there is no possibility that this ordinance may have a significant effect on the environment. Adoption and implementation of the standards, license requirements, and other measures contained in the ordinance will not result in any direct physical change to the environment on their own. In the alternative, the adoption and implementation of this ordinance is exempt from CEQA pursuant to Section 15308 of the State CEQA Guidelines as an action taken to assure the maintenance, restoration, enhancement, and protection of environment where the regulatory process involves procedures for protection of the environment. The basis for this determination is that this ordinance does not in itself approve any construction activities, but instead establishes standards, license requirements, and other measures that regulate the licensure of tobacco retailers more stringently than existing codes. These standards, license requirements, and other measures will assure the protection of human health, which is an aspect of the environment under Public Resources Code Section 21083(b)(3), by strengthening existing standards for preventing the sale of tobacco to youth and establishing new limitations on tobacco retailer licensure. The Director of the Department of Health Services is directed to file a notice of exemption in accordance with CEQA and the State CEQA Guidelines.

SECTION IV. This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors

voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma introduced on the 7th day of April, 2015, and finally passed and adopted this _____ day of _____ 2015, on regular roll call of the members of said Board by the following vote:

Supervisors:

Rabbitt:	Zane:	Gore:	Carrillo:	Gorin:
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:

_____

Clerk of the Board of Supervisors

SUMMARY OF A PROPOSED ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, ADDING CHAPTER 32A TO THE SONOMA COUNTY CODE TO REQUIRE THE LICENSURE OF TOBACCO RETAILERS.

On April 7, 2015, the Board of Supervisors of the County of Sonoma will consider a proposed ordinance that would add Chapter 32A to the Sonoma County Code to require the licensure of tobacco retailers.

Sonoma County has been proactive in developing and implementing evidence-based policies aimed at reducing exposure to second-hand smoke in public places and multi-unit housing. In response to the Board of Supervisor's request in 2014, and expanding on the County's work on smoking policies with the particular goal of reducing youth access and smoking rates, a tobacco retailer licensing (TRL) system is proposed. The primary function of a TRL is to reduce illegal sales of tobacco products to minors by enacting retailer conditions that reduce the appeal and access of products to underage youth and by using the fees generated through licensing to ensure age limits are complied with by tobacco retailers.

The proposed ordinance will add the following as Chapter 32A to the Sonoma County Code:

1. Section 32A-1 provides Findings and Purpose in support of a TRL ordinance.
2. Section 32A-2 provides Definitions related to a TRL including, among other things, "Significant Tobacco Retailer" which means any of the following: 20% or more of floor display area devoted to tobacco products; 60% or more of the gross sales receipts from the sale of tobacco; or 50% or more of completed sales transactions involving tobacco.
3. Section 32A-3 requires that all tobacco retailers obtain a license and have all customers provide identification that they are the legally required age to purchase tobacco products, and it prohibits all retailers from using tobacco coupons or discounts, prohibits all retailers from selling individual cigars, and establishes that a minimum price for a package of 20 cigarettes, 20 little cigars, and five cigars shall be $7.00. All "Significant Tobacco Retailers" will be precluded from allowing anyone under the age of 18 from entering the premises.
4. Section 32A-4 provides limits on eligibility for a TRL, including no tobacco sales for mobile vending, medical marijuana dispensaries, or pharmacies. This Section also provides that no license will be issued: if the number of retailers exceed one retailer per 2,000 inhabitants; if the retailer is located within 1,000 feet of a school, or if the retailer is a "Significant Tobacco Retailer." However, a retailer that (1) is open for business and has a license issued by the State on the effective date of this ordinance, (2) is then issued a TRL by the County, (3) thereafter does not substantially change their business, and (4) continues to operate as required by all other laws, is exempt from the density, location near schools and significant retailer prohibitions. Therefore, the section "grandfathers" in existing retailers.
5. Section 32A-5 provides for the application procedure.
6. Section 32A-6 provides for the issuance of a license for one year upon proper completion of the application and payment of the fee unless sufficient evidence exists for denial. Using other jurisdictions as a guide, and in consideration of the cost associated with administration, compliance and enforcement of the license, and the number of current tobacco retailers, the fee is estimated to cost retailers $800 - $1,200 annually.

7. Section 32A-7 provides an explanation that licenses are nontransferable.
8. Section 32A-8 provides and explains that a license conveys only a limited, conditional privilege and that the retailer is still required to comply with all other applicable laws.
9. Section 32A-9 provides information on how the fee for a license is calculated. The fee shall be calculated so as to recover the reasonable regulatory cost of administration and enforcement of the TRL program, which has been calculated at $988 and is scheduled for consideration in a separate fee hearing in April 2015.
10. Section 32A-10 provides requirements for monitoring retailers, which includes the use of youth decoys and at least one inspection of every retailer at least once every twelve months.
11. Section 32A-11 provides information on suspensions and revocations of licenses. A license will be suspended for 30 days for a first violation, 60 days for a second violation, 90 days for a third violation, and revocation of a license for a fourth violation. This applies for any violation within a 60 month period.
12. Section 32A-12 provides information on the process for a retailer to appeal a decision by the department to deny, suspend or revoke a license. The appeal is heard by a Hearing Officer and that decision may be reviewed by a court. It further describes the process that is available to settle these matters, instead of having a hearing. Even if a settlement is agreed to, a retailer in violation of the ordinance is still subject to a minimum 15-day suspension.
13. Section 32A-13 provides for penalties for retailing without a license and provides that a retailer is not required to obtain a license until 90 days after the effective date of the ordinance.
14. Section 32A-14 provides for the remedies and type of actions that may be brought for violations of this ordinance, which may include injunctive relief, fines, and recovery of attorney's fees.
15. Section III finds that adoption and implementation of this ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the State CEQA Guidelines because it can be seen with certainty that there is no possibility that this ordinance may have a significant effect on the environment, and pursuant to Section 15308 of the State CEQA Guidelines as an action taken to assure the protection of human health, which is an aspect of the environment under Public Resources Code Section 21083(b)(3). Section III also directs the Director of the Department of Health Services to file a notice of exemption in accordance with CEQA and the State CEQA Guidelines.

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. In addition, the proposed ordinance will be posted on the County tobacco education website www.sonoma-county.org/BreatheEasy at least 5 days prior to the Board of Supervisor's meeting at which the ordinance is given the first reading.

Veronica A. Ferguson
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

TOBACCO RETAILER LICENSE POLICY PROVISIONS

sonoma county
DEPARTMENT OF HEALTH SERVICES

AN OVERVIEW OF TRL POLICY OPTIONS FOR SONOMA COUNTY

This document discusses a local Tobacco Retailer License (TRL), the most effective strategy to reduce illegal tobacco sales to minors. Many California municipalities address youth access to tobacco and nicotine products in the retail environment and prevent youth smoking initiation with a TRL. While over 140 California communities have a local TRL in place currently, as of January 2015, only one jurisdiction (Healdsburg) in Sonoma County has a adopted a TRL.

According to *A Portrait of Sonoma County*, a report recently commissioned by the Sonoma County Board of Supervisors, one concrete, population-level action Sonoma County can take to promote the overall well-being of its residents is to "redouble antismoking efforts." Policies that address teen smoking, such as Tobacco Retail Licensing (TRL), are the right action to take since smoking and smokeless tobacco use are initiated primarily during adolescence. Many of these adolescents establish an addiction to nicotine before they are old enough to understand the harms, setting them up for a lifetime of risk for chronic diseases. A TRL in the County could protect youth by providing education and an intervention that will help ensure retailers comply with federal, state, and local laws designed to prevent youth access to tobacco products.

Research shows the retail environment is one of the primary avenues from which youth obtain tobacco products. Therefore, it stands that one of the most effective interventions to address youth smoking is through local implementation of a TRL. A TRL is a license issued by a government that is required for a retailer to sell tobacco products in that jurisdiction. The available literature finds that the effectiveness of TRLs hinges on the inclusion of an annual fee set high enough to fully support the administration of the ordinance and compliance activities, as well as an enforcement protocol that includes strong penalties for non-compliance. A local TRL would not supplant California's required tobacco license. The state licensing law is a one-time fee of $100 and is for tax evasion and smuggling. It is not designed to address public health concerns, such as youth access to tobacco products. Communities across California have attempted to fill the void by adopting local tobacco retailer licensing ordinances.

- **It is common for localities to adopt additional TRL policy provisions or "plug-ins" to further restrict the sale of tobacco/nicotine products in order to provide more protection against youth access to conventional and emerging tobacco/ nicotine products.**
- **Proposed policy provisions are listed on pages 2-3.**

Tobacco & Youth Quick Facts

- Nearly 9 out of 10 smokers started smoking by age 18, and 99% started by age 26.[1,2,3,4]
- An estimated 34,000 youth start to smoke in California each year.[5]
- In Sonoma County, 26% of 11th graders have ever smoked a whole cigarette and 13% report any use of cigarettes in the past 30 days.[6]
- In Sonoma County, 70% of 11th graders and 52% of 9th graders report that it is "fairly" or "very" easy to obtain cigarettes.[6]
- In Sonoma County, there are over 450 tobacco retailers, in the unincorporated county alone there are about 138 tobacco retailers.[10]
- In Sonoma County, the average price for one Swisher Sweets cigarillo, any flavor, was $1.14, an example of how youth-appealing tobacco products are affordable for practically anyone.[7]
- Sonoma County communities are saturated with a diversity of tobacco products with most retailers selling little cigars (83.1%), chewing tobacco (75.6%), flavored tobacco products (83.1%) and e-cigarettes (60.5%).[7]
- Sonoma County 2013 compliance rates with youth access laws vary across the county ranging from 8% to 20% according to the Stop Tobacco Access to Kids Enforcement (STAKE) Act data from the State of California Food and Drug Branch.[8]

TOBACCO RETAILER LICENSE POLICY PROVISIONS

Proposed Provisions	Provision Rationale	Adoption in Jurisdictions as of 2014
1) *All* tobacco retailers obtain a nontransferable license each year that is issued by governing body that passed the policy	- Basic ordinance requires all businesses that sell tobacco products to obtain a license from the local government in exchange for the privilege of selling unhealthy items to adult consumers. - Nontransferable license ensures that a new license must be obtained for any change in business and allows for improved tracking/ vetting.	Over 140 CA jurisdictions
2) Set the *annual* licensing fee to *fully cover all program costs,* (administration/ enforcement)	- Annual fees support local enforcement of local, state, and federal youth access laws, which in turn has been proven to increase tobacco retailer compliance, decrease youth access to tobacco, and decrease youth smoking rates.	About 85% of jurisdictions with TRLs have fees that fully cover the cost of the TRL (Fee Range: $250 -$1,500)
3) Define "tobacco product" and "paraphernalia" to include all nicotine and nontraditional products (e.g., e-cigarettes, Snus)	- Tobacco product definition is broad enough to include current tobacco/ nicotine products and emerging tobacco/ nicotine products. - Emerging product use such as e-cigarette use has doubled among youth. Currently unregulated, regulating e-cigarettes and emerging products as tobacco products could help local enforcement of all tobacco laws.	Over 60 TRLs include broader tobacco definitions and e-cigs in TRL including County of Santa Cruz , Contra Costa County
4) Violating *any (local, state, or federal)* tobacco law is also a violation of the license	- Facilitates comprehensive local enforcement of <u>all</u> tobacco related laws. - Ensures localities can prioritize enforcement of all tobacco laws at the local level, even when state/federal authorities cannot.	Most jurisdictions with TRLs include this provision
5) No new licenses for tobacco retailers within 1,000 feet of schools (existing retailers are exempt)	- Research has shown the density of tobacco retailers, particularly in neighborhoods surrounding schools, has been associated with increased youth smoking rates and increased youth smoking experimentation.	32 localities restrict tobacco sales w/in a certain distance of schools/parks. E.g., 1,000 ft. = Santa Clara County, Santa Barbara County, Carpentaria
6) Prohibit all self-service displays including e-cigarettes	- Closes state law loophole. Currently, self-service display bans do not include e-cigs and other emerging nicotine products. - Closes state law loophole that lets significant tobacco retailers have self-service displays.	More than 20 jurisdictions include the self-service display ban
7) No new license may be issued to authorize tobacco retailing if the number of licensed retailers in the County exceeds one retailer per 2,000 residents	- Greater tobacco retailer density may lead to higher smoking rates. Helps to control the overall density of tobacco retailers in a community. - California law limits alcohol licenses based on density, and this policy applies that same rationale to tobacco retailers.	Cities of Oroville, Lynwood, Huntington Park
8) No sales of individual little cigars or cigars; sets a minimum pack size of 20 little cigars; sets a minimum cigar package of five	- Due to their low prices and candy flavoring, these products are particularly appealing to youth. Though they are often similar to cigarettes, they are not subject to the same restrictions against selling the product individually or in small quantities. - Closes this loophole and regulates products increasingly used by youth. - Premium cigars over $5 are exempt from this provision.	City of Huntington Park, City of Gardena, Union City, Hayward

Proposed Provisions	Provision Rationale	Adoption in Jurisdictions as of 2014
9) No new license for a retailer that primarily sells tobacco - a significant tobacco retailer (e.g., head shop, vape shops, discount cigarette shops)	- State reports have shown that these businesses illegally sell tobacco to minors at a higher rate than the statewide average. - Businesses often sell items commonly known to be drug paraphernalia and claiming that it is for tobacco use.	City of Huntington, City of Pasadena, City of Carpentaria, City of South San Francisco
10) No license issued to mobile vendors	- Closes state law loophole that allows for mobile vendors. - Due to the nature of mobile vendors, their lack of permanent location makes it hard to check for compliance with youth access laws.	Most jurisdictions with TRLs ban mobile sales
11) No license for a medical marijuana dispensary	- Prohibits marijuana dispensaries from selling tobacco products. - May help to decrease access to tobacco to potentially higher risk clientele and to protect residential populations from secondary effects such as crime and increased availability of unfavorable or controversial products.	City of Santa Ana, Union City (full ban on medical marijuana dispensaries)
12) No license for a business that contains a pharmacy	- Sales of a harmful product in an establishment that serves a health function is contradictory. - Several court cases have established that a locality may enact a law banning the sale of tobacco in stores that contain pharmacies as long it does not treat similar stores with pharmacies differently from one another.	San Francisco, Santa Clara County, Richmond, Marin County
13) No sales of drug paraphernalia	- A retailer found to have violated state laws regarding drug paraphernalia will also be in violation of the local TRL and the penalties of the licensing ordinance will apply. - Provides more tools for local law enforcement to combat sales of drug paraphernalia.	Union City, Oakland, Richmond, Grass Valley, Montebello, Firebaugh, Lynwood
14) Sets a minimum price for a pack of cigarettes and/or other tobacco products	- Research has documented the connection between the price of cigarettes and consumption of cigarettes. When the cost is high, consumption goes down. - The U.S. Surgeon General and the World Health Organization state that to increase the cost of tobacco is an effective strategy to reduce tobacco initiation and consumption, and to increase cessation.	New York City has passed this, but no locality in California has passed one.
15) Prohibits price discounting and promotions	- This provision increases the cost of low-cost, deep discounted tobacco products. The provision complements the minimum price provision and prevents the industry from circumventing the minimum price. - A prohibition on price discounting – effectively diminishes the tobacco industry's ability to capture more price-sensitive consumers, including youth and low-income individuals.	New York City and Providence, RI are the only local governments to pass this. No California jurisdiction has done this.

Tobacco Retailer Licensing (TRL)

Sonoma County
DEPARTMENT OF HEALTH SERVICES

HEALTHY RETAIL COMMUNITY ENGAGEMENT

For over ten years, the Center for Well-Being has worked to protect low-income, youth, Latino, and rural residents of Sonoma County from tobacco.

To support TRLs, the Center will continue to collaborate with the Coalition for a Tobacco-free Sonoma County, a diverse network of partners, to:

- Engage and educate youth and Community Health Workers so they can speak to their peers and tobacco retailers about the need for a healthy retail environment, and
- Present to neighborhood associations, school groups, business groups, retailers, parents, and youth to educate the public on the link between the retail environment and the development of chronic disease.

Tobacco Retailers in Sonoma County Unincorporated Area By Type*[10]

- 138 Tobacco Retailers in unincorporated in 2015
- 15 Tobacco Retailers 1,000 ft. of schools (2 are significant tobacco retailers)
- 10 Retailers primarily sell tobacco/electronic smoking devices/tobacco paraphernalia
- 1 Pharmacy sells tobacco

*Estimates only

TOBACCO RETAILER LICENSING KEY POINTS

- Enforced local TRL policies are the most effective strategy for reducing illegal sales to minors. For example, in San Luis Obispo County, rates of underage tobacco purchases dropped from 33.3 percent to 5 percent after passage of their 2008 ordinance.
- The State of California tobacco retail license is a one-time $100 application fee. Its purpose is to prevent smuggling. It does little to reduce underage sales as the associated penalties for violations are weak and retailers are at little risk of losing their licenses.[5]
- In opinion polls conducted in 2011 and 2013, 88% of respondents at the state-level, and 90% of local respondents are in favor of a local policy that would revoke tobacco licenses from retailers who repeatedly sell to minors.[5]
- According to the 2015 American Lung Association's *State of Tobacco Control Report Card*, Sonoma County earned an "F" grade when it came to reducing sales of tobacco products.

"Living in counties with higher retailer compliance with youth access laws is associated with higher odds of youth being refused cigarettes when attempting to buy in stores (OR = 1.12, 95% CI = 1.01-1.25, P < .05) and lower odds of retail stores being youth's usual source of cigarettes (OR = 0.88, 95% CI = 0.80-0.97, P < .01)." [9]

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sonoma county
DEPARTMENT OF HEALTH SERVICES

FACT SHEET

Proposed Sonoma County Tobacco Retail License

I. Key Facts
II. Overview of Data and Need
III. Tobacco Retail License (TRL) Summary
IV. Minimum Price/Discounting
V. Density & License Non-transferability
VI. Fees

I. Key Facts

- **TOBACCO KILLS AND MOST LIFE-LONG USERS START YOUNG**: We know that most tobacco user start when they are young. 90% of life-long smokers start before they are 18. On average 570 Sonoma County residents die each year from smoking related diseases.

- **KIDS CAN EASILY PURCHASE TOBACCO PRODUCTS IN SONOMA COUNTY:** Our youth have an easy time purchasing tobacco products in Sonoma County. DHS recently conducted a youth purchasing survey in February and found that 18% of retailers sold to underage youth. The Petaluma Police also conducted a recent youth purchasing sting operation and found that 39% of their retailers sold cigarettes to minors. The state average is 9%.

- **TOBACCO RETAIL LICENSING IS A HIGHLY EFFECTIVE POLICY:** TRL's have a long track record of reducing youth access to tobacco. Over 140 jurisdictions in CA alone have established TRL's. The proposed Sonoma County TRL is focused solely on preventing underage youth access to tobacco products.

- **THE ANNUAL FEE IS THE COST OF SELLING DEADLY PRODUCTS**: The proposed annual license fee of $950-1050 ($2.75/day) is less than the cost of one pack of cigarettes per day. Requiring retailers to pay an annual fee in order to protect the county's youth from the harmful products they sell is a reasonable request given what residents pay to support the outcomes of tobacco use.

- **SETTING A MINIMUM PRICE IS THE BEST WAY TO REDUCE YOUTH SMOKING**: Raising the price of tobacco is the number one strategy to reduce youth smoking rates. A minimum price of $7 per pack of cigarettes represents a modest price increase; one that creates a barrier for youth while limiting the impact on adults. The average price for a pack of cigarettes in California is $5.76, which ranks 24th in the nation and far behind leading states like NY, where the avg. cost is $10.29.

- **A STRONG TRL IS ALIGNED WITH SONOMA'S COMMITMENT TO HEALTH AND TO YOUTH:** Sonoma County's proposed TRL would represent one of the strongest passed in California and the Country, and would make a strong statement in protecting the health of our youth.

II. Overview of Data and Need

- **TOBACCO REMAINS THE #1 CAUSE OF PREVENTABLE DEATH AND ILLNESS.** In the US, almost half a million people still die every year as a result of smoking. Tobacco products are one of the only products legally sold today that are unsafe at any level and when used as directed will result in illness and death.
- **Treating the results of tobacco use is expensive.** Tobacco related healthcare spending in Sonoma exceeds $84 million per year or over $170 per resident. These costs are being paid for by all County residents through state and federal taxes, increased insurance premiums, and loss of productivity due to illness and premature death.
- **Youth access to tobacco products is a key factor in long-term tobacco usage.** Over 90% of long-term smokers start smoking before the age of 18 and quitting tobacco is more difficult than quitting almost any other addictive substance, including illicit drugs.
- **Usage of emerging tobacco products like e-cigarettes and flavored "cigarillos" (small cigars) has more than doubled amongst youth in recent years.** These products continue to be marketed towards children and allow companies to skirt traditional cigarette regulations intended to protect youth.
- **The state has little resources and support to enforce tobacco sales to minors.** State enforcement of tobacco age restrictions is minimal with only small fines (up to $200) for retailers who are found selling tobacco to minors. The potential profits that can be made by selling tobacco to minors can far outweigh potential penalties for many retailers.
- **Recent activities in Sonoma County to create smoke-free public places and multi-unit housing have created much needed and valuable protections for non-smokers but do little to protect youth from starting to smoke.** This is supported by the American Lung Associations annual State of Tobacco Control Report Card, where unincorporated Sonoma County received A grades in Smoke-free Public Places and Housing, but an F grade in reducing sales of tobacco products.

III. Tobacco Retail License Summary

- **Tobacco retailer licensing works.** California jurisdictions that have implemented strong TRL's have demonstrated average annual reductions in youth sales of 26%, with many communities exceeding 75-90% reductions in youth sales.
- **TRL's work by using 100% of the generated fees to support local education and enforcement of federal, state and local tobacco regulations**. All of the revenue generated by the TRL fees will be used to administer the program, which include annual compliance checks and youth decoy purchasing activities.
- **The TRL includes additional provisions meant to further decrease youth access to tobacco products.** The proposed TRL includes additional evidence-based provisions specifically designed to lessen the appeal and create additional barriers for youth to access tobacco products from retailers. Key provisions include:
    - Minimum package size requirements for cheap cigars;
    - No new licenses for significant tobacco retailers including e-cigarette shops;
    - Age restrictions on access to significant tobacco retail shops;
    - No new licenses for retailers within 1000 ft of a school;
    - No licenses for businesses that have on-site pharmacies;
    - Density limitations on the number of tobacco retailers per resident;
    - Minimum price per pack of $7 in order to bridge the gap in California's low tobacco prices [see next section]
- **Tobacco sales are still big business for many retailers.** Industry reports from the Association for Convenience & Petroleum Retailing (NACS) indicate that cigarettes continue to be the #1 item sold in convenience stores, where they account for 36.27% of all sales nationwide. According to their data the average convenience store location in the US generates $622,248 per year in revenue from tobacco products alone.

IV. Minimum Price and Discounting

- **Increasing the price of cigarettes is one of the single most effective tools to reduce smoking; especially for youth.** Research has clearly documented the connection between the price of cigarettes and consumption of cigarettes. When costs go up, consumption goes down. This is especially true for youth, who are more price-sensitive than adults.
- **A $7 minimum price per pack represents a modest price increase that creates an additional barrier for youth while limiting the impact on adults.** The current avg. price per pack in CA is $5.76. Raising the minimum price to $7 (21% increase) a pack would bridge the gap in CAs currently low-priced cigarettes. At $0.87 per pack, California's cigarette tax rate ranks 33rd in the nation. CA is one of only 3 states that has not raised taxes on cigarettes this century.
- **Discounting allows tobacco manufacturers to market products at below market cost to drive customers to new products.** A ban on price discounts and promotions supports minimum pricing and effectively limits the tobacco industry's ability to capture more price-sensitive consumers, particularly youth, who are more prone to impulse buying and less likely to shop around to find less-expensive options for products.
- **The Sonoma County TRL would set minimum prices for three types of tobacco products**:
    - Pack of cigarettes = $7.00
    - Pack of 20 little cigars/cigarillos = $7.00
    - Pack of 5 large, cheap cigars (under $5) =$7.00
- **Prohibiting discounting and promotion of tobacco products complements the minimum price provision**. It prevents the industry from incentivizing retailers to sell products at reduced costs to promote sales of specific products. It also levels the playing field for businesses, since manufacturing incentives are not provided equally to all retailers.

V. Density & License Non-Transferability

- **A disproportionate number of tobacco retailers are located in and around identified priority areas from the recent publication *A Portrait of Sonoma County*, especially retailers near schools.** Research shows that the number of tobacco retailers close to schools influences youth smoking rates. Density restrictions, similar to those governing alcohol sales, are an effective and well-used tool by local governments for addressing these issues.
- **Grandfathering coupled with license non-transferability is a fair and reasonable way to begin to address tobacco retailer density issues.** Allowing all current retailers to obtain licenses while limiting the number of new licenses is both fair to businesses and to the goals of the TRL. The vast majority of CA TRL's do not allow licenses to be transferred.
- **Allowing licenses to be transferred between businesses when density limitations are not met would undercut the provision and would be inconsistent with other density restrictions in the County.** Similar to current state ABC laws that limit the number of alcohol retailers in the County to 1 per 2,500 residents, the TRL will also limit the number of tobacco licenses to equal 1 per 2,000 residents. For unincorporated Sonoma County, that would equal approximately 75 licenses. Currently, 138 retailers in unincorporated Sonoma County have state tobacco licenses. Allowing these retailers to be grandfathered into the program while limiting new licenses is a fair and reasonable way to begin to address tobacco retailer density concerns [see above].
- **A tobacco retailer license is not a business license.** Retailers that do not have a local tobacco retailer license may still operate their businesses as usual, with the exception of not being able to sell tobacco products. The density limit provision does not force retailers out of business, but rather reduces, over time, the number of local businesses that sell tobacco products in our community.
- **The proposed tobacco retailer density criteria is consistent with current Alcoholic Beverage Control (ABC) laws** which are more restrictive (allowing only 1 alcohol retailer per 2,500 residents). Licenses for new business, or businesses being sold, would be allowed once the density limits have been reached.

VI. License Fee

- **A tobacco retailer licensing fee is the cost of selling a product that is unsafe to use at any level and exacts a high cost to society.** Sonoma County alone spends over $84 million dollars per year in tobacco related healthcare costs. That represents over $170 per resident. Requiring retailers to pay an annual fee in order to protect the county's youth from the harmful products they sell is a reasonable request given what residents pay to support the outcomes of tobacco use.
- **The projected annual fee is less than the cost of one pack of cigarettes per day.** The estimated cost for a license is between $950-1050. This equates to roughly $2.75 a day, or the revenue generated from the sale of one pack of cigarettes per day. For comparison, current ABC licenses for alcohol sales costs $13,500 + $582 per year.
- **100% of the revenue generated from the TRL fees will be used to administer the program.** The fees collected will be used to enforce the provisions of the TRL. These include on-site compliance monitoring of local, state and federal tobacco regulations and youth decoy purchasing operations.

sonoma county
DEPARTMENT OF HEALTH SERVICES

Tobacco Retail License - Frequently Asked Questions

These *frequently asked questions* (FAQs) reflect input received from the public via community forums, letters, phone calls, and e-mails. As the Department receives additional questions and information, we will update these FAQs. The public is welcome to continue to provide input and ask questions by: submitting on the "Ask the Educator" button on this webpage, attending any of the community forums or Board of Supervisors meetings where this issue will be addressed, or via e-mail/phone/mail to your Board of Supervisor Member's office. We look forward to hearing from you.

1) **Who is considered a tobacco retailer?**

   A tobacco retailer is any person or business that sells, offers for sale or distribution, exchanges, or offers to exchange for any form of consideration, tobacco, tobacco products, or tobacco paraphernalia without regard to the quantity sold, distributed, exchanged, or offered for exchange. Tobacco retailers must also be in possession of a California State Cigarette and Tobacco License in order to sell tobacco products in the state. Current electronic cigarette retailers, who may otherwise not be currently required to have a State Cigarette and Tobacco License, will also be considered a tobacco retailer under the proposed County TRL program.

2) **What are considered tobacco products?**

   A tobacco product includes any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff. It also includes any electronic device that delivers nicotine or other substances to the person inhaling from the device, including, but not limited to an electronic cigarette, cigar, pipe, or hookah. A tobacco product does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where such product is marketed and sold solely for such an approved purpose.

3) **What is tobacco paraphernalia?**

   Tobacco paraphernalia includes cigarette papers or wrappers, pipes, holders of smoking materials of all types, cigarette rolling machines, and any other item designed for the consumption, use, or preparation of tobacco products.

4) **What is the state law regarding sales of drug paraphernalia?**

   Although selling tobacco paraphernalia is legal, California does prohibit the sale of drug paraphernalia, defined as items that are "designed for use" or "marketed for use" with drugs (California Health and Safety Code § 11014.5). Also, selling drug paraphernalia is illegal under state law if there is reason to know that the item will be used for taking drugs (California Health and Safety Code § 11364.7).

5) **How does a tobacco retailer license work?**

Tobacco retailers in the unincorporated areas of the County would be required to submit an application for a tobacco retail license, pay an annual fee, and meet certain requirements of the ordinance in order to obtain and maintain a tobacco retailer license.

6) Why do we need a local Tobacco Retail License (TRL)?

Many communities adopt tobacco retailer licensing laws because they are effective tools for limiting the negative public health consequences of tobacco use. While it provides many benefits, one of the most significant advantages to tobacco retailer licensing laws is that they have been shown to be effective at limiting youth access to tobacco. Despite state laws prohibiting sales of tobacco to minors, a 2007 survey found that nearly three-quarters of youth access enforcement agencies statewide issued warnings to merchants selling tobacco products to minors during the prior year. The rate of sales to youth in Sonoma County (18%) exceeds the average State rate of (9%), as does our youth tobacco use rate at 16.7% compared with the 9% State rate. Fortunately, strong local tobacco retailer licensing laws have proven effective at reducing illegal tobacco sales to minors. The Center for Tobacco Policy & Organizing has found that local tobacco retailer licensing is extremely effective at reducing illegal sales to underage youth: the organization surveyed 31 municipalities that have implemented and enforced a strong tobacco retailer licensing law and found that the rates of illegal sales to minors decreased, often significantly, in all communities surveyed.

A number of federal and California state laws already regulate tobacco sales and establish penalties for illegal sales to minors. But these laws each have separate enforcement mechanisms and penalty structures, making it difficult to enforce them at the local level. A local tobacco retailer licensing law, on the other hand, empowers local authorities to impose meaningful penalties to ensure compliance with all existing state, federal and local laws.

7) What is the difference between the State license and this license? There are already stings being done re: youth purchase, how is this different?

The one-time fee for the state license is meant to prevent retailers from avoiding tax and selling unregulated tobacco products. A local TRL would not supplant California's required tobacco license. Unlike the State license, a local TRL is focused primarily on reducing youth access to tobacco. The State license is: 1) issued one-time to retailers applying to sell tobacco at a very low fee ($100.00), which is not sufficient to support any level of regular enforcement; and 2) is rarely revoked for violations of state laws, making it a poor enforcement tool. The Stop Tobacco Access to Kids Enforcement (STAKE Act) Program of the Food and Drug Branch operations (or "Stings") that the state sponsors occur infrequently are not the same as the compliance checks proposed in the TRL. Finally, a TRL enables proactive merchant education to support compliance as opposed to relying exclusively on enforcement.

8) Why is everyone being penalized because some sell to youth?

The purpose of the TRL is not punitive. Tobacco use is the #1 cause of preventable death and illness in the US and is responsible for a number of chronic diseases including cancers, heart disease and stroke, which are the leading causes of death in Sonoma County. TRL's are designed to reduce tobacco access to youth and to support education toward awareness and compliance with the regulations.

The burden of tobacco use is one we all share so the standards we establish for those who sell this product are high to ensure responsibility on the part of both the merchants and the public. Sonoma County residents already pay over $84 million a year in healthcare costs alone related to tobacco

use (approx. $170 per resident). These costs are absorbed through federal and state taxes and health insurance premiums. Requiring retailers to pay an annual fee in order to protect the county's youth from the harmful products they sell is a reasonable request given what residents pay to support the outcomes of tobacco use.

9) How much will the license cost and how will this be calculated?

The actual cost to provide merchant education, support compliance, and administer the license will be calculated, and the total cost will be divided between all tobacco retailers in the unincorporated area to determine a baseline fee. This fee will be proposed to the Board of Supervisor for consideration as part of an annual fee hearing. TRL's in the State of CA ranges between $200 and $1,500. The Sonoma County fee is likely to fall towards the middle of this range at $950 – $1,050 dollars annually. This is equivalent to $2.87 per day, or roughly the income from the sale of one pack of cigarettes per day.

10) How do we know that a minimum price per pack will work to reduce youth access/purchase?

Raising the price of tobacco is an evidence-based strategy proven to decrease tobacco initiation among minors, decrease tobacco use and consumption across all ages, and improve quit rates among adults and young people. According to the U.S. Surgeon General, raising the price of tobacco products is the single most effective method for improving public health outcomes around tobacco use. [1]

The primary purpose of the ordinance is to discourage minors from starting to smoke, and developing a habit. One regulation that economic experts have found to be most effective at achieving this goal is to impose a minimum price per pack of cigarettes (proposed as $7.00 in this TRL) and to prohibit them from being discounted.

California, once a pioneer in tobacco control, has fallen far behind the rest of the nation in maintaining tobacco prices and currently ranks 33rd in tobacco taxation, with only $0.87 in taxes per pack. The State of New York has the highest tax in the U.S. with a cigarette tax rate of more than $4.00 per pack. Sonoma County residents face some of the lowest tobacco prices in the country.

11) What will the minimum price per pack be?

The proposed minimum price per pack of cigarettes and cigars is $7.00. The average cigarette pack price statewide in CA is currently $5.76, well below the nationwide average ($6.18). Assuming an average pack price of $5.76, a $7 minimum price would represent a 21.5% increase in average price.

Based on cigarette pricing research, it is estimated that an increase to $7 minimum price would generate a decrease in consumption by between 8.6% and 10.7% among youth. When these calculations are applied to a minimum price of $6, there is very little impact. Setting the minimum price higher, to say $8 per pack or more, would have a greater impact. For example, the two local jurisdictions (New York City and Providence, Rhode Island) that have set local minimum prices have both set their rates above $10 per pack. According to the Center for Disease Control, 25 states currently have minimum price laws for cigarettes and 7 of these states also expressly prohibit discounting.

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[1] U.S. Department of Health and Human Services. *Reducing Tobacco Use: A Report of the Surgeon General.* Atlanta, Georgia: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2000. *available at* http://www.cdc.gov/tobacco/data_statistics/sgr/2000/complete_report/pdfs/fullreport.pdf.

The $7 proposed price is further justified when comparing to the avg. price of cigarettes in other states: Illinois ($7.37), District of Columbia ($7.49), New Jersey ($7.60), Wisconsin ($7.65), Washington ($7.97), Minnesota ($8.11), Vermont ($8.12), Connecticut ($8.27), Rhode Island ($8.70), Alaska ($8.71), Hawaii ($8.87), Massachusetts ($9.08), and New York ($10.29). The $7 level balances the need to prevent youth from accessing and using tobacco products with concerns about impacts on local retailers.

The minimum price provision of the TRL is not a tax. Any additional revenue generated from the minimum price increase will be kept by retailers and will create an offset to the TRL fees and any impacts in sales of tobacco products.

12) Won't people just shift to buying their tobacco in the jurisdictions that don't have a minimum price/TRL? Isn't this unfair to merchants in the unincorporated area?

The difference in the proposed price per pack of $7.00 dollars and the average price of a pack across California ($5.76) is approximately $1.24, which alone, in our best estimate, is not likely to prompt a significant portion of adult smokers to drive to neighboring jurisdictions to purchase cigarettes. Differences in the costs of a variety of products, including tobacco, already exist between jurisdictions due to the varying costs of doing business in different locations. For example, tobacco prices already vary in California between state and county lines, on tribal lands, and online. Price sensitive consumers are already likely seeking out discounted tobacco products outside of normal retail environments. Youth, particularly for impulse buying, are much less likely to put in the effort to seek out lower cost options outside their neighborhoods.

Furthermore, several cities in Sonoma County have reached out to the Department of Health Service's Tobacco Prevention Program to inquire about establishing TRL's in their jurisdictions.

13) Other than friendly youth buys, what other education methods are you using? Will any money go to education from the fees?

The fees collected by the TRL will be dedicated to supporting the retail community with education and services to promote compliance. After adoption, DHS with reach out to retailers in order determine what types of information and support would be most valuable, and a retailer education/support plan will be implemented. In addition, a page specific to the TRL will be added to the County website, which will provide merchants with research and tools for successfully implementing the new policy. Finally, staff will conduct annual visits (separate from the youth purchase surveys) to check on compliance and provide information/education, and will continue to be available via phone and through the "ask the educator" hotline.

14) What will happen if I am cited for a license violation during an inspection?

Violations of the license are subject to suspension and/or revocation of the license. Violations may also be subject to a civil action brought by the County, including suits for injunctive relief, which may be punishable by fines.

15) How long is the license effective?

The term of the license is one (1) year. Each license must be renewed annually. Tobacco retailers will receive an invoice along with an Annual Renewal Application from the County typically 8 weeks prior to the expiration of the license.

16) When must I re-apply for a license?

Each tobacco retailer needs to apply for renewal of the tobacco retailing license (TRL) and submit the license fee no later than thirty (30) days before the expiration date of the TRL. A tobacco retailing license may not be transferred from one (1) person to another or from one (1) location to another.

17) What happens if I want to sell my business? Is my tobacco retailer license transferrable to potential new owners?

No, tobacco retailers cannot transfer their license from one person to another or from one location to another. Whenever a new person obtains ownership in a business for which a tobacco retailer license has been issued, a new tobacco retailer license is required.

Similar to state Alcohol Beverage Control (ABC) licensing, new business owners may pre-apply for a tobacco retail license prior to building or purchasing a business that sells tobacco products. If the new owner meets the requirements of the TRL and has a state tobacco license that is in good standing, then the new owners may be provided with a provisional TRL if licenses are available.

18) Can I sell tobacco from a mobile location such as a RV, food truck, or cart?

No, mobile vending is prohibited. Pushcart vendors, food trucks, foot peddlers, etc. cannot sell tobacco products.

19) What do the proposed density restrictions mean?

Similar to current state ABC laws that limit the number of alcohol retailers in the County to 1 per 2,500 residents, the TRL will also limit the number of tobacco licenses to equal 1 per 2,000 residents. For unincorporated Sonoma County, that would equal approximately 75 licenses.

Currently, 138 retailers in unincorporated Sonoma County have state tobacco licenses. In order to limit the impact on current tobacco retailers, all retailers that hold state tobacco licenses in good standing as of the start date of the TRL (30 days after passage), may be grandfathered into the program and receive a license regardless of the density limit*. However, no new licenses will be issued until after the density limit is reached.

* The only exceptions are locations that have on-site pharmacies. They will not be allowed to obtain a TRL. This effects only one location in unincorporated Sonoma County

20) What does it mean for my business if I can't get a local tobacco retailer license?

A tobacco retailer license is not the same as a business license. Retailers that do not have a local tobacco retailer license may still operate their businesses as usual, with the exception of not being able to sell tobacco products.

21) What do I do if I have multiple tobacco retailing locations?

Each location in unincorporated Sonoma County that sells tobacco products and/or tobacco paraphernalia must have its own license. Each location must pay the annual license fee.

22) What are the laws around the large signs and flags that stores put on sidewalks and by the edge of the road?

The STAKE Act prohibits signs that are more than 14 square feet. The Sonoma County Zoning Code Article 84 describes signs that are allowed and prohibited by zoning. For tobacco retailers that are also off-sale alcohol retailers, the Lee Law also applies. The Lee Law requires liquor stores and other off-sale alcohol retailers to limit the amount of advertising on their windows to 33% and to ensure an unobstructed view of the inside of the store for law enforcement purposes. The proposed TRL compliance checks will include a review of retailer signage to ensure compliance with federal, state and local regulations.

23) What does "no discounts or promotions" mean? We don't do those, they come from the tobacco companies.

If the ordinance is adopted by the Board of Supervisors with "no discounts or promotions" included; it would mean that unincorporated Sonoma County tobacco retail stores would not be able to offer price discounts to the customer (the price would never be less than $7.00/pack) or honor industry coupons which could reduce the price per pack below $7 for cigarettes and cigars.

24) Is there an appeal process?

Yes, there is a process in place to appeal a denial, suspension or revocation of the license. The full process is outlined in the Ordinance. There is also a settlement in lieu of appeal opportunity for a first or second alleged violation.

Tobacco Retailer Outreach Activities

1. Mailings:
    a. February – Initial notification to all retailers of potential TRL (see attached)
    b. March – Two mailings. 2nd and 3rd notification to all retailers of potential TRL (see attached)
        i. Certified mail to retailers within 1000' of a school
        ii. Hand delivery to retailers for returned letters
        iii. Included TRL pre-adoption summary (see attached)
    c. March – All retailers notified of results from youth purchase survey and potential TRL
    d. April – Letter with information regarding implementation of TRL, pending Board approval

2. Community Meetings:
    a. February – two meetings providing information on potential TRL (Santa Rosa and Sebastopol)
    b. March – one meeting providing information on potential TRL (Sonoma Valley)
    c. April – one meeting scheduled on April 8th (Santa Rosa)
    d. Ongoing informational and technical assistance meetings, pending Board approval

3. Website:
    a. January to April – updated regularly with TRL materials
    b. March – calls to retailers to gather email addresses. Website link sent to all retailers providing email address
    c. Ongoing updates and information on TRL implementation, pending Board approval

NOTICE: Community Meeting on Proposed Regulations for Tobacco Sales

You are invited to attend a community meeting hosted by the County of Sonoma, Department of Health Services (DHS) to provide information about proposed regulations pertaining to the sale of tobacco in unincorporated Sonoma County. Interested public, especially retailers that sell tobacco/nicotine products, are encouraged to attend.

Two informational community meetings will be held, with the same information provided at both meetings. DHS staff will provide an overview of the proposed policy, answer questions, and accept feedback. The draft policy will be posted and public comment can also be provided online at *www.sonoma-county.org/BreatheEasy*. All comments and feedback will be reported back to the Board of Supervisors (the policy will be presented by DHS staff at the March 3rd, 2015 Board of Supervisor's meeting, with a final vote by the BOS scheduled for the March 17th BOS meeting).

Community Meetings are scheduled as follows:

	Option 1: Central Sonoma County, day	Option 2: West Sonoma County, early evening
Date:	Tuesday, February 24, 2015	Tuesday, March 10, 2015
Time:	1:00 p.m.—2:00 p.m.	5:00 p.m.— 6:00 p.m.
Location:	Manzanita room (upstairs) 490 Mendocino Avenue, Santa Rosa	Sebastopol Police Department 6850 Laguna Park Way, Sebastopol

For questions, please contact:

707-565-6680 or email preventioninfo@sonoma-county.org

sonoma county
DEPARTMENT OF HEALTH SERVICES

Proposed Ordinance to Require Local Licensure of Tobacco Retailers

THIS WILL AFFECT YOUR BUSINESS — READ CAREFULLY

The draft ordinance will be presented by the County of Sonoma, Department of Health Services (DHS) staff at the March 17th, 2015 Board of Supervisors' meeting, with a final vote by the Board of Supervisors (BOS) scheduled for the April 7th, 2015 BOS meeting. Dates are subject to change, please check the Board of Supervisors' website at *www.sonomacounty.ca.gov/Board-of-Supervisors* for updated information.

The proposed ordinance will impact businesses that sell tobacco, and is briefly summarized here:

- **Mandates retailers apply for, pay a fee for, display, and renew a local tobacco license annually;**
- **Creates a minimum package size for some tobacco products and a minimum price for the package;**
- **Annual fees pay for retailer education, compliance inspections, and annual youth tobacco purchase operations by the Sheriff's Office and/or DHS;**
- **Violation of any existing local, state, or federal tobacco regulation constitutes a local license violation, and;**
- **Violations may result in suspension of local tobacco license and tobacco product sales.**

Please review the enclosed educational packet for more information. It includes: 1) Letter(s) with Results of the 2015 Youth Tobacco Purchase Survey, 2) Pre-Adoption Ordinance Summary, and 3) Announcement of Community Meetings about the Ordinance.

For questions, please contact:

707-565-6680 or email preventioninfo@sonoma-county.org

sonoma county
DEPARTMENT OF HEALTH SERVICES

Proposed Ordinance to Require Local Licensure of Tobacco Retailers

THIS WILL AFFECT YOUR BUSINESS — READ CAREFULLY

You are invited to attend a meeting hosted by the County of Sonoma, Department of Health Services (DHS) to provide information about a proposed ordinance that will affect tobacco retailing in unincorporated Sonoma County. Interested public, especially retailers that sell tobacco/nicotine products, are encouraged to attend.

At these informational community meetings, DHS staff will provide an overview of the proposed policy, answer questions, and accept feedback. Public comment can also be provided online at *www.sonoma-county.org/BreatheEasy*. All comments and feedback will be reported back to the Board of Supervisors. Additionally, tobacco retailers have an opportunity to speak to the Board of Supervisors (BOS) at their March 17th, 2015 meeting when the draft ordinance will be presented by DHS staff. A final vote on this ordinance by the BOS is scheduled for the April 7th, 2015 BOS meeting. Dates are subject to change, please check the Board of Supervisors website at *www.sonomacounty.ca.gov/Board-of-Supervisors* for updated information. On this site, retailers can also contact their Supervisor by email.

Community meetings* are scheduled as follows:

	Meeting 2: West Sonoma County	Meeting 3: Sonoma Valley
Date:	Tuesday, March 10, 2015	Tuesday, March 24, 2015
Time:	5:00 p.m.— 6:00 p.m.	5:30 p.m.— 6:30 p.m.
Location:	Sebastopol Police Department 6850 Laguna Park Way, Sebastopol	La Luz Bilingual Center 17560 Greger St., Sonoma

(*Please note, meeting 1 was held previously)

For questions, please contact:

707-565-6680 or email preventioninfo@sonoma-county.org

sonoma county
DEPARTMENT OF HEALTH SERVICES

Proposed Ordinance to Require Local Licensure of Tobacco Retailers

THIS WILL AFFECT YOUR BUSINESS — READ CAREFULLY

You are invited to attend a meeting hosted by the County of Sonoma, Department of Health Services (DHS) to provide information about a proposed ordinance that will affect tobacco retailing in unincorporated Sonoma County. Interested public, especially retailers that sell tobacco/nicotine products, are encouraged to attend.

At these informational community meetings, DHS staff will provide an overview of the proposed policy, answer questions, and accept feedback. Public comment can also be provided online at *www.sonoma-county.org/BreatheEasy*. All comments and feedback will be reported back to the Board of Supervisors. Additionally, tobacco retailers have an opportunity to speak to the Board of Supervisors (BOS) at their April 7, 2015 meeting when the draft ordinance will be presented by DHS staff. A final vote on this ordinance by the BOS is scheduled for the April 21, 2015 BOS meeting. Dates are subject to change, please check the Board of Supervisors website at *www.sonomacounty.ca.gov/Board-of-Supervisors* for updated information. On this site, retailers can also contact their Supervisor by email.

Community meeting # 4

Date: Thursday, April 9, 2015
Time: 2:00 p.m.— 3:00 p.m.
Location: Agriculture Commissioner Office
133 Aviation Blvd., Suite 110, Santa Rosa

***Previous community meetings have been held in central, west, and east Sonoma County.**

For questions, please contact:

707-565-6680 or email preventioninfo@sonoma-county.org

sonoma county
DEPARTMENT OF HEALTH SERVICES

SUMMARY OF A PROPOSED ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, ADDING CHAPTER 32A TO THE SONOMA COUNTY CODE TO REQUIRE THE LICENSURE OF TOBACCO RETAILERS.

On April 7, 2015, the Board of Supervisors of the County of Sonoma will consider a proposed ordinance that would add Chapter 32A to the Sonoma County Code to require the licensure of tobacco retailers.

Sonoma County has been proactive in developing and implementing evidence-based policies aimed at reducing exposure to second-hand smoke in public places and multi-unit housing. In response to the Board of Supervisor's request in 2014, and expanding on the County's work on smoking policies with the particular goal of reducing youth access and smoking rates, a tobacco retailer licensing (TRL) system is proposed. The primary function of a TRL is to reduce illegal sales of tobacco products to minors by enacting retailer conditions that reduce the appeal and access of products to underage youth and by using the fees generated through licensing to ensure age limits are complied with by tobacco retailers.

The proposed ordinance will add the following as Chapter 32A to the Sonoma County Code:

1. Section 32A-1 provides Findings and Purpose in support of a TRL ordinance.
2. Section 32A-2 provides Definitions related to a TRL including, among other things, "Significant Tobacco Retailer" which means any of the following: 20% or more of floor display area devoted to tobacco products; 60% or more of the gross sales receipts from the sale of tobacco; or 50% or more of completed sales transactions involving tobacco.
3. Section 32A-3 requires that all tobacco retailers obtain a license and have all customers provide identification that they are the legally required age to purchase tobacco products, and it prohibits all retailers from using tobacco coupons or discounts, prohibits all retailers from selling individual cigars, and establishes that a minimum price for a package of 20 cigarettes, 20 little cigars, and five cigars shall be $7.00. All "Significant Tobacco Retailers" will be precluded from allowing anyone under the age of 18 from entering the premises.
4. Section 32A-4 provides limits on eligibility for a TRL, including no tobacco sales for mobile vending, medical marijuana dispensaries, or pharmacies. This Section also provides that no license will be issued: if the number of retailers exceed one retailer per 2,000 inhabitants; if the retailer is located within 1,000 feet of a school, or if the retailer is a "Significant Tobacco Retailer." However, a retailer that (1) is open for business and has a license issued by the State on the effective date of this ordinance, (2) is then issued a TRL by the County, (3) thereafter does not substantially change their business, and (4) continues to operate as required by all other laws, is exempt from the density, location near schools and significant retailer prohibitions. Therefore, the section "grandfathers" in existing retailers.
5. Section 32A-5 provides for the application procedure.
6. Section 32A-6 provides for the issuance of a license for one year upon proper completion of the application and payment of the fee unless sufficient evidence exists for denial. Using other jurisdictions as a guide, and in consideration of the cost associated with administration, compliance and enforcement of the license, and the number of current tobacco retailers, the fee is estimated to cost retailers $800 - $1,200 annually.

7. Section 32A-7 provides an explanation that licenses are nontransferable.
8. Section 32A-8 provides and explains that a license conveys only a limited, conditional privilege and that the retailer is still required to comply with all other applicable laws.
9. Section 32A-9 provides information on how the fee for a license is calculated. The fee shall be calculated so as to recover the reasonable regulatory cost of administration and enforcement of the TRL program, which has been calculated at $988 and is scheduled for consideration in a separate fee hearing in April 2015.
10. Section 32A-10 provides requirements for monitoring retailers, which includes the use of youth decoys and at least one inspection of every retailer at least once every twelve months.
11. Section 32A-11 provides information on suspensions and revocations of licenses. A license will be suspended for 30 days for a first violation, 60 days for a second violation, 90 days for a third violation, and revocation of a license for a fourth violation. This applies for any violation within a 60 month period.
12. Section 32A-12 provides information on the process for a retailer to appeal a decision by the department to deny, suspend or revoke a license. The appeal is heard by a Hearing Officer and that decision may be reviewed by a court. It further describes the process that is available to settle these matters, instead of having a hearing. Even if a settlement is agreed to, a retailer in violation of the ordinance is still subject to a minimum 15-day suspension.
13. Section 32A-13 provides for penalties for retailing without a license and provides that a retailer is not required to obtain a license until 90 days after the effective date of the ordinance.
14. Section 32A-14 provides for the remedies and type of actions that may be brought for violations of this ordinance, which may include injunctive relief, fines, and recovery of attorney's fees.
15. Section III finds that adoption and implementation of this ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the State CEQA Guidelines because it can be seen with certainty that there is no possibility that this ordinance may have a significant effect on the environment, and pursuant to Section 15308 of the State CEQA Guidelines as an action taken to assure the protection of human health, which is an aspect of the environment under Public Resources Code Section 21083(b)(3). Section III also directs the Director of the Department of Health Services to file a notice of exemption in accordance with CEQA and the State CEQA Guidelines.

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. In addition, the proposed ordinance will be posted on the County tobacco education website www.sonoma-county.org/BreatheEasy at least 5 days prior to the Board of Supervisor's meeting at which the ordinance is given the first reading.

Veronica A. Ferguson
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

http://www.sonoma-county.org/health/topics/smokefreeinfo.asp

Smoke-free Sonoma County | New Tab

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Smoke-free Sonoma County

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There Is No Constitutional Right to Smoke

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Proposed Tobacco Retailer License

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Read the FAQ (pdf)

Submit a Comment or Question

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http://www.sonoma-county.org/health/topics/smokefreeinfo-retailers.asp

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Smoke-free Sonoma County: Tobacco Retailers

Presentation: California Retailers and Youth Tobacco Laws (pdf)
Source: California Department of Public Health.

Summary of Proposed Ordinance: Licensure of Tobacco Retailers (pdf)
Source: Sonoma County Department of Health Services.

Table of Strong Local Tobacco Retailer Licensing Ordinances (pdf)
Source: American Lung Association.

Tobacco Control Laws That Affect Retail Businesses (pdf)
Source: California Department of Public Health.

Tobacco Law Information and Resources (California STAKE Program)
To order STAKE Act Stickers
Source: California Department of Public Health.

Tobacco Retail License - Frequently Asked Questions (pdf)
Source: Sonoma County Department of Health Services.

Training: Responsible Beverage Service
Source: Sonoma County Department of Health Services.

Webinar: Retail Sales of Cigarette and Tobacco Products in California
Source: California State Board of Equalization.

Content provided by the Tobacco and Nicotine Prevention program of the Sonoma County Department of Health Services. If you'd like more information, please complete our online "Ask the Tobacco Education Coordinator" form or contact our office at (707) 565-6680.

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Questions or Comments about tobacco retail?

If you'd like more information, please complete our online comments form.

MD LIQUOR & FOOD
MD GAS & FOOD
Graton, Guerneville & Santa Rosa

Sonoma County Board of Supervisors
575 Administration Dr., Room 100 A
Santa Rosa, California 95403

Dear Supervisors Carrillo, Gore, Gorin, Rabbitt and Zane:

Since 1992 my family and I have owned grocery stores and gas stations throughout Sonoma County. I write to you today to respectfully request that you make amendments to the draft tobacco license ordinance before it is brought for a vote. This process has been very frustrating because it seems that the ordinance is finalized before we even get a chance to review it. The outline provided by the county health department negatively impacts our businesses is many ways.

The price and promotion restrictions hurt our sales. Retailers compete for business through price promotions on products our customers want. Setting a minimum price in excess of the market rate and taking away coupons and discounts will eliminate any competitive edge a retailer can get.

Also important, we need to be able to sell our businesses in the future and this ordinance does not allow us to do that. We will not be able to sell our stores at full value because of the limitation on number of licenses and location of retail store. A grocery store or gas station that is not able to sell tobacco is worth significantly less.

I urge you to amend the license ordinance by:

- removing the minimum price on tobacco;
- remove the prohibition on coupons and discounts;
- remove the number and location of licenses; and
- reduce the license fee.

Thank you for your time and consideration.

Mangal Dhillon

AGIUS GROCERY

4701 Bodega Ave, Petaluma, CA 94952

Phone: (707) 765-3970

Sonoma County Board of Supervisors
575 Administration Drive
Room 100 A
Santa Rosa, CA 95403

Re: Comments on Tobacco License Ordinance

Supervisors:

I have reviewed your summary of the proposed tobacco license ordinance and urge you to remove or amend the following sections:

1. Remove section 32A-3 that that will raise the price of a pack of cigarettes and cigars to $7.00.
2. Amend section 32A-4 to grandfather my business in perpetuity. If I try to sell my business and the buyer cannot sell tobacco, the value of my business will be seriously diminished.
3. Amend section 32A-6 to reduce the annual fee for the license. $800 – $1,200 is a lot of money for a small business. If the County needs money for enforcement, increase the penalties for non compliance. That way only the retailers that are violating the law will be paying for cost of compliance.

My comments are based solely on the summary that has been provided on the County's website. I think it is unfair that the County will not provide businesses with more than 5 days to review an ordinance that can have such a huge impact on their survival. I hope you will give businesses that will be affected by this ordinance more time to review and comment.

Jaspal Singh

JASPAL Singh

Sonoma County Supervisors
575 Administration Dr, 100A
Santa Rosa, CA 95403

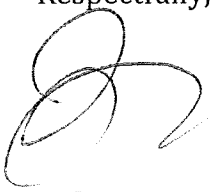
Dear County Supervisors:

I heard that you are going to vote on a tobacco ordinance in the near future. I work alone most days in my convenience store and it is impossible to get away to attend the supervisors meeting. So I would like to ask that you vote against the tobacco ordinance. The draft that is circulating around to retailers is very alarming.

I depend on tobacco sales, tobacco coupons and an ability to sell at a competitive price. Customers that come in for a pack of cigarettes or a single cigar buy other things too. I have a small profit so every sale counts.

Please vote no.

Respectfully,



Guerneville Liquor
16297 Main St
Guerneville CA

Sonoma County Board of Supervisors
575 Administration Drive, Rm. 100 A
Santa Rosa, CA 95403

Supervisors:

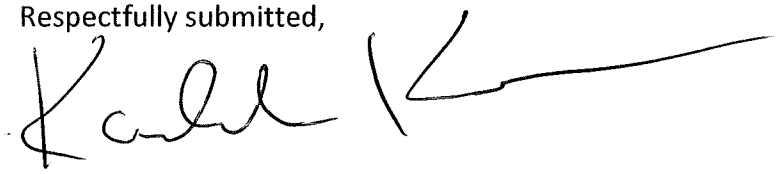
I oppose the proposed tobacco retail license ordinance and your attempt to raise the price of a pack of cigarettes to $7 in the County.

What makes you think that raising the price of cigarettes will stop kids from smoking? Most kids don't get cigarettes from stores. They get them from friends or relatives. If you are so concerned about kids having cigarettes, why don't you pass a law making it illegal for kids to possess cigarettes and issue fines to their parents?

I already have a tobacco license from the state. Why should I have to pay another $800 to $1,200 to the county for a second license? Why does it cost the county $800 to $1,200 to come to my store once a year to see if I sell tobacco to minors? How can you justify such a high fee?

This ordinance was clearly written by people who have no idea how to run a business or care if small businesses like mine can keep its doors open. I hope that you will consider how this ordinance would impact the business community that provides jobs and tax revenue to the County.

Respectfully submitted,



KAMLESH KUMAR
SEQUOIA MINI MART
1382 Gravenstein Hwy S.
SEBASTOPOL CA. 95472

STONY POINT MARKET
3207 Stony Point Road
Santa Rosa, California 95407
(707) 526-9983

Board of Supervisors
575 Administration Drive, #100A
Santa Rosa, CA 95403

Dear Supervisors,

I am writing in reaction to an announcement that the county is going to adopt an ordinance that at the very least will hurt my business but I fear that it will put me out of business. The outline provided by the county states that I will only get 5 days notice for the first reading of this complicated ordinance. Five days notice on a law that could put me out of business is unreasonable and it has created a lot of stress and uncertainty.

Based on the outline I must object to the ban on coupons, minimum price on cigarettes, cigarillos, cigars, ban on single cigars and an outrageous license fee. I hope that you understand that raising the price of cigarettes, cigarillos and cigars above the prices in neighboring Santa Rosa gives my customers no choice but to purchase them somewhere else. That in itself could close my store down.

In all of my years in this business I have never seen anything like this and never been exposed to such an unfair process on something that directly impacts my business. I have never been invited to the table to discuss. My only opportunity is to write this letter and attend the first reading of an ordinance.

I respectfully request that you delete sections 3 - 14 of the tobacco license proposal.

Sincerely,

Dilshad Hussain

DILSHAD HUSSAIN

Sonoma County Board of Supervisors
575 Administration Drive
Room 100 A
Santa Rosa, CA 95403

Dear Supervisors,

As a long time member of the community and local business owner, I am writing because I am deeply troubled with the tobacco proposal and the lack of input from impacted businesses in the drafting of the ordinance. It is unacceptable that retailers were not consulted before creating an outline of restrictions that are so severe and damaging to our businesses.

There are so many things wrong with the proposal and some of the concerns are moot after you consider that the minimum price alone will put me out of business. Tobacco sales are very competitive and setting a minimum price at least $1.60 more than the average will have an immediate impact. All of my tobacco sales along with all of the incidental grocery items will go to Santa Rosa. I cannot overstate the immediate and significant impact.

If the minimum price is eliminated from the ordinance the other problems with huge implications are banning coupons, expensive license fee and 30 day license revocation for illegal tobacco sales. These are all costly and unjustified. I am a responsible shop owner and I don't need an incentive not to sell to minors. I believe we are all in agreement that kids should not have access to tobacco.

I ask that you moderate the one-sided and harsh proposal.

Landfield Liq + Deli
4777 old Redwood Hwy
S/R Calif 95403

Judy McGannon

Ned

Larkfield Chevron
4840 Old Redwood Highway
Santa Rosa, CA 95403

March 26, 2015

The Hon. James Gore
Sonoma County Board of Supervisors
575 Administration Drive, Rm 100A
Santa Rosa, CA 95403

Dear Supervisor Gore,

I own 5 gas stations in Sonoma County one of which will be impacted by the proposed tobacco license ordinance. I am writing to urge you to reconsider the ordinance because of the negative impact and unintended consequences. I have been in this business for over 15 years and I have never seen an ordinance that so decisively hurts my business. Establishing a minimum price on tobacco above the market will force customers to go to cities in the county. If I lose that sale, I lose a lot more in other incidental sales so the impact is magnified.

I am also concerned about the future value of my business if I sell or even transfer my license to my children. If the next owner is not able to get a license to sell tobacco the value of my business is significantly impacted. Tobacco is an important part of retail.

The ordinance also stifles growth – no retailer of any size will open a business here if they are not able to sell tobacco. I don't think that this is what is intended but it is the reality.

I urge you to vote against this proposal.

Sincerely,

Hashmat Singh 3-26-15

cc: County Board of Supervisors

March 26, 2015

The Sonoma County Board of Supervisors
575 Administration Drive
Room 100 A
Santa Rosa, CA 95403

Dear County Supervisors:

I just learned that the County wants to pass a law that sets the price of a pack of cigarettes at $7 and prohibits anyone who might buy my business in the future from selling any tobacco.

How does the county plan to compensate me for the immediate loss of business that will occur when my customers buy their cigarettes outside the county? What are you going to do to compensate me for the lost value of my business when I am ready to sell? How do you expect businesses like mine to survive?

If you pass this law it will have a devastating impact my business. I do not sell cigarettes to minors and yet the County is treating every single business that sells tobacco in the county as if they are handing out free cigarettes to little children.

This ordinance is heavy handed and goes too far. I urge to you to reject this ordinance.

Sincerely,

3/26/15

S.R. Food Store
451 Sebastopol Rd
Santa Rosa CA 95407

To: Board of Supervisors
575 Administration Dr., Rm 100A
Santa Rosa, CA 95403

Ray's Food Center
2455 Dutton Ave. S.R. 95407

Re: Proposed Ordinance to Require Licensure of Tobacco Retailers

---

I own a business in the County that sells tobacco and unfortunately I cannot afford to leave my business to attend your meeting in Santa Rosa so I am writing to you to let you know that I strongly object to your tobacco licensure ordinance. As a law-abiding business that does NOT sell tobacco to children, I am offended that I am being treated as if I am responsible for all underage smoking in the County.

I am also shocked that the County wants to start telling me how much I must charge for a pack of cigarettes. Lots of underage kids drink. Are you going to start setting the price for beer and wine to make sure kids don't drink? There are lots of kids that are overweight. Are you going to raise the price of chips and candy too?

Stop meddling in my business. It's already illegal to sell tobacco to minors. Why not just enforce the laws that are already on the books.

Amarjeet S

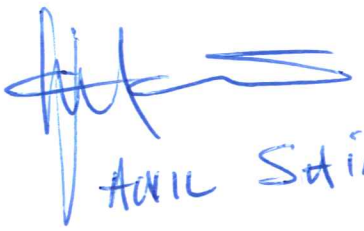
Sonoma Board of Supervisors
575 Administration Drive, #100A
Santa Rosa, CA 95403

Dear Supervisors,

I respectfully request that you reconsider the entire proposal requiring a tobacco license. Not that the license is objectionable by itself but the fee is too high. I can't afford the fee but I can't afford not to have the license. But if the license sets a minimum price on tobacco I won't have any tobacco business to even need a license. It seems no matter which way I look at it, I am being punished for doing nothing wrong.

All of the restrictions and penalties threaten to put me out of business. I urge you to VOTE NO on the tobacco license.

Regards,



ANIL SHINI

AM MINI MARKET
440 HEARN AVE
SANTA ROSA CA 95407

Supervisor James Gore
Sonoma County Board of Supervisors
575 Administration Drive
Room 100 A
Santa Rosa, CA 95403

Dear Supervisor Gore,

I recently learned that the County wants to raise the price of a pack of cigarettes to $7 in an attempt to keep cigarettes away from children.

I agree that keeping cigarettes away from children is a worthwhile endeavor but I don't think this is the answer. I don't sell tobacco to minors. It is illegal. The only thing this will accomplish is to drive my customers to a store outside the county buy cigarettes and everything else they would otherwise purchase in my store.

I read an article that 60% of cigarettes sold in New York City are black market. Why? Because the city passed a minimum pack ordinance like the one you are considering. Law enforcement is already strained. Why would you want to introduce black market cigarettes into the County?

Rather than passing more laws that create more hurdles for small businesses, why not just enforce the laws already on the books. It is already illegal to sell tobacco to minors.

Sincerely, John Berry

Berry's Markets

707-494-9829

cc: Board of Supervisors

The Honorable Efren Carrillo
Board of Supervisors District 5
Sonoma County
575 Administration Dr., Rm. 100A
Santa Rosa, CA 95403

To Supervisor Carrillo:

I just found out that the Board of Supervisors are going to vote on a tobacco license ordinance that does much more than just require a license. If it was just a license requirement I would be ok with it.

However the ordinance includes many provisions that go much further. Retail is very competitive and price is everything. The negative impact of setting a minimum price on tobacco above the market rate is magnified by also taking away my ability to do price promotions. My customers can easily take their business down the street to a store in Santa Rosa.

Tobacco products and sales are already highly regulated. The license ordinance goes beyond reasonable regulation to the point of punishing local businesses and adult smokers.

Please vote no when the tobacco license ordinance comes before you.

Thank you,

HUSARY'S 76
2110 GRAVENSTEIN HWY. N.
SEBASTOPOL, CA 95472
707-829-8252

Supervisor Efren Carrillo
County Board of Supervisors
575 Administration Dr. #100A
Santa Rosa, CA 95403

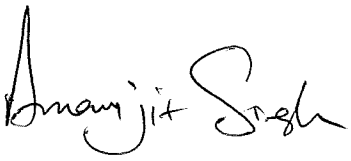
Dear Supervisor,

I am an employee at Bill's Deli and I am concerned about the impact on our store if you adopt the tobacco retail license. There are so many negative things about the summary of the ordinance that I am compelled to write.

I work full time in the store and I am face to face with our customers so I am familiar with who comes into buy single cigars, small packs and cigarettes. Banning these or raising the price will only hurt our adult customers and the stores. Most people want to buy a single cigar – either because they are on a budget or only want 1. I think that it is unfair raise the price so they can't afford them any more. If you pass this law wealthy people won't be impacted and people on a budget will no longer be able to enjoy a cigar or buy a pack of cigarettes from us anymore. Most likely they will go to Santa Rosa to buy them.

This is a bad idea and I hope that you vote against it. Thank you.

Aman Singh



Response to Retailer Comments

I. **Minimum Price/Discounting**
II. **Density & License Non-transferability**
III. **Fees**

I. Minimum Price and Discounting

- **Increasing the price of cigarettes is one of the single most effective tools to reduce smoking; especially for youth.** Research has clearly documented the connection between the price of cigarettes and consumption of cigarettes. When costs go up, consumption goes down. This is especially true for youth, who are more price-sensitive than adults.
- **A $7 minimum price per pack represents a modest price increase that creates an additional barrier for youth while limiting the impact on adults.** The current avg. price per pack in CA is $5.76. Raising the minimum price to $7 (21% increase) a pack would bridge the gap in CAs currently lowed-priced cigarettes. At $0.87 per pack, California's cigarette tax rate ranks 33rd in the nation. CA is one of only 3 states that has not raised taxes on cigarettes this century.
- **Discounting allows tobacco manufacturers to market products at below market cost to drive customers to new products.** A ban on price discounts and promotions supports minimum pricing and effectively limits the tobacco industry's ability to capture more price-sensitive consumers, particularly youth, who are more prone to impulse buying and less likely to shop around to find less-expensive options for products.

II. Density & License Non-Transferability

- **A disproportionate number of tobacco retailers are located in and around Portrait priority areas; especially retailers near schools.** Research shows that the number of tobacco retailers close to schools influences youth smoking rates. Density restrictions, similar to those governing alcohol sales, are an effective and well-used tool by local governments for addressing these issues.
- **Grandfathering coupled with license non-transferability is a fair and reasonable way to begin to address tobacco retailer density issues.** Allowing all current retailers to obtain licenses while limiting the number of new licenses is both fair to businesses and to the goals of the TRL. The vast majority of CA TRL's do not allow licenses to be transferred.
- **Allowing licenses to be transferred between business when density limitations are not met, would undercut the provision and would be inconsistent with other density restrictions in the County.** The TRL would limit the number of tobacco retailers to 1 per 2,000 residents (the current rate is 1 per 1,000 residents). This is consistent with current ABC laws, which are more restrictive and allow for 1 alcohol retailer per 2,500 residents. Licenses for new business or businesses being sold would be allowed once the density limits are met.

III. **License Fee**

- **A tobacco retailer licensing fee is the cost of selling a product that is unsafe to use at any level and exacts a high cost to society.** Sonoma County alone spends over $84 million dollars per year in tobacco related healthcare costs. That represents $171 per resident. Requiring retailers to pay an annual fee in order to protect the county's youth from the harmful products they sell is a reasonable request given what residents pay to support the outcomes of tobacco use.
- **The projected annual fee is less than the cost of one pack of cigarettes per day.** The estimated cost for a license is between $950-1050. This equates to roughly $2.75 a day, or the revenue generated from the sale of one pack of cigarettes per day. For comparison, current ABC licenses for alcohol sales costs $13,500 + $582 per year.
- **100% of the revenue generated from the TRL fees will be used to administer the program.** The fees collected will be used to enforce the provisions of the TRL. These include on-site compliance monitoring of local, state and federal tobacco regulations and youth decoy purchasing operations.

Sonoma County Board of Zoning Adjustments

ACTIONS

Sonoma County Permit and Resource Management Department
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

.

Date: March 19, 2015
Meeting No.: 15-04

ROLL CALL

Dick Fogg
Komron Shahhosseini
Willie Lamberson
Tom Lynch
Shawn Montoya, Chair

STAFF MEMBERS

Jennifer Barrett
Ken Ellison
Traci Tesconi
Blake Hillegas
McCall Miller, Secretary
Debbie Latham, County Counsel

BOARD OF ZONING ADJUSTMENTS REGULAR CALENDAR

Item No.:	1
Time:	1:05 p.m.
File:	UPE14-0019
Applicant:	La Luz Center, Juan Hernandez Executive Director
Owner:	La Luz Center
Cont. from:	N/A
Staff:	Ken Ellison
Env. Doc:	Categorically Exempt
Proposal:	Request to replace an existing 1,132 square foot building and small storage shed with a new single story 2,400 square foot building in the same location to include office, meeting rooms and storage to serve an existing community center on a 0.43 acre parcel.
Location:	17560 Greger Street, Sonoma
APN:	056-305-018
District:	1
Zoning:	R1 (Low Denisty Residential) – B6 5 Dwelling Units Per Acre – VOH (Valley Oak Habitat)
Action:	**Commissioner Fogg** motioned to approve the project as recommended with modified Conditions of Approval. Seconded by **Commissioner Shahhosseini** and passed with a 5-0 vote.
Appeal Deadline:	10 calendar days
Resolution No.:	15-003

Vote:

Commissioner Fogg	Aye
Commissioner Shahhosseini	Aye
Commissioner Lamberson	Aye
Commissioner Lynch	Aye
Commissioner Montoya	Aye

Ayes:	5
Noes:	0
Absent:	0
Abstain:	0

Item No.:	2
Time:	1:45 p.m.
File:	UPE14-0084
Applicant:	Complete Wireless Consulting on behalf of Verizon Wireless
Owner:	Jim Menconi, Empire Mini Storage
Cont. from:	N/A
Staff:	Traci Tesconi
Env. Doc:	Categorically Exempt
Proposal:	Request for a Use Permit for a new freestanding intermediate telecommunication facility to include a 75 foot tall mono-pine faux tree pole with twelve antennas and associated equipment cabinets located on a portion of an existing self-storage facility on 3.5 acres.
Location:	6320 Forestville Street, Forestville
APN:	084-020-042
District:	5
Zoning:	M1 (Limited Urban Industrial), LG/116

Action:	**Commissioner Lynch** motioned to approve the Use Permit as recommended. Seconded by **Commissioner Shahhosseini** and passed with a 5-0 vote.
Appeal Deadline:	10 calendar days
Resolution No.:	15-004

Vote:

Commissioner Fogg	Aye
Commissioner Shahhosseini	Aye
Commissioner Lamberson	Aye
Commissioner Lynch	Aye
Commissioner Montoya	Aye

Ayes:	5
Noes:	0
Absent:	0
Abstain:	0

Item No.:	3
Time:	2:15 p.m.
File:	UPE10-0069
Applicant:	Brendan Hallinan
Owner:	Mike Requarth
Cont. from:	N/A
Staff:	Blake Hillegas
Env. Doc:	Categorically Exempt
Proposal:	Modify and renewal for one year a Use Permit for SMH Resources, Inc, a non-profit Level II Medical Cannabis Dispensary occupying a 3,839 square foot tenant space within a 38,340 square foot building on 1.65 acres.
Location:	3403 Santa Rosa Avenue, Santa Rosa
APN:	134-123-037
District:	3
Zoning:	C2 (Retail and Business Service), VOH (Valley Oak Habitat)

Action:	**Commissioner Shahhosseini** motioned to approve the Use Permit for a one-year renewal period and for expanded Sunday operation, and to deny delivery service and the sale of vapor pens. Seconded by **Commissioner Lynch** and passed with a 5-0 vote.
Appeal Deadline:	10 calendar days
Resolution No.:	15-005

Vote:

Commissioner Fogg	Aye
Commissioner Shahhosseini	Aye
Commissioner Lamberson	Aye
Commissioner Lynch	Aye
Commissioner Montoya	Aye

Ayes:	5
Noes:	0
Absent:	0
Abstain:	0

Sonoma County Certificate of Compliance
REVIEW

SONOMA COUNTY PERMIT AND RESOURCE MANAGEMENT DEPARTMENT
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

FOR REVIEW BY THE BOARD OF SUPERVISORS
MEETING OF APRIL 7, 2015

Item #1

File: PLP15-0025

Applicant: Tom Berry

Owner: Joel M. Durkin and Paul B. Durkin

Staff: Scott Hunsperger

Location: 7950 Highway 116 South, Cotati Sup. Dist.: 2

APN: 046-421-001

Zoning: RR (Rural Residential) B6-2.5 acre density, SR (Scenic Resources)

Requested: 2

Size: Parcel 1: 1.81 acres +/-
Parcel 2: 2.07 acres +/-

Improvements: Parcel 1: Single Family Dwelling, Accessory Building
Parcel 2: Vacant

Services: Septic

Approved: 2

Criteria: These parcels are considered legally separate as they were created by

1. Conveyance (grant deed or Government Patent) in which fewer than five parcels were created prior to March 1, 1967.

Parcel 1: Created by: Book 1115 of Official Records, Page 412; Recorded on March 20, 1952, S.C.R.
Reference Documents: Book 1432 of Official Records, Page 477; Recorded on April 19, 1956, S.C.R.

Parcel 2: Created by: Book 1671 of Official Records, Page 66; Recorded on May 20, 1959, S.C.R
Reference Documents: Book 2059 of Official Records, Page 994; Recorded on July 17, 1964, S.C.R.

Sonoma County Certificate of Compliance
REVIEW

SONOMA COUNTY PERMIT AND RESOURCE MANAGEMENT DEPARTMENT
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

FOR REVIEW BY THE BOARD OF SUPERVISORS
MEETING OF APRIL 7, 2015

Item #2 File: PLP15-0026

Applicant: Tom Berry

Owner: Gamino Family Vineyards LLC

Staff: Scott Hunsperger

Location: 10491 Hillview Road, Windsor Sup. Dist.: 4

APN: 161-020-023 and -030

Zoning: AR (Agriculture and Residential) B6 – 5 acre density, RC (Riparian Corridor) 50/50, VOH (Valley Oak Habitat)

Requested: 2

Size: Parcel 1: 10.52 acres +/-
Parcel 2: 15.96 acres +/-

Improvements: Parcel 1: Single Family Dwelling, Sheds
Parcel 2: Vacant

Services: Septic

Approved: 2

Criteria: These parcels are considered legally separate as they were created by

1. conveyance (grant deed or Government Patent) in which fewer than five parcels were created prior to March 1, 1967.

Parcel 1: **Created by**: Book 545 of Official Records, Page 427; Recorded on March 11, 1942, S.C.R.

Reference Documents: None

Parcel 2: Created by: Book 345 of Official Records, Page 436; Recorded on August 30, 1933, S.C.R.

Reference Documents: Book 985 of Official Records, Page 453; Recorded on August 22, 1950, S.C.R.

Appeal Deadline: April 10, 2015

Sonoma County Certificate of Compliance

REVIEW

SONOMA COUNTY PERMIT AND RESOURCE MANAGEMENT DEPARTMENT
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

FOR REVIEW BY THE BOARD OF SUPERVISORS
MEETING OF APRIL 7, 2015

Item #3

File: PLP15-0022

Applicant: Robert Daily and Angela Daily

Owner: Same

Staff: Scott Hunsperger

Location: 3750, 3780, 3788, and 3800 Sleepy Hollow Road and 3731 Chanate Road, Santa Rosa

Sup. Dist.: 3

APN: 173-260-001, -002, -003, -004, -005, and -006

Zoning: RR (Rural Residential) B6 – 20 acre density, VOH (Valley Oak Habitat)

 # Requested: 6

Size:
Parcel 1: 1.71 acres +/-
Parcel 2: 0.50 acres +/-
Parcel: 3 2.16 acres +/-
Parcel 4: 0.70 acres +/-
Parcel 5: 0.63 acres +/-
Parcel 6: 0.61 acres +/-

Improvements:
Parcel 1: Single Family Dwelling, Garage, Pool
Parcel 2: Vacant
Parcel 3: Vacant
Parcel 4: Vacant
Parcel 5: Vacant
Parcel 6: Single Family Dwelling, Shed

Services: Septic

 # Approved: 6

Criteria: These parcels are considered legally separate as they were created by

1. conveyance (grant deed or Government Patent) in which fewer than five parcels were created prior to March 1, 1967 or a lot depicted on a subdivision map recorded or validated after March 9, 1893 in the County of Sonoma.

These parcels are considered legally separate as they were created by the following:

Parcel 1: **Created by:** Book 1323 of Official Records, Page 99; Recorded on January 20, 1955, S.C.R.
Reference Documents: None

Parcel 2: **Created by:** Book 1888 of Official Records, Page 848; Recorded on May 10, 1962, S.C.R.
Reference Documents: None

Parcel 3: **Created by:** Book 1888 of Official Records, Page 849; Recorded on May 10, 1962, S.C.R.
Reference Documents: None

Parcel 4: **Created by:** Book 1888 of Official Records, Page 849; Recorded on May 10, 1962, S.C.R.
Reference Documents: None

Parcel 5: **Created by:** Lot 2 as depicted on Map LS 903, Validated on May 9, 1968.
Reference Documents: None

Parcel 6: **Created by:** Lot 1 as depicted on Map LS 903, Validated on May 9, 1968.
Reference Documents: None

Appeal Deadline: April 10, 2015

Sonoma County Certificate of Compliance
REVIEW

SONOMA COUNTY PERMIT AND RESOURCE MANAGEMENT DEPARTMENT
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

FOR REVIEW BY THE BOARD OF SUPERVISORS
MEETING OF APRIL 7, 2015

Item #4

File: PLP15-0019

Applicant: Mike Buti

Owner: Catherine and Michael Collier

Staff: Scott Hunsperger

Location: 380 Verano Avenue and 19010 Willow Street, Sonoma Sup. Dist.: 1

APN: 052-353-025

Zoning: R2 (Medium Density Residential), B6-6 units per acre density, VOH (Valley Oak Habitat)

Requested: 2

Size: Parcel 1: 16,000 square feet +/-
Parcel 2: 8,921 square feet +/-

Improvements: Parcel 1: Triplex, Shed
Parcel 2: Commercial Building

Services: Sewer

Approved: 2

Criteria: These parcels are considered legally separate as they were created by

1. Conveyance (grant deed or Government Patent) in which fewer than five parcels were created prior to March 1, 1967.

Parcel 1: Created by: Book 246 of Deeds, Page 86; Recorded on March 6, 1908, S.C.R. and Book 181 of Deeds, Page 366; Recorded on October 26, 1898, S.C.R.

Reference Documents: Book 1642 of Official Records, Page 317; Recorded on January 22, 1959, S.C.R

Parcel 2: Created by: Book 203 of Deeds, Page 146; Recorded on September 4, 1902, S.C.R.

Reference Documents: Book 1642 of Official Records, Page 317; Recorded on January 22, 1959, S.C.R

Appeal Deadline: April 10, 2015

Sonoma County Board of Zoning Adjustments

ACTIONS

Sonoma County Permit and Resource Management Department
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

Date: April 2, 2015
Meeting No.: 15-05

ROLL CALL

Greg Carr
Paula Cook
Willie Lamberson
Pamela Davis
Don Bennett, Chair

STAFF MEMBERS

Jennifer Barrett
Sigrid Swedenborg
McCall Miller, Secretary
Jeff Brax, Chief Deputy County Counsel

BOARD OF ZONING ADJUSTMENTS REGULAR CALENDAR

Item No.:	1
Time:	1:05 p.m.
File:	PLP13-0011
Applicant:	Westside Grapes, LLC
Owner:	Westside Grapes, LLC
Cont. from:	N/A
Staff:	Sigrid Swedenborg
Env. Doc:	Mitigated Negative Declaration
Proposal:	Request for a Use Permit to increase the annual production capacity at an existing winery from 20,800 to 30,000 cases with construction of a new winemaking building, proposed use of an existing residence for two marketing accommodations and an existing barn to be converted to wine storage, with 16 agricultural promotional event days and participation in eight industry wide event days annually on three parcels totaling 78.84 acres.
Location:	6025 and 6050 Westside Road, Healdsburg
APN:	110-160-116, -011, and -006
District:	4
Zoning:	LIA (Land Intensive Agriculture), B6-60 acre density, RC (Riparian Corridor), 50/50 and RC 200/100, F1 (Floodway Combining District), F2 (Floodplain Combining District), HD (Historic District), SR (Scenic Resource), VOH (Valley Oak Habitat), Z (Second Dwelling Unit Exclusion), and LIA (Land Intensive Agriculture), B6-60 acre density, HD (Historic District)

Action:	**Commissioner Lamberson** motioned to approve the Use Permit as recommended with modified Conditions of Approval. Seconded by **Commissioner Davis** and passed with a 5-0 vote.
Appeal Deadline:	10 calendar days
Resolution No.:	15-006

Vote:

Commissioner Carr:	Aye
Commissioner Cook:	Aye
Commissioner Lamberson:	Aye
Commissioner Davis:	Aye
Commissioner Bennett:	Aye

Ayes:	5
Noes:	0
Absent:	0
Abstain:	0