
Date: May 12, 2026

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Directors Of The Sonoma County Agricultural Preservation and Open Space District Authorizing a \$1,500,000 Matching Grant to the City of Santa Rosa Toward its Acquisition of Property at 3012 Dutton Meadow, Santa Rosa; Authorizing Execution of a Matching Grant Agreement; Determining that the Grant is Consistent with the Sonoma County General Plan 2020 and the District’s Expenditure Plan; Making Certain Findings and Authorizing and Directing the President to Execute an Amendment to the Lower Colgan Creek Conservation Easement to Preserve the Property; Dedicating the Conservation Easement to Open Space Purposes pursuant to Public Resources Code Section 5540; Making Certain Findings Under the California Environmental Quality Act and Directing the Filing of a Notice of Exemption; and Authorizing the General Manager to Take all Other Actions Necessary to Complete this Transaction, in Consultation with County Counsel.

Whereas, on June 21, 2022, the Santa Rosa City Council adopted a resolution authorizing the submission of a Matching Grant Program application requesting One Million Five Hundred Thousand Dollars (\$1,500,000) in reimbursement funding towards the acquisition of the 3.85-acre property located at 3012 Dutton Meadow, Santa Rosa, California (“Property”); and

Whereas, on December 13, 2022, this Board approved the recommendation from staff to accept the City of Santa Rosa’s Matching Grant Program application; and

Whereas, on April 12, 2023, the City of Santa Rosa purchased the Property for Two Million Two Hundred Ninety Thousand Dollars (\$2,290,000) plus acquisition costs and fees; and

Whereas, on April 2, 2026, the District’s Fiscal Oversight Commission adopted Resolution 2026-002, determining that the acquisition of an amended conservation easement as a condition of the District’s contribution towards the fee purchase of the

Property in an amount not to exceed the appraised value does not result in the District paying more than the fair market value for the acquisition of such interests; and

Whereas, as a condition of this matching grant project, the District will obtain a Conservation Easement to preserve the Property and assure public access to the Property, and

Whereas, the District's General Manager is recommending an allocation of Matching Grant Program funds towards the City of Santa Rosa's acquisition of the Property in the amount of One Million Five Hundred Thousand Dollars (\$1,500,000), conditioned on conveyance of a Conservation Easement Amendment ("Project").

Whereas, the amended conservation easement is subject to the District's Easement Amendment Policy, which requires this Board to make the following findings prior to its approval of the proposed easement amendment:

- a. The amended conservation easement is clearly consistent with the conservation purpose of the easement because the amendment maintains the urban open space, natural resources associated with a restored Colgan Creek, recreation, education and scenic values protected by the Easement.
- b. The conservation easement amendment enhances and otherwise does not impair the conservation values of the land subject to the easement because acreage devoted to natural resource protection and acreage devoted to park development will increase by approximately two acres.
- c. The amendment does not undermine the perpetual nature of the conservation easement because the amended easement will also be perpetual.
- d. The amendment is not precluded by the easement or by state or federal law.
- e. The amendment of the original conservation easement does not reconvey any interest in land that has been expressly extinguished by the original conservation easement because the amended easement is equally restrictive in every way.
- f. The amendment is the minimum change necessary to satisfy the purpose of the amendment, which is to allow the property to be utilized for natural resource protection as well as public recreation and education.

- g. The amendment is consistent with the District's Vital Lands Initiative and other applicable District policies.
- h. The amendment is consistent with all applicable land use and zoning regulations.
- i. The amendment incorporates, to the maximum extent practical and legally permissible, the language used by the District in its current conservation easements.
- j. The amendment will not result in the District paying more or receiving less than fair market value for the rights that will be acquired and conveyed via the amendment, as determined by the Fiscal Oversight Commission via Resolution No. 2026-002, adopted on April 2, 2026.

Whereas, for the foregoing reasons, the amendment conforms with the requirements of the California Civil Code and the District's Easement Amendment Policy.

Now, Therefore, Be It Resolved that this Board of Directors hereby find, determine, declare and order as follows:

1. *Truth of Recitals*. The foregoing recitations are true and correct.
2. *General Plan Consistency*. The Project further implements the 2020 Sonoma County General Plan. The Project supports goals and policies in Land Use and Open Space and Resource Conservation, in urban open space, scenic resources, and recreational and educational resources.
3. *Expenditure Plan Consistency*. The Project is consistent with the Expenditure Plan approved by the voters of Sonoma County in 2006 via Measure F, because it will protect the highest priority lands using a conservation easement as the primary tool for protection, and specifically preserves scenic landscape units, and urban open space with recreational and educational opportunities.
4. *District Board President Authority to Sign Contracts*. The District Board President is authorized and directed to execute, on behalf of the District and amendment that certain agreement entitled "Deed And Agreement By And Between The City of Santa Rosa and The Sonoma County Water Agency And The Sonoma County Agricultural

Preservation And Open Space District Conveying An Amended Conservation Easement And Assigning Development Rights” together with the associated certificate of acceptance required by Government Code Section 27281.

5. *Dedication.* The Conservation Easement to be acquired by the District is hereby dedicated to open space purposes pursuant to Public Resources Code Section 5540; and
6. *Matching Grant Agreement.* The General Manager is authorized to execute a matching grant agreement between Ag + Open Space and the City of Santa Rosa and the Sonoma County Water Agency.
7. *California Environmental Quality Act; Notice of Exemption.* The Project, consisting of the provision of funding by the District towards the acquisition of fee title by The City of Santa Rosa, as well as the District’s acquisition of a Conservation Easement, is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Sections 21000 and following) pursuant to Public Resources Code Section 21080.28(a)(1)(F), which exempts from CEQA the acquisition, sale, or Resolution# 25-0116 Date: February 25, 2025 other transfer of interest in land by a public agency for the preservation of land for park purposes. This Project is also exempt from CEQA pursuant to Sections 15316, 15317 and 15325 of Title 14 of the California Code of Regulations, because the purpose of the acquisition is to provide for a park and to maintain the open space character of the area. Immediately upon adoption of this Resolution, the General Manager is directed to file with the County Clerk, and the County Clerk is directed to post and to maintain the posting of a notice of exemption pursuant to Public Resources Code Section 21152.
8. *Closing Documents.* County Counsel is hereby authorized and directed to prepare and deliver appropriate escrow instructions and other necessary documents to complete the transaction as described. The District General Manager is authorized to make any technical, non-substantive changes to the Conservation Easement and Recreation Conservation Covenant and other closing documents, respectively, prior to

recordation with the prior approval of County Counsel. With approval of County Counsel and the District's surveyor, the General Manager for District is further authorized to make minor changes to the Project Structure Map that do not substantially change the total acreage protected, in order to make the map conform to features that may be surveyed. The General Manager is further authorized and directed to execute any other documents necessary to complete this transaction as described, in consultation with County Counsel.

9. *Payment of Purchase Price and Costs of Escrow.* At the request of District's General Manager, the County Auditor is authorized and directed to draw a warrant or warrants against available funds in the County's Open Space Special Tax Account for the proposed acquisition in an amount not to exceed \$1,500,000, and in such other amounts necessary for associated transactional costs requested.

10. *Authorization for Recordation.* The District General Manager is authorized and directed to record with the Sonoma County Recorder the Conservation Easement Amendment and Certificate of Acceptance, and to deliver conformed copies of these documents, bearing evidence of recording, to the Clerk of the Board of Directors.

Directors:

Rabbitt: Coursey: Gore: Hopkins: Hermosillo:

Ayes: Noes: Absent: Abstain:

So Ordered.