
Date: August 12, 2025

Item Number: _____
Resolution Number: _____

☐ 4/5 Vote Required

Resolution Of The Board Of Directors Of The Sonoma County Agricultural Preservation And Open Space District Making Certain Findings and Authorizing the Acquisition of a Conservation Easement Preserving McClelland Dairy for \$2,610,000.00; Authorizing and Directing the President to Execute the Conservation Easement and Associated Certificate of Acceptance; Directing the Recordation of Documents; Authorizing and Directing the General Manager to Take All Other Actions Necessary to Complete the Transaction; and Dedicating the Conservation Easement to Open Space Purposes Pursuant to Public Resources Code Section 5540.

Whereas, the General Manager has negotiated and is recommending the purchase of a conservation easement to protect that certain real property consisting of approximately 348.11-acres located in Sonoma County, California, commonly known as the McClelland Dairy, and located at 6475 Bodega Avenue Petaluma CA 94952 (Assessor's Parcel Numbers 022-190-018, 022-190-020; and 022-230-011) ("McClelland Dairy");

Whereas, the Conservation Easement acquisition fulfills policies in the District's Vital Lands Initiative, including policies to preserve Agricultural Lands, Community Identity, Water, and Wildlands; and

Whereas, by its Resolution No. 2025-004, dated July 16, 2025, the Sonoma County Agricultural Preservation and Open Space Fiscal Oversight Commission determined that proposed purchase price for the Conservation Easement does not exceed its fair market value; and

Now, Therefore, Be It Resolved that this Board of Directors hereby finds, determines, declares and orders as follows:

1. *Truth of Recitals.* That the foregoing recitations are true and correct.

2. *General Plan Consistency.* That the acquisition of the Conservation Easement (the “Project”) is consistent with and implements the 2020 Sonoma County General Plan. The Project supports goals and policies in Land Use, Open Space and Resource Conservation, Agriculture, and Water Resources Elements, including Preservation of lands currently in agricultural production and lands with soils and other characteristics that make them potentially suitable for agricultural use. Retain large parcel sizes and avoid incompatible non-agricultural uses; Preserve roadside landscapes that have high visual quality; protect and enhance Riparian Corridors and functions along streams, balancing the need for agricultural production... and other land uses within the preservation of riparian vegetation protection of water resources, flood control, bank stabilization, and other riparian functions and values; and reduce economic pressure for conversion of agricultural land to non-agricultural use.

3. *Expenditure Plan Consistency.* That 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 corridors, agriculturally productive land, biotic habitat areas, riparian corridors and other areas of biotic significance.

4. *California Environmental Quality Act; Notice of Exemption.* That the acquisition of the Conservation Easement authorized by this resolution 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)(A) & (C) and Cal. Code of Regs. Tit. 14, § 15325(a) & (b)), which exempts from CEQA the acquisition, sale, or other transfer of interest in land by a public agency for the preservation of the natural condition of the property including plant and animal habitats; restoration of natural conditions including plant and animal habitats; for continuing agricultural use of the land; and preservation of open space. Alternatively, it is exempt pursuant to Section 15317 of Title 14 of the California Code of Regulations, because the purpose of the acquisition is 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.

5. *Authority to Sign Contracts.* That the President is authorized and directed to execute, on behalf of the District that certain agreement entitled “Deed and Agreement By and Between McClelland Dairy and the Sonoma County Agricultural Preservation and Open Space District Conveying a Conservation Easement and Assigning Development Rights,” or as similarly titled to reflect the vested owner on the date of closing, together with the certificate of acceptance required by Government Code Section 27281.

6. *Closing Documents.* That the District’s Counsel is hereby authorized and directed to prepare and deliver appropriate escrow instructions and other necessary documents to Fidelity National Title to complete the transaction as

described. The General Manager is authorized to make any technical, non-substantive changes in the Conservation Easement and other closing documents prior to recordation with the prior approval of the District's Counsel, including changes to the name of the property owner as may be needed to reflect ownership of the property at the time title to the conservation easement is conveyed to the District. With approval of the District's Counsel and the District's surveyor, the General Manager is further authorized to make minor changes to the Project Structure Map that do not 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, including grant agreements, necessary to complete this transaction as described.

7. *Payment of Purchase Price and Costs of Escrow.* That, at the request of the 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 \$1,810,000 payable to Fidelity National Title (Escrow No. FSNX-7051800570), and in such other amounts necessary for associated transactional costs requested by the General Manager.

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

9. *Dedication.* That the Conservation Easement to be acquired by the District is hereby dedicated to open space purposes pursuant to Public Resources Code Section 5540.

Directors:

Hermosillo: Coursey: Gore: Hopkins: Rabbitt:

Ayes: Noes: Absent: Abstain:

So Ordered.