



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 2/25/2025

To: The Board of Supervisors

Department or Agency Name(s): County Counsel

Staff Name and Phone Number: Elizabeth Coleman- 707-565-3735

Vote Requirement: 4/5th

Supervisorial District(s): Fifth District

Title:

Proposed Lower Russian River Eviction Defense Urgency Ordinance Related to Declared Flood State of Emergency

Recommended Action:

- A) Introduce, Waive Further Reading of, and Consider Adoption of Proposed Lower Russian River Eviction Defense Urgency Ordinance Related to Declared Flood State of Emergency
- B) Adopt Resolution Modifying Ratification of Local Emergency Proclamation of February 11, 2025 to terminate invocation of county-wide emergency tenant protections under Section 8 of Sonoma County Ordinance No. 6496

(4/5th Vote Required)

Executive Summary:

On February 5, 2025, the Board of Supervisors ratified a Proclamation of Local Emergency made by the Director of Emergency Services for the circumstances of the February 2025 atmospheric river storm event and danger of additional storms impacts as described in the Director's Declaration of Local Emergency of February 4, 2025. By the terms of the ratification resolution, the Board activated the emergency protections from eviction pursuant to Ordinance Number 6496, limiting evictions in Sonoma County to those articulated in the Ordinance, until termination of the declaration or further action of the Board to terminate the emergency protections. Pursuant to Board direction to staff at the February 5, 2025 Board of Supervisors meeting, County Counsel is returning to the Board to introduce and consider adoption of a proposed Lower Russian River Eviction Defense Urgency Ordinance Related to Declared Flood State of Emergency, to become effective immediately upon adoption of the Ordinance. The proposed ordinance would protect tenants in the unincorporated areas of Forestville, Guerneville, Rio Nido, Monte Rio, Villa Grande, and Duncans Mills.

Discussion:

Beginning on January 31, 2025, heavy rainfall as a result of a category 4 atmospheric river storm brought over 6.50 inches of rain over five days, as recorded at the Charles M. Schulz-Sonoma County Airport. Other areas of the county received up to fifteen inches of rain in that same time period. On and around February 6, 2025, another inch of additional rainfall was received in the Sonoma County area.

The accumulated rainfall and associated stormwater runoff during the February 2025 atmospheric river storm event ("Event") have resulted in severe ground saturation, unstable hillsides, debris flows, landslides, downed

trees, flooding, road blockages and road washouts/slip-outs, evacuations, and power outages in multiple parts of Sonoma County. These and other Event-related conditions have significantly impacted County and community operations and resources, and require the provision of additional public safety, health and emergency services. On Westside Road in the Hacienda area of the lower Russian River, a hillside collapsed, and a house was washed away into the river. Several creeks and streams and the lower Russian River reached and were predicted to reach the action/monitor stage, requiring emergency protective measures. The lower Russian River crested at “moderate” and “major” flood stages on Wednesday, February 5, 2025.

Due to these ongoing conditions of extreme peril to safety of persons and property, the Director of Emergency Services issued a Proclamation of Existence of Local Emergency in the Sonoma County Operational Area on February 4, 2025, due to the Event. The Sonoma County Emergency Operations Center was activated Wednesday, February 5, 2025, morning. County staff was advised by multiple residents of the impacted areas that landlords were using the event as the basis to begin proceedings to remove their tenants from the affected areas, which could cause worsening of the health and safety impacts upon the community of the emergency.

Under Sonoma County Code Section 10-5(b), the proclamation of local emergency by the Director of Emergency Services was ratified by the Board of Supervisors, to extend the emergency response authority under applicable laws and make available to the County/Operational Area, state, and local mutual aid, and allow for any State and Federal emergency funding, if it is made available. The resolution of ratification also included language pursuant to Section 8 of Sonoma County Ordinance No. 6496 to prohibit the termination of any tenancy in all areas of the County, including the incorporated cities of the County, during the duration of the local emergency declared by the resolution. The Board of Supervisors concurrently directed County Counsel to return to the Board on February 25, 2025 with a proposed urgency ordinance to create protections from eviction for the impacted areas, in order to protect those impacted by the critical threat to housing without burdening other areas of the County not directly impacts.

The proposed ordinance contains similar provisions to the previously adopted Section 8 of Sonoma County Ordinance No. 6496, with modifications to indicate it will be in effect until the earlier of six months after adoption, or 30 days after the termination of the related local emergency. The language is also modified from the generally applicable text of Section 8 of Sonoma County Ordinance No. 6496 to exclude from its terms any rental of two or less bedrooms in an otherwise owner-occupied single family residence, to preserve owner-occupied household’s ability to end cohabitation with tenants without necessity of meeting the strict requirements for termination for covered tenancies. As proposed, the urgency ordinance would prevent the termination of covered tenancies except in cases of violence/threats of violence or requirements of health and safety, immediate removal from the rental market, or as may be required by law or court order. The proposed urgency ordinance would cover the geographical areas most impacted, designated by postal code. The included postal codes are 95436, 95471, 95446, 95462, 95486, and 95430, covering the unincorporated areas known as Forestville, Guerneville, Rio Nido, Monte Rio, Villa Grande, and Duncans Mills.

Under the Emergency Services Act, codified at Government Code section 8550 et seq., the County is vested with authority to declare a local emergency and act as may be necessary for the protection of life and property. Pursuant to that authority and the threat to life and property presented by the risk of becoming unhoused in a time of emergency impacting housing of residents within the impacted area, the proposed

urgency ordinance is presented for the Board’s consideration. The Board’s approval of the county-wide eviction limitations effectuated via the February 5, 2025 proclamation of emergency served to protect the life and property of vulnerable residents until such time as the Board could fully consider the proposed urgency ordinance.

Accordingly, staff recommends the Board adopt a resolution introducing and waiving further reading of the Lower Russian River Eviction Defense Urgency Ordinance Related to Declared Flood State of Emergency, consider its adoption, and, upon adoption or rejection of the proposed urgency ordinance, adopt a resolution to terminate its invocation of such county-wide protections under Section 8 of Sonoma County Ordinance No. 6496, by adopting the proposed resolution.

If the Board adopts the proposed urgency ordinance, it would go into effect immediately, and publication of the adopted ordinance would be published within 15 days of adoption.

Strategic Plan:

INSTRUCTIONS: Use this section to indicate if this item directly supports an objective in the County’s Five-year Strategic Plan, i.e. the recommended actions represent a County investment of people or financial resources towards an activity, project, or program that helps to achieve the desired outcomes associated with the objective. We recognize that staff’s inclination will be to align most department activities to the Board’s Strategic Plan, however, this section should be used conservatively to only reflect activities that have a direct bearing on achieving the specific objective. Indirect or general activities should not be discussed in this section. The intent is not to capture all activities that may relate to a Strategic Plan goal generally, but to identify those that advance the work efforts described in the Implementation Plan for the objective. The Implementation Plan Lead for the objective can confirm the degree of alignment. (The most current list of Implementation Plan Leads is posted to the County Board of Supervisors intranet web page at http://sc-intranet/board/agenda_sub.htm.) If this item does not directly support the Strategic Plan, delete the full text under this header and input “N/A.”

For items with direct Strategic Plan alignment, briefly describe how the investment achieves the outcomes and note whether the resources requested are new or re-directed from existing funds to address current Board strategic priorities. The narrative included here will be collected and reported for both transparency purposes and as indication of progress towards achieving desired outcomes.

This item directly supports the County’s Five-year Strategic Plan and is aligned with the following pillar, goal, and objective.

Pillar: Healthy and Safe Communities

Goal:

Objective: Choose an item.

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

INSTRUCTIONS: If ‘Yes’ to the above, or if equity analysis was conducted, include requisite information in this

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section staff's discussion, findings, and recommendations as it directly relates to this item's requested action(s).

Prior Board Actions:

02/4/2025- Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Ratifying the Proclamation of Local Emergency Due to the February 2025 Atmospheric River Storm Event
9/17/2025- Adoption of Sonoma County Tenant Protection Ordinance- Sonoma County Ordinance No. 6496

FISCAL SUMMARY

Expenditures	FY23-24 Adopted	FY24-25 Projected	FY25-26 Projected
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
General Fund Contingencies			
Total Sources			

Narrative Explanation of Fiscal Impacts:

N/A

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

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Resolution Introducing, Reading Title, and Waiving further Reading of Proposed Lower Russian River Eviction Defense Urgency Ordinance Related to Declared Flood State of Emergency
Resolution Modifying February 5, 2025 Ratification of Proclamation of Local Emergency to Terminate Invocation of Emergency Tenant Protections
Proposed Lower Russian River Eviction Defense Urgency Ordinance Related to Declared Flood State of Emergency

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

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