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Date: , 2025

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

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4/5 Vote Required

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**Resolution Of The Board Of Directors Of The Sonoma County Agricultural Preservation And Open Space District Making California Environmental Quality Act (CEQA) Findings As A Responsible Agency, Authorizing a \$1,450,000 Grant to Earth Island Institute through the Matching Grant Program to Support Development of Recreational Improvements on a 22.05 Acres-Property Commonly Known as the Helen Putnam Park Expansion; Authorizing Execution of a Matching Grant Agreement with Earth Island Institute; Determining that the Grant is Consistent with the Sonoma County General Plan 2020 and District Expenditure Plan; Authorizing and Directing the President to Execute a Conservation Easement and a Recreation Conservation Covenant to Preserve the Property and Assure Public Access; and Authorizing the General Manager to Take All Actions Necessary to Accomplish the Proposed Transaction, in Consultation with County Counsel.**

**Whereas**, in accordance with the voter-approved Expenditure Plan, the District has established a competitive Matching Grant Program (the “Program”) for projects that provide open space, community recreation, restoration and enhancement of natural areas, or public access opportunities within and near incorporated areas and other urbanized areas of Sonoma County; and

**Whereas**, the Program requires applicants to provide a matching contribution for the project; and

**Whereas**, the Earth Island Institute, acting as fiscal sponsor for the community group known as the Kelly Creek Protection Project, submitted an application under the District’s 2018 and 2022 Matching Grant Program cycles for funding toward the expansion of Helen Putnam Regional Park and for related habitat and open space improvements to enable public use and access to the expanded parkland, which consists of approximately 47-acres of land located at

1860 D Street, Petaluma, California (the “Property”). The applications in 2018 and 2022 have been combined, with staff recommending funding for a single improvement grant in the amount of \$1,450,000.00 (“Grant Funds”).

**Whereas,** the District’s Grant Funds will support development of a 47.78-acre park and connector trail adjacent to Helen Putnam Regional Park in Petaluma (“Project”); and

**Whereas,** as a condition of funding, Earth Island Institute must grant the District a Conservation Easement and a Recreation Conservation Covenant, pursuant to which Earth Island Institute and ultimately Sonoma County Regional Parks will accept the affirmative obligation to protect the conservation values of the Property and to use, operate and maintain the Property for public outdoor recreation in perpetuity.

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

1. *Truth of Recitals.* That the foregoing recitations are true and correct.
2. *General Plan Consistency.* That the Project is consistent with the 2020 Sonoma County General Plan, specifically the Plan’s Open Space and Resource Conservation Element, because it (1) preserves important biotic resources areas and scenic features; (2) protects and enhances the county’s natural habitats and diverse plant and animal communities; and (3) helps to establish a countywide park and trail system that meets future recreational needs of the county’s residents.
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, as it states that sales tax monies may be spent on urban open space and recreation projects within and near incorporated areas and other urbanized areas of Sonoma County, including, but not limited to creek restoration and enhancement, trails, athletic fields, and urban greenspace.
4. *Conservation Easement and Certificate of Acceptance.* That the President is authorized and directed to execute, on behalf of the District, that certain agreement in connection with the Project entitled “Deed of Conservation Easement and Agreement By and Between the Earth Island Institute and the Sonoma County Agricultural Preservation and Open Space District.” (“Conservation Easement”), together with the certificate of acceptance required by Government Code section 27281.
5. *Recreation Covenant and Certificate of Acceptance.* That the President is authorized and directed to execute, on behalf of the District, that certain agreement in connection with the Project entitled “Helen Putnam Expansion

Recreation Conservation Covenant” (“Recreation Covenant”), together with the certificate of acceptance required by Government Code section 27281.

6. *Authority to Sign Grant Agreement.* That the President is authorized and directed to execute, on behalf of the District, (1) that certain agreement in connection with the Project entitled “Helen Putnam Expansion Matching Grant Agreement,” and that certain agreement between the Sonoma County Agricultural Preservation and Open Space District and Earth Island Institute (“Matching Grant Agreement”).

7. *Payment of Grant Funds.* That, subject to the provisions of the Matching Grant Agreement, at the request of the General Manager, the County Auditor shall draw a warrant or warrants against available funds in the District’s Land Acquisition Fund in amounts, cumulatively, not to exceed \$1,450,000 to reimburse Earth Island Institute for park development and improvements. All expenditures under this Paragraph 7 are subject to the following:

- i. No expenditures shall be made until the Conservation Easement is fully executed and recorded in the office of the Sonoma County Recorder.
- ii. No expenditures shall be made until the Matching Grant Agreement is fully executed.
- iii. Expenditures shall be made only upon a determination by the District’s General Manager, or her designee, that the expenditure is for reimbursement of the Project’s costs that are reasonable and necessary to effectuate the Project as approved and described in the Matching Grant Agreement.

8. *Necessary Documents.* County Counsel is hereby authorized and directed to prepare and deliver appropriate escrow instructions and other necessary documents to First American Title Company to complete the transaction as described. The General Manager for District is authorized to make any technical, non-substantive changes in the documents to be recorded, prior to recordation with the prior approval of County Counsel, and to take all other actions necessary to complete this transaction. 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 change the total acreage protected, in order to make the map conform to features that may be surveyed.

9. *California Environmental Quality Act.* This Board finds that:

- A. The Board of Directors has considered the environmental effects of the project as shown in the City of Petaluma’s EIR, adopted on February 27, 2023 via City Council Resolution 2023- 023 N.C. S.
- B. A new subsequent or supplemental EIR is not authorized by CEQA

Guidelines sections 15162 and 15163, as none of the triggers for further environmental review are met.

- C. Pursuant to Public Resources Code section 21002.2(d) and CEQA Guidelines section 15096(g), no alternatives or additional mitigation measures are required to address the direct or indirect environmental effects of the limited parts of the project that the District is deciding to carry out, finance, or approve.
- D. Notwithstanding the fact there are no significant impacts related to the part of the project that the District is carrying out, pursuant to CEQA Guidelines section 15096(h), the District concurs with the findings in City Council Resolution 2023-023 N.C.S. and incorporates those findings (including the findings in Exhibit A attached thereto concerning significant impacts) into this resolution by reference. The District also concurs with the statement of overriding considerations adopted by the City of Petaluma also contained in Exhibit A to City Council Resolution 2023-023 N.C.S, and incorporates that statement of override into this resolution by reference.

The Clerk of the Board is designated as the custodian of the record of the proceedings upon which the Board's decision is based. These documents may be found 575 Administration Drive, Room 100A, Santa Rosa, California. Immediately upon adoption of this resolution, the General Manager of the District is directed to file with the County Clerk and the Office of Planning and Research, and the County Clerk is directed to post and to maintain the posting of a notice of determination pursuant to Public Resources Code Section 21152.

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

11. *Irrevocable Offer of Dedication.* Pursuant to Public Resources Code 5565.5, the District Board of Directors consents to the recordation by Earth Island Institute of a certain Irrevocable Offer to Dedicate the fee interest in the Property to the District, as contemplated by the Recreation Covenant authorized hereunder.

12. *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:

Rabbitt:

Coursey:

Gore:

Hopkins:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**