



SONOMA COUNTY BOARD OF SUPERVISORS AGENDA

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

Susan Gorin, First District
David Rabbitt, Second District
Shirlee Zane, Third District
James Gore, Fourth District
Lynda Hopkins, Fifth District

Sheryl Bratton, County Administrator
Bruce Goldstein, County Counsel

Tuesday, April 9, 2019

8:30 AM

**Board of Supervisors Chambers
575 Administration Drive 102A**

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 Sonoma County Public Finance Authority, and as the governing board of all special districts having business on the agenda to be heard this date. The five District Supervisors also serve as the Board of Directors of the Sonoma County Water Agency, the Sonoma County Agricultural Preservation and Open Space District, the Sonoma County Public Finance Authority, and as the Board of Commissioners of the Community Development Commission. 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 <https://www.sonoma-county.legistar.com/>. 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 or bos@sonoma-county.org 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 request specific items be discussed and/or removed from the Consent Calendar. There will be an opportunity for the public to comment on the consent calendar prior to it being voted upon.

PUBLIC COMMENT: Any member of the public may address the Board on a matter listed on the agenda. Commenters are requested to fill out a Speaker Card and to come forward to the podium when recognized by the Board Chair. Please state your name and limit your comments to the agenda item under discussion. Available time for comments is determined by the Board Chair based on agenda scheduling demands and total number of speakers.

LANGUAGE INTERPRETERS: Language services are available at all regular and special Board and Committee meetings if made at least 48 hours in advance of the meeting to help ensure availability. For more information or to request services: Contact (707) 565-2241.

AVISO EN ESPAÑOL: Servicios de traducción están disponibles en todas las reuniones regulares y especiales, de la Mesa de Supervisores, si se solicita por lo menos 48 horas antes de la reunión. Para más información o para solicitar servicios, de traducción llame al (707) 565-2241.

BOARD CHAMBERS SECURITY SCREENING: Security screening is conducted for all individuals attending Board meetings. Individuals planning to participate in Board meetings are advised to allow extra time to complete the screening process. The full policy can be found at <http://sonomacounty.ca.gov/Board-of-Supervisors/>

BUDGET WORKSHOPS - NOTE: The department budget workshops have been posted for April 9, 2019 and April 10, 2019. At the discretion of the Chair, department presentations listed for the next day may be moved up, if time allows. Public comment on items not on the agenda will be held at 8:45 a.m. on April 9, 2019.

8:30 A.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. CONSENT CALENDAR

1. 2018-19 Property Tax Administration Charge

Approve Resolution Authorizing Property Tax Administration Charge to local taxing agencies to reimburse the County for costs incurred to process property taxes for Fiscal Year 2018-19.

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

2. Waiver of Penalty and Interest Provisions for Transient Occupancy Tax, Business Improvement Area, and Commercial Cannabis Cultivation and Supply Chain Operators Suffering Structure Damage or Loss as a result of the 2019 Flood (Flood).

- A) Approval of the Sonoma County Board of Supervisors to temporarily waive Transient Occupancy Tax and Business Improvement Area delinquent penalties and interest for first quarter of calendar year 2019 for operators suffering structure damage or loss as a result of the Flood, and delegating authority to the ACTTC to extend this waiver under extraordinary circumstances.
- B) Approval of the Sonoma County Board of Supervisors to temporarily waive Cannabis Business Tax delinquent penalties and interest for the third quarter of fiscal year 2018-2019, for commercial cannabis cultivation and supply chain operators suffering structure damage or loss as a result of the Flood, and delegating authority to the ACTTC to extend this waiver under extraordinary circumstances.

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

3. Disbursement of Fiscal Year 2018-2019 First District Community Investment Fund Grant Awards

Approve Community Investment Fund grant awards and Authorize the County Administrator, or designee, to execute an agreement with the following non-profit entities for advertising and economic development efforts for FY 2018-2019: Valley of the Moon Vintage Festival for 2018 Vintage Festival, \$2,000; Sonoma Valley Chorale - 2018/2019 Concert Season, \$1,500; Southeast Greenway Campaign DBA Sonoma Land Trust, \$500. (Majority Vote Required)(First District)

Department or Agency Name(s): Board of Supervisors

4. Recovery Update

Receive an update on the status of recovery operations, planning and seeking of funding opportunities following the October 2017 Sonoma Complex Fires and the 2019 Winter Storm Events.

Department or Agency Name(s): County Administrator

5. Fiscal Year 2018-2019 Tourism Impact Fund Grant Awards

- A) Authorize the County Administrator, or designee, to execute agreements for a total of \$34,972 with non-profit grantees to mitigate the impacts of tourism: Glen Ellen Kiosk Project, \$9,972; Bicycle Safety Campaign, \$5,000; and Sonoma County COPE, \$20,000;
- B) Authorize the County Administrator, or designee, to amend these agreements to lengthen the time schedules and make minor modifications to the allowed uses that do not increase the amount awarded under the agreement; and
- C) Approve the allocation of \$4,000 from the Tourism Impact Fund for the support of Municipal Advisory Councils. (Majority) (Countywide)

Department or Agency Name(s): County Administrator

6. Indigent Defense Services Agreement

Authorize the Chair to execute a three-year agreement with Kristine Burk to provide for indigent defense services for July 1, 2019, through June 30, 2022, at a cost of \$2,418,629 for FY 19-20, increasing by 2% per year through the term of the contract. (4/5th Vote Required)

Department or Agency Name(s): County Administrator and County Counsel

7. Adult Detention Behavioral Health Housing Unit Project Ground Lease Authorization

Authorize the delegation of authority to the Director of General Services to execute and amend as necessary a Ground Lease with the State of California Department of Finance, consistent with the 30 year term of the SB863 grant financing for the Adult Detention Behavioral Health Housing Unit.

Department or Agency Name(s): General Services and Sheriffs Office

8. Appointing a Hearing Officer in the Matter of an Appeal of Disciplinary Action.

Adopt a Resolution delegating authority for the Human Resources Director or designee to appoint a hearing officer in the matter of appeal of disciplinary action. (4/5th Vote Required)

Department or Agency Name(s): Human Resources and Sonoma County Water Agency

9. Receive Report on Emergency Work to Stabilize Dangerous Conditions Resulting From the 2019 Winter Storms and Flooding and Make Findings to Extend Suspension of Competitive Bidding.

Board of Directors:

- A) Receive report on emergency work to stabilize dangerous conditions resulting from the 2019 Winter Storms and Flooding; and
- B) Make findings that there is an ongoing emergency need to stabilize dangerous conditions resulting from the 2019 Winter Storms and Flooding; and
- C) Continue to suspend competitive bidding requirements for emergency flooding repairs.
(4/5th Vote Required)

Department or Agency Name(s): Sonoma County Water Agency, Russian River County Sanitation District, Occidental County Sanitation District, Sonoma County Valley Sanitation District (Directors: Gorin, Rabbitt, Harrington) and South Park County Sanitation District

10. Delegation of Authority for Administrative Airline Lease and/or Agreement Changes

Authorize delegation of authority to the Airport Manager to execute amendments for Airport and Airline related administrative lease and/or agreement changes for all current commercial airline agreements with Alaska Airlines, Inc. American Airlines, Inc., MN Airlines, LLC, and United Airlines.
(4/5th Vote Required)

Department or Agency Name(s): Transportation and Public Works

11. Conveyance of a Portion of San Antonio Road, Sonoma County, CA, to the State of California for Highway Purposes Pursuant to Streets & Highways Code section 83.

Approve Resolution authorizing the transfer of a portion of San Antonio Road right-of-way to the State of California for use in the State's Highway 101 Freeway project and directing the Chair to execute a Right of Way Contract- State Highway and associated Quitclaim Deed conveying said right-of-way.

Department or Agency Name(s): Transportation and Public Works

12. Community of Occidental American with Disabilities Act Improvements Project - Phase 3, C18001, Approval of Change Orders No. 2, 3, and 4

Approve and authorize the Chair to sign Change Orders No. 2, 3, and 4 to the construction agreement with Piazza Construction in the amount of \$114,370.28, \$133,795.00, and \$123,228.00 for a revised contract total amount of \$1,942,963.93 to add and complete work for unforeseen project conditions at various locations in the Community of Occidental.

Department or Agency Name(s): Transportation and Public Works

13. Receive Report on Required Emergency Work and Make Findings to Extend Emergency Contracting Actions And Waive Competitive Bidding Requirements Pursuant To Public Contract Code Section 22050 Due To The 2019 Winter Storms And Flooding

That the Board of Supervisors:

- A) Receive report on required emergency work resulting from the 2019 Winter Storms and Flooding; and
- B) Make findings that there is an ongoing need to continue emergency actions and for further emergency work resulting from the 2019 Winter Storms and Flooding; and
- C) Continue to suspend competitive bidding requirements for emergency flooding repairs. (4/5th Vote Required)(Fourth and Fifth Districts)

Department or Agency Name(s): Transportation and Public Works

APPOINTMENTS/REAPPOINTMENTS

14. Approve the reappointment of Paul Martin to the Sonoma County Agriculture Preservation Open Space District Advisory Committee for a two year term beginning on April 9, 2019 and ending April 10, 2021. (Second District)
15. Approve the Reappointment of Stephen Meacham to the Sonoma County Parks Foundation Board to a 2-year term ending on October 6, 2020. (First District)
16. Approve the Reappointment of Dmitra Smith to the Commission on Human Rights expiring on August 1, 2020 (First District).
17. Approve the appointment of Brian Marvin to the Parks and Recreation Advisory Committee for a two year term beginning on April 9, 2019 and ending April 10, 2021. (Second District)
18. Approve the appointment of Supervisor James Gore as the representative for the County of Sonoma to serve on the ABAG MTC Housing Legislative Working Group through December 2019.

PRESENTATIONS/GOLD RESOLUTIONS (PRESENTED ON A DIFFERENT DATE)

19. Adopt a Gold Resolution Recognizing Petaluma for their Designation as a "HeartSafe" Community.

Department or Agency Name(s): Board of Supervisors

III. 8:45 A.M. - PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA BUT WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD AND ON BOARD MEMBER REPORTS

(Comments are restricted to matters within the Board's jurisdiction. The Board will hear public comments at this time for up to thirty minutes. Each person is usually granted time to speak at the discretion of the Chair. 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.)

IV. REGULAR CALENDAR

20. FY 2019-20 Budget Workshop

Receive FY 2019-20 budget functional area and department presentations.

Department or Agency Name(s): County Administrator, Agricultural Commissioner, Agricultural Preservation And Open Space District, Community Development Commission , Economic Development Board, Permit and Resource Management, Regional Parks , Sonoma County Water Agency, Transportation and Public Works and University Of California Cooperative Extension

V. PUBLIC COMMENT ON CLOSED SESSION ITEMS**VI. CLOSED SESSION CALENDAR**

21. The Board of Supervisors, the Board of Directors of the Water Agency, the Board of Commissioners of the Community Development Commission, and the Board of Directors of the Agricultural Preservations And Open Space District will consider the following in closed session: Conference with Labor Negotiators: Agency Negotiators: Christina Cramer/Janie Carduff, County of Sonoma and Rick Bolanos, Liebert Cassidy & Whitmore. Employee Organizations: All. Unrepresented employees: All, including retired employees. (Government Code section 54957.6).
22. The Board of Directors of the Sonoma County Agricultural Preservation and Open Space District will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - *Alfred Bordessa and Joseph Bordessa, as Successor-Trustees of the Bruno Bordessa and Dorothy Bordessa Revocable Intervivos Trust (Created by Declaration of Trust Dated June 12, 2000) v. The Sonoma County Agricultural Preservation and Open Space District; and, Does 1 through 20, inclusive*. Sonoma County Superior Court Case No. SCV 256943 (Government Code Section 54956.9(d)(1).)
23. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Anticipated Litigation. Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2). 1 Case.
24. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - *Friends of Lafferty Park, et al v. Pikachu II, LLC, et al.*; Sonoma County Superior Court Case No. SCV-253148 (Government Code Section 54956.9(d)(1).)
25. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - *John Cox vs. Alex Padilla, et al.* - Sacramento County Superior Court Case No. 34-2019-80003090 (Government Code Section 54956.9(d)(1).)

26. The Board of Supervisors and the Board of Directors of the Agricultural Preservation and Open Space District will consider the following in closed session: Conference with Legal Counsel Anticipated Litigation. Potential initiation of litigation pursuant to Government Code section 54956.9(d)(2), (d)(4) (1 matter: 3115 Porter Creek Road, Santa Rosa, California [Safari West], Owners Peter & Nancy Lang).

VII. REGULAR AFTERNOON CALENDAR

VIII. RECONVENE FROM CLOSED SESSION

IX. REPORT ON CLOSED SESSION

27. Continued - FY 2019-20 Budget Workshop

Receive FY 2019-20 budget functional area and department presentations.

Department or Agency Name(s): County Administrator, Agricultural Commissioner, Agricultural Preservation And Open Space District, Community Development Commission , Economic Development Board, Permit and Resource Management, Regional Parks , Sonoma County Water Agency, Transportation and Public Works and University Of California Cooperative Extension

X. BOARD MEMBER REPORTS ON ASSIGNED BOARDS, COUNCILS, COMMISSIONS OR OTHER ATTENDED MEETINGS

28. Permit and Resource Management Department: Review and possible action on the following:
Acts and Determinations of Planning Commission/Board of Zoning Adjustments
Acts and Determinations of Project Review and Advisory Committee
Acts and Determinations of Design Review Committee
Acts and Determinations of Landmarks Commission
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>)

XI. ADJOURNMENT

NOTE: The next board meeting will be a functional budget workshop on April 10, 2019.

The next regular meeting will be held on April 16, 2019

(All dates are tentative until each agenda is finalized)