



SONOMA COUNTY BOARD OF SUPERVISORS MEETING MINUTES - DRAFT

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

Susan Gorin, First District
David Rabbitt, Second District
Chris Coursey, Third District
James Gore, Fourth District
Lynda Hopkins, Fifth District

Sheryl Bratton, County Administrator
Robert Pittman, County Counsel

Tuesday, March 15, 2022

8:30 AM

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

8:30 A.M. CALL TO ORDER

9:06 A.M. The Board meeting was called to order.

Present: Susan Gorin, David Rabbitt, Chris Coursey, Lynda Hopkins, and James Gore

Staff Present: Sheryl Bratton, County Administrator and Robert Pittman, County Counsel

PLEDGE OF ALLEGIANCE

I. APPROVAL OF THE AGENDA

(Items may be added or withdrawn from the agenda consistent with State law)

9:07 A.M.

Board Action: Approved as recommended.

Aye: Gorin, Rabbitt, Coursey, Hopkins, and Gore

II. CONSENT CALENDAR

1. Award of Project-Based Vouchers and Approval of Amended FY 2021-22 Action Plan [2022-0007](#)
- A) Approve Sonoma County Housing Authority (SCHA) recommendations to award Project-Based Vouchers and authorize the Community Development Commission Executive Director, or designee, to enter into all necessary agreements required to implement the awards.
 - B) Authorize the Community Development Commission Executive Director, or designee, to amend the resulting Project-Based Voucher Housing Assistance Payments contracts during the term of the agreement to add or substitute units as needed.
 - C) Adopt a Resolution Approving a Substantial Amendment to the FY 2020 Sonoma County Consolidated Plan FY 2021-22 One-Year Action Plan to provide \$444,500 in HOME funds for the SCHA Tenant-Based Rental Assistance Program. (4/5ths vote required)
 - D) Authorize the Community Development Commission Executive Director, or designee, to execute all required documents for submission to the U.S. Department of Housing and Urban Development, and to execute the HOME Tenant-Based Rental Assistance (TBRA) Funding Agreement with the SCHA.

Department or Agency Name(s): Community Development Commission

Attachments: [Summary Report](#)
[Attachment 1 - Resolution](#)
[Attachment 2 - Redlined 2021-22 Annual Action Plan](#)
[Attachment 3 - Listing of All Responsive Applications for Project-Based Vouchers Received](#)

Board Action: Approved as recommended by Resolution 22-0074.

Aye: Gorin, Rabbitt, Coursey, Hopkins, and Gore

2. Fiscal Year 2021-22 Second Quarter Consolidated Budget Adjustments [2022-0026](#)
- A) Adopt a Concurrent Resolution adjusting the FY 2021-22 Budget Appropriations by \$88.1 million.
 - B) Adopt Resolution adjusting position allocations for Permit Sonoma.
(4/5th Vote Required)

Department or Agency Name(s): County Administrator

Attachments: [Summary](#)
[21-22 Q2 CBA Concurrent Resolution](#)
[Exhibit A Adjustment Narrative Report.xlsx](#)
[Personnel Resolution Permit Sonoma](#)
[Exhibit A Adjustment Narrative Report.pdf](#)

Board Action: Approved as recommended by Resolutions 22-0075 and 22-0076.

Aye: Gorin, Rabbitt, Coursey, Hopkins, and Gore

3. Cannabis Business Tax Appeal Hearing Officer Appointment [2022-0255](#)

Adopt a Resolution Appointing the Office of Administrative Hearings as the Hearing Officer for all Cannabis Business Tax Appeals Appealed to the Board of Supervisors.

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

Attachments: [Summary Report](#)
[Attachment A - Resolution](#)

Board Action: Approved as recommended by Resolution 22-0077.

Aye: Gorin, Rabbitt, Coursey, Hopkins, and Gore

4. District Attorney Victim/Witness Assistance Program [2022-0172](#)

Adopt a resolution to authorize the District Attorney to sign a contract with the California Office of Emergency Services to continue participation in the Victim/Witness Assistance Program and accept \$810,189 in grant funding for the term October 1, 2021 to September 30, 2022.

Department or Agency Name(s): District Attorney

Attachments: [Summary Report](#)
[Program Resolution - Remediated](#)

Board Action: Approved as recommended by Resolution 22-0078.

Aye: Gorin, Rabbitt, Coursey, Hopkins, and Gore

5. Outside Service Area Agreement with the Sonoma Valley County Sanitation District for Wu; SEW21-0094 [2022-0002](#)

Adopt a Resolution authorizing the General Manager of the Sonoma County Water Agency to execute an Outside Service Area Agreement for public sewer service to property located at 89 Specht Road, Sonoma, California; APN: 128-351-046 (First District)

Department or Agency Name(s): Sonoma Valley County Sanitation District (Directors: Gorin, Gore and Ding)

Attachments: [REVISED SEW21-0094 Summary Report.pdf](#)
[SEW21-0094 Summary Report](#)
[Att 1: SVCSD Resolution Wu](#)
[Att 2: Agreement OSAA Wu](#)

Sonoma Valley County Sanitation District

Ayes: Gorin, Gore

Absent: Mayor Ding

Board Action: Approved as recommended by Resolution 22-0079.

6. Outside Service Area Agreement with the Sonoma Valley County Sanitation District for [2022-0003](#)
Thomason; SEW21-0093.

Adopt a Resolution authorizing the General Manager of the Sonoma County Water Agency to execute an Outside Service Area Agreement for public sewer service to property located at 215 E. Watmaugh Road, Sonoma, California; APN: 128-352-014. (First District)

Department or Agency Name(s): Sonoma Valley County Sanitation District (Directors: Gorin, Gore and Ding)

Attachments: [REVISED Summary Report.pdf](#)
[Summary Report.pdf](#)
[Attachment 1: SVCSD Resolution Thomason](#)
[Attachment 2: Agreement OSAA Thomason](#)

Sonoma Valley County Sanitation District

Ayes: Gorin, Gore

Absent: Mayor Ding

Board Action: Approved as recommended by Resolution 22-0080.

7. Bodega Bay and Gleason Beach Property Transfers and Related Grant Funding[2022-0170](#)

A) Adopt a resolution

- i) authorizing the Director of Regional Parks to accept grant funds in the amount of \$34,000 from the State Coastal Conservancy to perform due diligence on nine small parcels located along the Sonoma Coast,
 - ii) authorizing the County to execute a Transfer Agreement with the State Coastal Conservancy in a form approved by County Counsel,
 - iii) authorizing the County to, subject to the satisfactory outcome of due diligence activities, accept the transfer of fee title to the nine parcels from the State Coastal Conservancy, and execute Certificates of Acceptance,
 - iv) authorizing the County to execute Offers to Dedicate to the State Coastal Conservancy, in a form approved by County Counsel,
 - v) authorizing the County to, subject to the satisfactory outcome of due diligence activities, accept the transfer of fee title to the three parcels and one Highway Easement from The Philip and Roberta Ballard Revocable Trust and execute Certificates of Acceptance,
 - vi) authorizing the Director of Regional Parks or designee to file the Notices of Exemption; and (g) authorizing the Director of Regional Parks to execute all documents that may be necessary to carry out and administer the grant and accept fee title to the parcels.
- B) Adopt a budget resolution authorizing a budgetary adjustment to the Fiscal Year 2021-2022 revised budget for the Bodega Bay Trail Smith Brothers Road capital project in the amount of \$25,408 and for the Gleason Beach Access capital project in the amount of \$8592.
(4/5th Vote Required) (Fifth District)

Department or Agency Name(s): Regional Parks

Attachments: [Summary](#)
[Resolution](#)
[Budget Resolution](#)
[Notice of Exemption: Ballard.](#)
[Notice of Exemption: Smith.](#)
[Notice of Exemption: Scotty Creek.](#)
[Certificate of Acceptance: Ballard.](#)
[Certificate of Acceptance: Smith.](#)
[Certificate of Acceptance: Scotty Creek.](#)
[Map: Coastal Acquisitions.](#)
[Map: Gleason Beach -Scotty Creek.](#)
[Map: Gleason Beach - Smith](#)

Board Action: Approved as recommended by Resolutions 22-0081 and 22-0082.

Aye: Gorin, Rabbitt, Coursey, Hopkins, and Gore

8. Ely Booster Station Hazard Mitigation - Contract Award [2022-0136](#)
- A) Adopt and approve the Project Manual and Drawings (“plans and specifications”) entitled "Ely Booster Station Hazard Mitigation."
 - B) Award the contract to Vellutini Corp dba Royal Electric Company for \$2,666,666 for construction of the Ely Booster Station Hazard Mitigation and authorize the Chair to execute the contract.
 - C) Authorize the General Manager of Sonoma County Water Agency to sign Section 00 65 23 (Agreement and Release of Any and All Claims), with County Counsel review, if any unresolved claims are listed by the contractor.
 - D) Adopt a Resolution authorizing adjustments to the Board Adopted Budget for FY 2021/2022 for the Petaluma Aqueduct Capital Fund in the amount of \$2,666,666.
- (4/5th Vote Required)

Department or Agency Name(s): Sonoma County Water Agency

Attachments: [Summary](#)
[Resolution](#)

Board Action: Approved as recommended by Resolution 22-0083.

Aye: Gorin, Rabbitt, Coursey, Hopkins, and Gore

9. Consideration of Grant of Easements to MP 414 Petaluma Associates, LP [2022-0140](#)

- A) Consider that the granting of an easement to MP 414 Petaluma Associates, LP; and related easements on the same property to Comcast Cable Communications Management, LLC, Pacific Gas & Electric Company, and AT&T Inc., in a form approved by county counsel, will not adversely affect Sonoma County Water Agency in any respect.
- B) Consider that entering a Consent Agreement with MP 414 Petaluma Associates, LP, in a form approved by county counsel, will not adversely affect Sonoma County Water Agency in any respect.

In accordance with Section 9 of Sonoma Water’s enabling legislation, this item will return to the Board at the Board’s next scheduled meeting for further consideration and action. (4/5th Vote Required)

Department or Agency Name(s): Sonoma County Water Agency

Attachments: [Summary](#)
[Attachment 1](#)
[Attachment 2](#)
[Attachment 3](#)
[Attachment 4](#)

Board Action: Approved as recommended.

Aye: Gorin, Rabbitt, Coursey, Hopkins, and Gore

10. Emergency Work on Santa Rosa Plain Water Supply Resiliency Project in Response to Drought Conditions [2022-0166](#)

Receive Report and Make Findings that there is an ongoing need to Continue Emergency Work Without Competitive Bidding to Protect Health, Property and Essential Public Services in response to drought conditions. (4/5th Vote Required)

Department or Agency Name(s): Sonoma County Water Agency

Attachments: [Summary Report](#)

Board Action: Approved as recommended.

Aye: Gorin, Rabbitt, Coursey, Hopkins, and Gore

11. Receive report on Emergency Need to Perform Work to Stabilize Dangerous Conditions Resulting from Pipeline Corrosion at the Russian River County Sanitation District's Guerneville Lift Station and Force Main on Orchard Avenue, Guerneville [2022-0167](#)

- A) Receive report on emergency need to perform work to stabilize dangerous conditions resulting from pipeline corrosion on the discharge pipeline at the Guerneville Lift Station and the force main on Orchard Avenue, Guerneville.
- B) Make findings that there is an ongoing emergency need to stabilize dangerous conditions resulting from the pipeline corrosions and continue to suspend competitive bidding requirements for emergency repairs.
(4/5th Vote Required) (Fifth District)

Department or Agency Name(s): Russian River County Sanitation District and Sonoma County Water Agency

Attachments: [Summary Report](#)

Board Action: Approved as recommended.

Aye: Gorin, Rabbitt, Coursey, Hopkins, and Gore

APPOINTMENTS/REAPPOINTMENTS

12. Approve the Re-appointment of Gretchen Emmert and Margaret Purser to the Historical Records Commission for a four-year term beginning March 15, 2022 and ending March 1, 2026. (Countywide)

[2022-0210](#)

Department or Agency Name(s): Board of Supervisors

Attachments: [Summary Report.pdf](#)

Board Action: Approved as recommended.

Aye: Gorin, Rabbitt, Coursey, Hopkins, and Gore

13. Approve the Re-appointment of Matthew Frazier to the Sonoma County Bicycle and Pedestrian Advisory Committee as the Second District Alternate for a two-year term beginning April 1, 2022 and ending March 31, 2024. (Second District)

[2022-0153](#)

Department or Agency Name(s): Board of Supervisors

Attachments: [Summary Report.pdf](#)

Board Action: Approved as recommended.

Aye: Gorin, Rabbitt, Coursey, Hopkins, and Gore

PRESENTATIONS/GOLD RESOLUTIONS

PRESENTATIONS AT A DIFFERENT DATE

14. Adopt a Gold Resolution of the Board of Supervisors of the County of Sonoma, State of California, Proclaiming March 2022 as American Red Cross Month. (Fourth District) [2022-0206](#)

Department or Agency Name(s): Board of Supervisors

Attachments: [Summary Report.pdf](#)
[Gold Resolution.pdf](#)

Board Action: Approved as recommended by Resolution 22-0084.

Aye: Gorin, Rabbitt, Coursey, Hopkins, and Gore

15. Adopt a Gold Resolution declaring the month of March 2022 as National Professional Social Worker Month in Sonoma County. (Countywide) [2021-1474](#)

Department or Agency Name(s): Human Services and Health Services

Attachments: [Summary Report](#)
[Attachment 1 - Resolution](#)

Board Action: Approved as recommended by Resolution 22-0085.

Aye: Gorin, Rabbitt, Coursey, Hopkins, and Gore

9:10 A.M. Public Comment on Consent Calendar Opened

Speakers:

Will Abrams
Efren Carrillo
Thomas

9:17 A.M. Public Comment on Consent Calendar Closed

III.

REGULAR CALENDAR

16. 8:30 A.M. Establish Larkfield Estates Underground Utility District No. 1 [2022-0102](#)

A) Conduct a public hearing and adopt a Resolution establishing the area designated as Larkfield Estates Underground Utility District No. 1 as an underground utility district pursuant to Chapter 25A of the Sonoma County Code.

B) Direct the Clerk of the Board or designee to give notice that Larkfield Estates Underground Utility District No. 1 has been established to all affected utilities and all persons owning real property within the district in accordance with Chapter 25A-7 of the Sonoma County Code.

(Fourth District)

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

Attachments: [Summary Report](#)
[Resolution](#)
[Proposed Boundary Exhibit A](#)

9:21 A.M.

Presenters:

Johannes Hoevertsz, Transportation and Public Works, Director

9:28 A.M. Public Comment Opened

Speakers:

Will Abrams

9:31 A.M. Public Comment Closed

Board Action: Approved as recommended by Resolution 22-0086.

Aye: Gorin, Rabbitt, Coursey, Hopkins, and Gore

17. SB 1383 Compliance - Resolution Suspending County Code Mandate to Subscribe to Collection Service; Amendments to Franchised Hauler Agreements and County MOA with Republic Services [2022-0129](#)

The Department of Transportation and Public Works (TPW) is recommending that the Board:

- A) Authorize the Chair to execute the Amended Franchise Agreement with Recology Sonoma Marin ("Recology") to comply with SB-1383 and allowing for related adjustments to Recology's maximum rates;
- B) Authorize the Chair to execute the Amended Franchise Agreement with Sonoma Garbage Collectors ("SGC") to comply with SB-1383 and allowing for related adjustments to SGC's maximum rates;
- C) Authorize the Chair to execute the First Amendment to the Amended and Restated Agreement for Operations of the Central Landfill and County Transfer Stations, also known as Master Operations Agreement (MOA), between County of Sonoma ("County") and Republic Services of Sonoma County, Inc. ("Republic Services") to retire the commercial food waste program in favor of SB-1383 compliant programs to be delivered on behalf of the cities and counties;
- D) Authorize specified changes to the Prime Subcontract to the MOA between Republic and Recology to implement the proposed amendment to the MOA;
- E) Adopt a Resolution suspending the mandatory subscription obligations established by Chapter 22 of the Sonoma County Code; and
- F) Authorize the TPW Director to execute a Letter of Authorization allowing Zero Waste Sonoma to submit a regional grant application to CalRecycle and administer all funds received.

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

Attachments: [Summary Report](#)

[Attachment #1 - Amendment to Franchise Agreement with Recology Sonoma-Marin](#)

[Attachment #2 - Amendment to Franchise Agreement with Sonoma Garbage Collectors](#)

[Attachment #3 - Amendment to MOA Final](#)

[Attachment #4 - Amendment to Prime Subcontract MOA](#)

[Attachment #5 - RESOLUTION Suspending Section 22-3 of the Sonoma County Code](#)

[Attachment #6 - Letter of Authorization](#)

[Attachment #7 - Presentation](#)

9:42 A.M.

Presenters:

Johannes Hoevertsz, Transportation and Public Works, Director

Trish Pisenti, Transportation and Public Works, Deputy Director

10:08 A.M. Public Comment Opened

Speakers:

Thomas

Victoria

10:12 A.M. Public Comment Closed

Board Action: Moved by Supervisor Gorin, Seconded by Supervisor Rabbitt; Approved as recommended by Resolution 22-0087.

Aye: Gorin, Rabbitt, Coursey, Hopkins, and Gore

18. Sheriff's Office Helicopter Program Update and Options

[2022-0146](#)

Receive report and provide direction to staff.

Department or Agency Name(s): County Administrator

Attachments: [Summary Report](#)
[1 - Workload Data](#)
[2 - CAD Flight Log Data](#)
[3 - Cost Analysis](#)
[4 - Payment Schedule](#)
[5 - Presentation](#)

10:33 A.M.

Presenters:

Christel Querijero, County Administrator's Office, Deputy County Administrator
Katherine DiPasqua, County Administrator's Office, Administrative Analyst
Mark Essick, Sonoma County Sheriff's Office, Sheriff

11:31 A.M. Public Comment Opened

Speakers:

Wendy
Yenni Setiawan
Emma Berry
Eris Weaver
Beth Bruzzone
Martha
Victoria
Thomas
Dave Cooper
Kevin
Sheila

11:52 A.M. Public Comment Closed

This Regular Calendar Item was Information only.

IV. PUBLIC COMMENT ON CLOSED SESSION ITEMS

12:25 P.M. Public Comment on Closed Session Items Opened

Speakers:

None

12:25 P.M. Public Comment on Closed Session Items Closed

V. CLOSED SESSION CALENDAR

19. The Board of Supervisors 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)(4). 1 case [2022-0215](#)

Item 19 has been continued to March 18, 2022 Special Meeting.

This Closed Session Calendar Item was Continued.

20. The Board of Supervisors 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)(4). 1 case. [2022-0212](#)

No reportable action - direction given to Staff and Legal Counsel.

VI. REGULAR AFTERNOON CALENDAR**VII. RECONVENE FROM CLOSED SESSION**

1:36 P.M. The Board reconvened.

VIII. REPORT ON CLOSED SESSION

1:37 P.M. County Counsel Robert Pittman reported on Closed Session Items.

21. Cannabis Tax

[2022-0163](#)

- A) Direct staff to amend Chapter 35 Cannabis Business Tax Ordinance to reduce the FY 2021/22 cultivation tax rates by 10%; and
- B) Direct staff to return by February 2023 with a review of the pros/cons of gross receipts vs. square footage tax assessment and recommendation to implement or not as of 7/1/2023.

Department or Agency Name(s): Auditor-Controller-Treasurer-Tax Collector, County Administrator and County Counsel

Attachments: [Summary Report](#)
[Attachment A - Cannabis Tax Fund Estimates](#)
[Attachment B - Cannabis Tax Collections for last 3 Fiscal Years](#)
[Attachment C - Other California Jurisdictions' Actions Taken Regarding Cannabis Taxes](#)
[Attachment D – April 11, 2017 Cannabis Ad Hoc Committee Charter and Program Implementation Board of Supervisors Summary Report](#)
[Attachment E - June 6, 2017 Cannabis Business Tax Ordinance Board of Supervisors Summary Report](#)
[PowerPoint Presentation](#)
[Public Comment Received 03-08-2022 through 03-14-2022 2:30 PM](#)
[Public Comment Received 03-14-2022 2:30 PM through 03-15-2022 8:30 AM](#)

1:38 P.M.

Presenters:

Christina Rivera, County Administrator's Office, Assistant County Administrator
Erick Roeser, Auditor-Controller-Treasurer-Tax Collector Office, Director
Kristin Horrell, County Counsel, Deputy County Counsel
Brooke Koop, Auditor-Controller-Treasurer-Tax Collector Office, Assistant Auditor-Controller-Treasurer-Tax Collector
McCall Miller, County Administrator's Office, Administrative Analyst

2:11 P.M. Public Comment Opened

Speakers:

Garrett
Tess
Vince
Ann
Cameron Hattan
Martha
Kila
David Drips
Bill Krawetz
Lori Pascarella
Ron
Joanna Cedar

Sog Army
Sam de la Paz
Thomas
Jamie Ballchino
Alexa
Jeremy

2:55 P.M. Public Comment Closed

Board Action: Moved by Supervisor Hopkins, Seconded by Supervisor Gorin; Approved as recommended.

Aye: Gorin, Rabbitt, Coursey, Hopkins, and Gore

22. Comprehensive Cannabis Program Update - Cannabis Land Use Ordinance Framework: [2022-0147](#)
Project File No. ORD21-0004

Adopt a Resolution of Intention and Cannabis Program Update Framework to direct and guide staff in its preparation of a draft ordinance, potential General Plan Amendments, and a Programmatic Environmental Impact Report to amend the Cannabis Land Use Ordinance and related regulations.

Department or Agency Name(s): Permit and Resource Management

Attachments: [Summary Report](#)

[Att 1. ORD21-0004 DRAFT Resolution of Intention .pdf](#)

[Att 1-A. ORD21-0004 Proposed Cannabis Program Update Framework](#)

[Att 2. ORD21-0004 List of Prior Board Actions Related to the Cannabis Land Use Ordinance.pdf](#)

[ORD21-0004 STAFF Powerpoint .pdf](#)

4:06 A.M.

Presenters:

Tennis Wick, Permit Sonoma, Director
Scott Orr, Permit Sonoma, Deputy Director
Crystal Acker, Permit Sonoma, Supervising Planner
Sita Kuteira, County Counsel, Deputy County Counsel III

4:42 P.M. Public Comment Opened

Speakers:

Garrett
Craig
Vince Scholten
Lori Pascarella
Sam de la Paz
Stephanie
Bill Krawetz
Joanna Cedar
Alexa Wall
Richard Rudansky
Ron
Lauren Mendelsohn

4:59 P.M. Public Comment Closed

Board Action: Approved as recommended by Resolution 22-0088.

Aye: Gorin, Rabbitt, Coursey, Hopkins, and Gore

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

5:12 P.M. The Board reported on assigned Boards, Councils, Commissions and other attended meetings.

X. 4:00 P.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.)

5:17 P.M. Supervisor Hopkins left meeting.

5:17 P.M. Public Comment Opened

Speakers:

Ron
Roseanne Snyder
No Name
John
Daniel
Rich Hannon
No Name
Sam de la Paz
Mary Morrison

5:33 P.M. Public Comment Closed

XII. ADJOURNMENT

5:34 P.M. The Board adjourned the meeting in the memory of Dr. Fred Groverman, Pat Hughes, and Norbert Rappl.

The meeting was adjourned to March 22, 2022 at 8:30 A.M.

Respectfully submitted, Marcie Woychik, Chief Deputy Clerk of the Board