



# SONOMA COUNTY BOARD OF SUPERVISORS MEETING MINUTES

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 2, 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](mailto: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.

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## CALL TO ORDER

The meeting was called to order at 8:33 A.M.

**Present:** Susan Gorin, David Rabbitt, Shirlee Zane, James Gore, and Lynda Hopkins

## PLEDGE OF ALLEGIANCE

### I. APPROVAL OF THE AGENDA

(Items may be added or withdrawn from the agenda consistent with State law)

Board Action: Approved.

**Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins

### II. CONSENT CALENDAR

8:55 A.M. Public Comment Opened

Public Speakers:

Michael Hilbur

Thomas Ells

John Jenkel

9:01 A.M. Public Comment Closed

#### 1. Recovery Update

[2019-0360](#)

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. (Informational Only)

**Department or Agency Name(s):** County Administrator

Board action: Approved as Recommended.

**Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins

#### 2. Continue Proclamation of Local Emergency Due to the Sonoma Complex Fires

[2019-0429](#)

Adopt a Resolution Continuing the Proclamation of Local Emergency Issued on October 9, 2017, for another 60 Days Due to Damage Arising from the Complex Fires.

**Department or Agency Name(s):** County Administrator

Board action: Approved as Recommended by Resolution 19-0134.

**Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins

3. Housing Authority Program Update [2019-0357](#)

- A) Approve Resolution of the Sonoma County Housing Authority approving the Sonoma County Public Housing Authority Annual Plan;
- B) Authorize the Executive Director to execute associated documents; and submit to the U.S. Department of Housing and Urban Development.

**Department or Agency Name(s):** Community Development Commission

Board action: Approved as Recommended by Resolution 19-0135.

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

4. Health Officer Appointment [2019-0240](#)

Adopt a resolution appointing Dr. Celeste Philip to the position of Health Officer for the County of Sonoma effective April 9, 2019.

**Department or Agency Name(s):** Health Services

Board action: Approved as Recommended by Resolution 19-0136.

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

5. County of Sonoma Conflict of Interest Code Update-Human Resources [2019-0364](#)

Adopt a resolution revising the conflict of interest code for the Human Resources Department, County of Sonoma.

**Department or Agency Name(s):** Human Resources and County Counsel

Board action: Approved as Recommended by Resolution 19-0137.

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

6. County's Records Retention Schedule Revisions [2019-0116](#)

Adopt a resolution to approve the following actions:

- A) Updating the County's records retention schedule and approving the revised records retention schedule for the County Administrator's Office and the Board of Supervisors, which is anticipated to create operational efficiencies.
- B) Authorizing Department Heads to determine the appropriate medium by which to maintain records in accordance with State law and related Board approved retention policy.
- C) Delegating authority to Department Heads to authorize the destruction of records in accordance with the approved retention schedule consistent with California Code, Government Code - GOV section 26202.

(4/5th Vote Required)

**Department or Agency Name(s):** Information Systems and County Administrator

Approved as recommended by Resolution 19-0138.

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

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7. Probation Camp Position Allocation Change [2019-0319](#)
- Adopt a Resolution amending the Probation Department position allocations to delete 1.0 FTE Secretary and add 1.0 FTE Administrative Aide.
- Department or Agency Name(s):** Probation
- Board Action: Approved as recommended by Resolution 19-0139.
- Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins
8. Airport-Larkfield-Wikiup Sanitation Zone Larkfield Estates Collection System Project [2019-0362](#)  
Sanitation Commitment Date Extension
- Approve changing the deadline for Larkfield Estates residents to commit to participation in the Airport-Larkfield-Wikiup Sanitation Zone Larkfield Estates Collection System Project to September 16, 2019. Extending the deadline will allow property owners to know the full cost of constructing the sewer project before committing to participate in the program.
- Department or Agency Name(s):** Sonoma County Water Agency
- Board Action: Approved as recommended.
- Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins
9. Approve a Reimbursement Agreement for Intersection Improvements at Main Street [2019-0352](#)  
in Penngrove (C15065)
- Approve and authorize the Director of Transportation and Public Works to execute the Reimbursement Agreement for Intersection Improvements on Main Street in Penngrove with the Sonoma Marin Area Rail Transit (SMART) for reimbursement from County to SMART in an amount of \$652,470 plus \$65,247 to be paid to SMART for administration/installation costs, a 10% contingency of \$65,247, and 10% for construction engineering of \$65,247, for a total of \$848,211.
- Department or Agency Name(s):** Transportation and Public Works
- Board Action: Approved as recommended.
- Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins
10. Establish No Parking Zone on a Portion of West Dry Creek Road (#99017) - Adopt [2019-0358](#)
- Adopt an ordinance establishing a No Parking restriction on the east side of West Dry Creek Road (#99017) from PM 19.85 to PM 20.16 in front of Bella Winery.
- Department or Agency Name(s):** Transportation and Public Works
- Board Action: Approved as recommended by Ordinance 6258.
- Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins
11. Resolution Continuing the Proclamation of a Local Health Emergency by the Sonoma [2019-0452](#)  
County Health Officer due to the 2019 Winter Storms and Flooding.
- Adopt a Resolution Continuing the Proclamation of a Local Health Emergency by the Sonoma County Health Officer due to the 2019 Winter Storms and Flooding for another 30 days.
- Department or Agency Name(s):** Transportation and Public Works
- Board Action: Approved as recommended by Resolution 19-0140.
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**Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins

### **APPOINTMENTS/REAPPOINTMENTS**

12. Approve the Reappointment of John Nagle to the Sonoma County Ag + Open Space Advisory Committee for a two year term starting March 19, 2019 and ending March 19, 2021. (Fifth District) [2019-0366](#)

**Department or Agency Name(s):** Board of Supervisors

Board action: Approved as Recommended.

**Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins

13. Approve the appointment of Paul Efron to the Flood Control Advisory Committee Petaluma Basin Zone 2A representing the Second District for a coterminous term beginning April 2, 2019. [2019-0350](#)

**Department or Agency Name(s):** Board of Supervisors

Board action: Approved as Recommended.

**Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins

14. Approve the Appointment of Philip Busalacchi to the Flood Advisory Committee Zone 3A , Effective on April 2, 2019 and running Coterminous. (First District) [2019-0320](#)

**Department or Agency Name(s):** Board of Supervisors

Board action: Approved as Recommended.

**Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins

15. Approve the Appointment of Richard Baum to the Advisory Council to Area Agency on Aging, for a two year term, beginning 4/2/2019. (First District) [2019-0321](#)

**Department or Agency Name(s):** Board of Supervisors

Board action: Approved as Recommended.

**Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins

16. Review and approve the City Selection Committee's recommendations to the Bay Area Air Quality Management District, the Golden Gate Bridge, Highway & Transportation District and the Remote Access Network (RAN) Board. [2019-0453](#)

**Department or Agency Name(s):** Board of Supervisors

Board action: Approved as Recommended.

**Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins

### **PRESENTATIONS/GOLD RESOLUTIONS**

#### **PRESENTATIONS AT THE BOARD MEETING**

(Gold resolutions are presented in the afternoon session at 1:30 P.M.)

17. Adopt a Gold Resolution recognizing April 2019 as Sexual Assault Awareness Month. (Third District). [2019-0248](#)

**Department or Agency Name(s):** Board of Supervisors

Board action: Approved as Recommended by Resolution 19-0141.

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

18. Adopt a Gold Resolution proclaiming April 7 through April 13, 2019 as National Crime Victims' Rights Week. [2019-0152](#)

**Department or Agency Name(s):** District Attorney, Sheriff's Office, Health Services, Human Services and Probation

Board action: Approved as Recommended by Resolution 19-0142.

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

- 18a. 4-2-19 Valley of the Moon Children's Center Clinician [2019-0270](#)

Authorize the Human Services Department Director to execute an agreement with Seneca Family of Agencies for \$125,580 to provide a clinician at Valley of the Moon Children's Center (VMCC) who will provide on-site therapeutic support for youth at the shelter, support their transition to their next placement, and coordinate ongoing services for the period of April 8, 2019, through April 7, 2020.

**Department or Agency Name(s):** Human Services

8:55 A.M. Public Comment Opened

Public Speakers:

Michael Hilbur  
Thomas Ells  
John Jenkel

9:01 A.M. Public Comment Closed

Board action: Approved as Recommended

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

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.)

9:02 A.M. Public Comment Opened

Public Speakers:

Michelle Miller  
Mary Morrison  
Roseanne Snyder  
James Savage  
Vanessa  
Rob  
Richard Hannon

John Jenkel  
Rob II  
Thomas Ells

9:25 A.M Public comment closed

**IV. REGULAR CALENDAR**

This was Adopted.

19. Law Office of the Public Defender Re-hire of Retiree Extra-Help

[2019-0218](#)

Pursuant to Government Code §7522.56 approve the re-hire of Michael Perry as a Chief Deputy Public Defender Retiree Extra-Help, in order to fill a critically needed position within 180 days of his retirement.

**Department or Agency Name(s):** Public Defender

9:25 A.M.

Presenters:

Kathleen Pozzi, Public Defender

9:26 A.M. Public Comment Opened

Public Speakers:

None

9:26 A.M. Public Comment Closed

Board Action: Approved as recommended.

**Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins

20. Contracting Principles for Safety Net Services Programs

[2019-0236](#)

Approve proposed principles to inform how the Board and Departments contract for and fund safety net services programs.

**Department or Agency Name(s):** Health Services, Community Development Commission , Human Services and Probation

9:26 A.M.

Presenters:

Barbie Robinson, Director, Health Services

Ryan Gillette, Director of Advisory Services at Social Finance

Karen Fies, Director, Human Services

10:19 A.M. Public Comment Opened

Public Speakers:

None

10:19 A.M. Public Comment Closed

Board Action: Approved as recommended.

**Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins

21. Industrial Hemp Ordinance

[2019-0398](#)

- A) Adopt an Urgency Ordinance and make specific findings to impose a moratorium on the cultivation of industrial hemp in the unincorporated areas of Sonoma County.
- B) Adopt a Resolution introducing, reading the title of, and waiving further reading of a proposed Ordinance adding Chapter 37 to the Sonoma County Code and adopting and imposing a moratorium on the cultivation of industrial hemp in the unincorporated areas of Sonoma County.  
(4/5th Vote Required)

**Department or Agency Name(s):** Agricultural Commissioner

10:34 A.M.

Presenters:

Tony Linegar, Agricultural Commissioner

Sita Kuteira, Deputy County Counsel

12:00 P.M. Public Comment Opened

Public Speakers:

Jennifer Beretta

Jordan Burns

Benjamin Goldstein

Vince Scholten

Joanna Cedar

Alexa Wall

Janet Leisen

Thomas Ells

Lynda Deliare

12:18 P.M. Public Comment Closed

Board Action: Approved as amended by Resolution 19-0143.

Approved by Ordinance 6259

**Aye:** Gorin, Zane, Gore, and Hopkins

**Nay:** Rabbitt

22. Village Green II Apartments -Transfer of Ownership to Burbank Housing Development Corporation.

[2019-0155](#)

Board of Commissioners:



- A) Approve Sonoma County Community Development Commission (Commission) developer selection for Village Green II;
- B) Authorize the Commission to execute a Purchase and Sale Agreement designed to transfer ownership of Village Green II Apartments to the Burbank Housing Development Corporation in order to preserve existing affordable housing in Sonoma County;
- C) Authorize the Commission to issue a seller carry-back loan not to exceed \$3,700,000.  
(First District)

**Department or Agency Name(s):** Community Development Commission

1:13 P.M.

Presenters:

Benjamin Wickham, Affordable Housing Manager, Community Development Commission

1:23 P.M. Public Comment Opened

Public Speakers:

Bryan Hall

Mary Stompe

1:29 A.M. Public Comment Closed

Board Action: Approved as recommended by Resolution 19-0144.

**Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins

23. Fee Waiver

[2019-0367](#)

Approve a fee waiver in the amount of \$540 for Vets Hall Rental in Guerneville for the Russian River Sisters of Perpetual Indulgence on April 19th, 2019. (Fifth District)

**Department or Agency Name(s):** Board of Supervisors

1:47 P.M.

Presenters:

Supervisor Hopkins, District 5

1:47 P.M. Public Comment Opened

Public Speakers:

None

1:47 P.M. Public Comment Closed

Approved as recommended.

**Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins

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

4:23 P.M. Public Comment Opened

Public Speakers:  
None

4:23 P.M. Public Comment Closed

## **VI. CLOSED SESSION CALENDAR**

2:41 P.M. County Counsel Bruce Goldstein deferred report on Closed Session Items 24 through 27 to 4:42 P.M.

24. 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). 4 Potential Cases: Claims for Property Tax Refund from AT&T Corp., Pacific Bell, T-Mobile West LLC and AT&T Mobility, LLC. [2019-0109](#)

The Board in closed session provided authority to deny the following claims for refund for the 2014-2015 tax year: (1) AT&T Corp., \$34,770, (2) Pacific Bell, \$414,751, (3) AT&T Mobility LLC, \$85,668, (4) T-Mobile West LLC, \$47,898.93.

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

25. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation: *Sonoma County Association of Retired Employees (SCARE) v. Sonoma County*, U.S. District Court Case Number CV-09-4432 CW (Government Code §54956.9(d)(1)) [2019-0416](#)

No Reportable Action. Direction given to Counsel and Staff.

26. The Board of Supervisors will consider the following in closed session: Employee Appointment: Economic Development Board, Agency Negotiator: Christina Cramer, Director of Human Resources (Gov't. Code Section §54957). [2019-0454](#)

No Reportable Action. Direction given to Counsel and Staff.

27. 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). [2019-0390](#)

This item was withdrawn.

## **VII. REGULAR AFTERNOON CALENDAR**

## **VIII. RECONVENE FROM CLOSED SESSION**

2:41 P.M.

## **IX. REPORT ON CLOSED SESSION**

2:41 P.M. County Counsel Bruce Goldstein deferred report on Closed Session Items 24 through 27 to 4:42 P.M.

**X. 1:30 P.M. - PRESENTATIONS/GOLD RESOLUTIONS**

1:47 P.M. This item was taken out of order.

28. Informational Update on County Participation in Wildfire-Related California Public Utilities Commission Proceedings [2019-0351](#)

Receive Informational Update on County Participation in Wildfire-Related California Public Utilities Commission Proceedings (Informational Only)

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

This item was taken out of order.

Board action: Approved as Recommended

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

29. Expanded Fuels Reduction and Landscape Resiliency Campaign [2019-0376](#)

- A) Receive an overview and update on the Fuels Reduction and Landscape Resiliency Campaign underway as part of the Recovery & Resiliency Framework actions.
- B) Receive a progress report on fiscal year (FY) 18/19 implementation of vegetation management inspections and enforcement pursuant to the existing Vegetation Management Ordinance (County Code Chapter 13A).
- C) Receive an overview of a proposed allocation of \$900,000 annually for fiscal years FY 19/20 through FY 22/23 to support an expanded Fuels Reduction and Landscape Resiliency Campaign.
- D) Direct staff to develop detailed program elements, budget, and schedule for the next four years of the Fuels Reduction and Resiliency Campaign.

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

2:42 P.M.

Presenters:

Sheryl Bratton, County Administrator

Virginia Mahacek, , Analyst, Office of Recovery and Resiliency

Chief James Williams, County of Sonoma Fire and Emergency Services

3:30 P.M. Supervisor Gorin left the meeting.

3:42 P.M. Supervisor Gorin returned to the meeting.

3:41 P.M. Public Comment Opened

Public Speakers:

Trevor Smith

Dave Henderson

Will Abrams  
Janet Leisen  
Pat Abercrombie  
Vern Losh  
Chief Sean Grinnell

3:56 P.M. Public Comment Closed

Board Action: Approved as recommended.

**Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins

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

The board reported on assigned Boards, Councils, Commissions and other attended meetings since the last Board of Supervisors meeting.

30. Permit and Resource Management Department: Review and possible action on the following: [2019-0349](#)  
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>](http://www.sonoma-county.org/prmd/b-c/index.htm))

Board Action: Approved as recommended.

**Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins

**XII. ADJOURNMENT**

4:44 P.M. The Board adjourned the meeting in memory of Elizabeth Tipon, Lilla Weinberger, Ralph Metzner, Elinor Twohy, Rosa Lua and Brian Elliott.

Respectfully Submitted,

Kay Lowtrip  
Chief Deputy Clerk of the Board

NOTE: The next Board meeting will be a budget workshop held on April 9, 2019.  
(All dates are tentative until each agenda is finalized)