



County of Sonoma

State of California

Date: February 4, 2020

Item Number: _____

Resolution Number: _____

☐ 4/5 Vote Required

Resolution of the Board of Supervisors of the County Of Sonoma, State Of California, approving acquisition of the 54 acre Cooper Creek Addition to the Taylor Mountain Regional Park & Open Space Preserve; authorizing the Board Chair to execute a Certificate of Acceptance accepting title to the Cooper Creek Addition; authorizing the Board Chair to execute the First Amended and Restated Taylor Mountain Conservation Easement and a First Amended and Restated Recreation Conservation Covenant in favor of the Sonoma County Agricultural Preservation and Open Space District; authorizing and directing the Director of Regional Parks to execute a Matching Grant Agreement with the Sonoma County Agricultural Preservation and Open Space District; authorizing and directing the Board Chair to execute an Offer to Dedicate related to a California State Coastal Conservancy Grant; making certain determinations pursuant to the California Environmental Quality Act; directing the filing of a Notice of Exemption; and authorizing the Director of Regional Parks to take all other actions necessary to complete the acquisition of the Cooper Creek Addition to the Taylor Mountain Regional Park & Open Space Preserve.

Whereas, the Taylor Mountain Regional Park & Open Space Preserve ("Park & Preserve") was created in 2013 when the Sonoma County Agricultural Preservation & Open Space District ("Ag + Open Space") conveyed to the County of Sonoma ("County") five contiguous properties that Ag + Open Space had acquired between 1995 and 2011; and

Whereas, in February 2019 the Sonoma Land Trust ("SLT") entered into a purchase agreement with the owners of a 54 acre parcel (the "Cooper Creek Addition") which is contiguous with the existing Park & Preserve on the park's northern boundary; and

Whereas, the addition of the Cooper Creek parcel to the Park & Preserve will serve to enhance non-vehicular access to the park, will extend the park's boundary to within a few blocks of the County Fairgrounds and the planned Santa Rosa Southeast Greenway offering future connections to Spring Lake Park, Trione-Annadel State Park, and numerous diverse neighborhoods; and

Whereas, Sonoma County Regional Parks ("Parks") has applied to Ag + Open Space for a matching grant to cover a portion of the cost of the acquisition of the Cooper Creek Addition; and

Whereas, Parks has secured a grant from the Habitat Conservation Fund administered by California State Parks to cover a portion of the cost of the acquisition of the Cooper Creek Addition; and

Whereas, SLT has secured a grant from the California State Coastal Conservancy to cover a portion of the cost of the acquisition of the Cooper Creek Addition; and

Whereas, Parks intends to apply certain Regional Parks Department funds and Measure M monies to cover a portion of the cost of the acquisition of the Cooper Creek Addition; and

Whereas, other funding to cover a portion of the cost of the acquisition of the Cooper Creek Addition and initial site cleanup are expected from the Sonoma County Regional Parks Foundation, the Sonoma County Trails Council and the Redwood Empire Mountain Bike Alliance.

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

1. *Truth of Recitals.* The foregoing recitations are true and correct.
2. *Authority to Execute Certificate of Acceptance for a Fee Interest – Cooper Creek Addition.* The Board Chair is authorized to execute, on behalf of the County of Sonoma, a certificate of acceptance of fee title in the Cooper Creek Addition property pursuant to Government Code Section 27281.
3. *Conservation Easement and Recreation Conservation Covenant.* The Board Chair is authorized to execute the First Amended and Restated Taylor Mountain Conservation Easement and the Restated Taylor Mountain Recreation Covenant.
4. *Authority to Execute Matching Grant Agreement.* The Director of Sonoma County Regional Parks is authorized to execute a Matching Grant Agreement with Ag + Open Space regarding a grant of \$742,000.
5. *Authority to Execute and to Record an Irrevocable Offer of Dedication benefiting the California State Coastal Conservancy.* The Board Chair is authorized to execute and record the Irrevocable Offer to Dedicate required by the grant offered by the California State Coastal Conservancy.
6. *Closing Documents.* The Director of Regional Parks is authorized to make any technical, non-substantive changes in the Conservation Easement, Recreation Conservation Covenant, Deed Restriction, Irrevocable Offer of Dedication, and other closing documents prior to recordation with the prior approval of the County Counsel. The Director of Regional Parks is further authorized and directed to execute any other documents necessary to complete this transaction as described.
7. *Authorization for Recordation.* The Director of Regional Parks is authorized and directed to record with the Sonoma County Recorder the grant deed and the certificate of acceptance contemplated by this Resolution and to deliver conformed copies of these documents, bearing evidence of recording, to the

Clerk of the Board of Supervisors.

8. *California Environmental Quality Act.* The Project authorized by this resolution consists of the acquisition by the County of fee title to the 54 acre parcel – known as the Cooper Creek property—which will be added to the Taylor Mountain Regional Park & Open Space Preserve. The purpose of the acquisition is to preserve the open space values of the property and preserve the property for the benefit of the public into the future. As part of the acquisition of the parcel Sonoma County Regional Parks will grant a permanent conservation easement to the Sonoma County Agricultural Preservation and Open Space District protecting the natural, scenic, and cultural resources of the property. A park management plan has not yet been developed for the property. The Sonoma County Regional Parks Department will develop a park management plan for the recreational use of the property at some point in the future and appropriate CEQA analysis will be conducted at that time. In the interim, the property will remain in its natural condition. The County will take actions consonant with the protecting and restoring the natural resources on the property such as site clean-up and repairing existing fencing. The acquisition of the property to preserve this opportunity will benefit the general public. Pursuant to Public Resources Code Division 13, Chapter 2, §21080.28, the acquisition of this property is exempt from CEQA because the purpose of the acquisition and granting of a conservation easement is to preserve and restore the natural condition of the property including plant and animal habitats and preservation of open space or lands for park purposes.
9. *Notice of Exemption.* Immediately upon the adoption of this resolution, the Director of Regional Parks is directed to post and to maintain the posting of a notice of exemption with regard to the acquisition by the County of the Cooper Creek addition to the Park & Preserve pursuant to Public Resources Code 21152.

Supervisors:

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| Rabbitt: | Zane: | Gore: | Hopkins: | Gorin: |
| Ayes: | Noes: | Absent: | Abstain: | |

So Ordered.