



# County of Sonoma

## State of California

Date: November 2, 2021

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

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

☒ 4/5 Vote Required

**Resolution Of The Board Of Directors Of The County of Sonoma, State Of California, Directing The Chair To Execute that Certain “Grant Deed and Declaration of Restrictive Covenants” In Favor Of Sonoma County Agricultural Preservation And Open Space District with Appropriate Deed Restrictions Related to Protection of the Conservation Values of the Property Known as Paulin Meadow (Parcel J); Direct that the County Donate, Transfer and Convey Parcel J for No Monetary Consideration Subject to Deed Restrictions that Provide that the County May Elect to Re Enter and Take Title to Parcel J If District Violates the Deed Restrictions; Authorizing The Recordation of All Instruments Necessary To Accomplish The Transaction, And Directing The Director of General Services, In Consultation With County Counsel, To Take All Other Actions Necessary Or Appropriate To Convey Fee Title To Parcel J the District.**

**Whereas**, the County of Sonoma is the fee title owner of an approximately 10.42-acre property referred to as Paulin Meadow (Parcel J) (APN 180-090-016) in Santa Rosa, California;

**Whereas**, the Board of Supervisors at its meeting of December 11, 2018 pursuant to Summary Report Item 60, previously directed County and District staff to explore means of protecting Parcel J from future development;

**Whereas**, consistent with the above referenced Board direction, the Director of General Services is recommending the donation, transfer and conveyance of fee title to Paulin Meadow (Parcel J) to The Sonoma County Agricultural Preservation And Open Space District (the “District”);

**Whereas**, the conveyance of Paulin Meadow (Parcel J) will be made for no monetary

consideration, pursuant to California Government Code section 25365, with the understanding that the District will own, manage and maintain Paulin Meadow (Parcel J) consistent with the Conservation Values described in the "Grant Deed and Declaration of Restrictive Covenants," (Grant Deed) which include protection and preservation of natural habitats, provide for urban open space and trails, protect and enhance the recreational and educational values of the property and when permitted and appropriate undertake enhancement and restoration activities;

**Whereas,** the County will convey fee title to Paulin Meadow (Parcel J) subject to deed restrictions requiring the District to own the property consistent with the conservation values and not convey any interest in the property without first recording a conservations easement or similar instrument protecting, preserving and/or enhancing those values;

**Whereas,** the conveyance of the fee interest to the District furthers several goals and policies in Sonoma County's General Plan 2020, specifically in the Land Use, Open Space and Resource Conservation, and Water Resources Elements;

**Whereas,** the conveyance of the fee interest to the District furthers several objectives and policies in the Vital Lands Initiative ("Vital Lands"), including the overarching goal of protecting areas with multiple conservation features. Additionally, protection of Paulin Meadow (Parcel J) will further the Vital Lands goals; and

**Whereas,** the County intends to authorize the Chair of the Board of Supervisors to execute the Grant Deed, and County staff to take all other necessary steps to complete the transaction with the District.

**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. *Protection of Parcel J.* That the preferred and recommended method of protecting Paulin Meadow (Parcel J) from future development is the conveyance of fee title interest to the District subject to certain deed restrictions required to protect the property from future development and to protect and preserve its

natural habitats, provide for urban open space and trails, protect and enhance the recreational and educational values of the property and when permitted and appropriate undertake enhancement and restoration activities. The deed restrictions shall also provide that the District shall not convey ownership of the property without first recording a conservation easement or similar instrument protecting, preserving and/or enhancing those values.

3. *General Plan Consistency.* That the conveyance to the District of the Paulin Meadow furthers several goals and policies in Sonoma County's General Plan 2020, specifically in the Land Use, Open Space and Resource Conservation, and Water Resources Elements, as follows: (i) Encourage conservation of undeveloped land, open space, and agricultural lands, protection of water and soil quality, restoration of ecosystems, and minimization or elimination of the disruption of existing natural ecosystems and flood plains; (ii) Preserve the unique rural and natural character of Sonoma County for residents, businesses, visitors and future generations; (iii) Provide for adequate parklands and trails primarily in locations that are convenient to urban areas to meet the outdoor recreation needs of the population, while not negatively impacting agricultural uses; (iv) Protect, restore and enhance the quality of surface and groundwater resources to meet the needs of all beneficial uses; (v) Protect and enhance the County's natural habitats and diverse plant and animal communities; (vi) Protect and enhance riparian corridors and functions along streams, balancing the need for agricultural production, urban development, timber and mining operations, and other land uses with the preservation of riparian vegetation, protection of water resources, flood control, bank stabilization, and other riparian functions and values.

4. *Vital Lands Initiative Consistency.* Whereas, the conveyance of the fee interest to the District furthers several objectives and policies in the Vital Lands Initiative ("Vital Lands"), including the overarching goal of protecting areas with multiple conservation features. Additionally, protection of Paulin Meadow (Parcel J) will further the following Vital Lands goals: (i) protection of natural lands and aquatic habitats that support sustainable aquatic ecosystems and water resources; (ii) protection of open space and publicly accessible lands in and near cities and communities and connect people with protected lands; and (iii) protection of natural lands and terrestrial habitats that support plants, wildlife, and biodiversity.

5. *California Environmental Quality Act; Notice of Exemption.* That the conveyance of the restricted fee title interest in Paulin Meadow (Parcel J) authorized by this resolution is exempt from the requirements of the California Environmental Quality Act (Public Resources Code Sections 21000 and following) pursuant to Public Resources Code Section 21080.28(a)(1)(A) & (C), (formerly Cal. Code of Regs. Tit. 14, §15325(a) & (b)), which exempts from CEQA the acquisition, sale, or other transfer of interest in land by a public agency for the preservation of natural conditions existing at the time of transfer, including plant

and animal habitats and preservation of open space lands. Alternatively, it is exempt pursuant to Section 15317 of Title 14 of the California Code of Regulations because the purpose of the acquisition is to maintain the open space character of the area. Immediately upon adoption of the resolutions of the County and the District, County concurs that the General Manager of the District is directed to file with the County Clerk, and the County Clerk is directed to post and to maintain the posting of a notice of exemption pursuant to Public Resources Code Section 21152.

6. *Authority to Sign Contracts.* That the Chair of the Board of Supervisors is authorized and directed to execute, on behalf of the County, as grantor, that certain Grant Deed by and between the County of Sonoma and the Sonoma County Agricultural Preservation and Open Space District.

7. *Preparation of Closing Documents.* That the County Counsel is hereby authorized to prepare and deliver appropriate escrow instructions and other necessary documents to the parties' title company and escrow holder to complete the transaction as described in coordination with the District.

8. *Execution of Further Instruments.* The Director of General Services is further authorized and directed to execute any other documents necessary to complete this transaction with the District as described.

9. *Authorization for Recordation.* That the County concurs that the General Manager of the District is authorized and directed to record with the Sonoma County Recorder the Grant Deed and Certificate of Acceptance, and to deliver conformed copies of these documents, bearing evidence of recording, to the Clerk of the Board of Directors and the Director of General Services.

**Supervisors:**

Gorin:

Rabbitt:

Coursey:

Gore:

Hopkins:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**