

Date: November 2, 2021

Item Number: _____

Resolution Number: _____

4/5 Vote Required

Resolution Of The Board Of Directors Of The Sonoma County Agricultural Preservation And Open Space District Making Certain Findings and Approving the Acquisition of Fee Title to Certain Property Commonly Known as Parcel J; Authorizing the President of the Board to Execute All Documents to be Recorded in Connection with the Acquisition and Transfer; and Delegating Authority to the District’s General Manager to Take All Necessary and Appropriate Action to Complete the Transaction

Whereas, the County of Sonoma is the fee title owner of an approximately 10.42-acre property located at 3324 Chanate Road, in Santa Rosa, California, commonly known as Paulin Meadow” or “Parcel J” (“Parcel J”); and

Whereas, though the District desires to focus its resources on preserving land through the acquisition of conservation easements to the fullest extent possible, rather than through fee acquisitions, the General Manager is recommending the acquisition of the fee interest in “Parcel J” because the District owns adjacent land known as the Paulin Creek Preserve, the conservation value of which is enhanced by ensuring conservation of Parcel J; and

Whereas, acquisition of Parcel J fulfills policies in the District’s acquisition plan, Connecting Communities and the Land, including policies to preserve natural systems and lands that protect and enhance riparian corridors and functions along streams, provide for adequate parklands and trails primarily in locations that are convenient to urban areas, protect and enhance the County’s natural habitats and diverse plant and animal communities, and preserve the unique rural and natural character of Sonoma County; and

Whereas, by its Resolution No. 2021-006 dated October 19, 2021, the Sonoma County Open Space Fiscal Oversight Commission determined that the proposed acquisition price of the property (\$0) does not exceed the fair market value of the property; and

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. *General Plan Consistency.* That the acquisition of the property (“the Project”) 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, because it will 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; preserve the unique rural and natural character of Sonoma County for residents, businesses, visitors and future generations; 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; protect, restore and enhance the quality of surface and groundwater resources to meet the needs of all beneficial uses; protect and enhance the County’s natural habitats and diverse plant and animal communities; and 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.
3. *Expenditure Plan Consistency.* That the Project is consistent with the Expenditure Plan approved by the voters of Sonoma County in 2006 via Measure F because it will protect high priority land to preserve biotic habitat areas, a riparian corridor and urban open space intended for public recreational use within an incorporated area.
4. *California Environmental Quality Act; Notice of Exemption.* That the acquisition of the property by the District 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 or lands for park purposes. 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 this resolution, the General Manager 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.

5. *Authority to Sign Contracts.* That the President is authorized and directed to execute, on behalf of the District that certain grant deed entitled "Grant Deed and Declaration of Restrictive Covenants" together with the certificate of acceptance required by Government Code Section 27281.

6. *Closing Documents.* That the District's Counsel is hereby authorized and directed to prepare and deliver appropriate escrow instructions and other necessary documents to Fidelity Title Company to complete the transaction as described. The General Manager is authorized to make any technical, non-substantive changes in the deed and other closing documents prior to recordation with the prior approval of the District's Counsel. The General Manager is further authorized and directed to execute any other documents necessary to complete this transaction as described.

7. *Payment of Costs of Escrow.* That, at the request of the General Manager, the County Auditor is authorized and directed to draw a warrant or warrants against available funds in the County's Open Space Special Tax Account in such amounts necessary for transactional costs associated with the acquisition requested by the General Manager.

8. *Authorization for Recordation.* That the General Manager is authorized and directed to record with the Sonoma County Recorder the Conservation Easement and Certificate of Acceptance, and to deliver conformed copies of these documents, bearing evidence of recording, to the Clerk of the Board of Directors.

Resolution #21-

Date:

Page 4

Supervisors:

Gorin:

Rabbitt:

Coursey:

Gore:

Hopkins:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.