

SONOMA COUNTY BOARD OF SUPERVISORS MEETING MINUTES

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

Tuesday, January 24, 2023

8:30 AM

Virtual/ Board of Supervisors Chambers 575 Administration Drive 102A Santa Rosa, CA 95403

Sheryl Bratton, County Administrator

Robert Pittman, County Counsel

8:30 A.M. CALL TO ORDER

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

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

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

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CLOSED SESSION CALENDAR

PUBLIC COMMENT ON CLOSED SESSION ITEMS

8:35 A.M. Public Comment on Closed Session Items Opened

Speakers:

Duane Dewitt

8:38 A.M. Public Comment on Closed Session Items Closed

8:38 A.M. The Board moved to Closed Session.

1.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:
Janell Crane and Jeremia Mills, County of Sonoma, and Rick Bolanos, Liebert Cassidy
Whitmore. Employee Organizations: All. Unrepresented employees: All, including
retired employees. (Government Code Section §54957.6.)2023-0039

No reportable action was taken-the Boards gave direction to their Labor Negotiators.

 The Board of Supervisors will consider the following in closed session: Conference with <u>2023-0048</u> Legal Counsel - Existing Litigation - Linda Jennings v. Sarkis Manuel Avedisian, The Department of Water Damage, LLC, County of Sonoma; Sonoma County Superior Court Case No. SCV 269407 (Government Code Section 54956.9(d)(1).)

No reportable action was taken-the Board gave direction to Legal Counsel and Staff.

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). 2 Potential Cases.

No reportable action was taken-the Board gave direction to Legal Counsel and Staff.

9:45 A.M. RECONVENE FROM CLOSED SESSION

9:53 A.M. The Board reconvened.

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

(Items may be added or withdrawn from the agenda consistent with State law) 10:15 A.M.

Item 4 Moved from Consent Calendar to Regular Calendar

Board Action: Approved as amended.

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

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9:45 A.M. CONSENT CALENDAR

4. Board Assignments

Approve Ad-Hoc, Standing Committees, and Board Assignments for members of the Board of Supervisors and the Board of Directors of the Sonoma County Water Agency for the year 2023.

Department or Agency Name(s): Board of Supervisors

Attachments:Summary Report.pdf2023 Board of Supervisors Ad Hoc AssignmentsDRAFT.pdf2023 Board of Supervisors AssignmentsDRAFT.pdf

10:20 A.M.

10:24 Public Comment Opened

Speakers:

None

10:25 Public Comment Closed

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

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

2023-0090

5. Sonoma County Fraud, Waste and Abuse Hotline Program Report

Review and accept the initial Sonoma County Fraud, Waste and Abuse Hotline Program Report for June 10, 2021 to September 30, 2022

Department or Agency Name(s): Auditor-Controller-Treasurer-Tax Collector

Attachments: Summary Report

Fraud Hotline Report June 10, 2021 to September 30, 2022

Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Gore; Approved as recommended.

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

6. Hearing Officer Proposed Decision for Cannabis Tax Assessment Appeal

Adopt Hearing Officer Proposed Decision In the Matter of Appeal of FY 18-19 CBT Appeal, Natasha Khallouf, for Cannabis Operations at 8105 Davis Lane, Penngrove.

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

Attachments: Summary Report Proposed Decision of Hearing Officer

Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Gore; Approved as recommended.

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

7. Disbursement of Fiscal Year 22-23 Fourth District Community Investment Fund Grant <u>2023-0003</u> Awards

Approve Community Investment Fund grant awards and Authorize the County Administrator, or designee, to execute agreements with the following entities for a Community Investment Fund Grant for FY 22-23: Friends of Lake Sonoma, \$3,000. (Fourth District)

Department or Agency Name(s): Board of Supervisors

Attachments: Summary Report

Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Gore; Approved as recommended.

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

2022-1157

8. Conflict of Interest Code Update for Non-County Agencies

2022-1347

Acting as the Board of Directors of the Sonoma County Agricultural and Open Space District (SCAPOSD), adopt a resolution approving the amendment to the SCAPOSD's Conflict of Interest Code.

Acting as the Board of Supervisors in its role as the code reviewing body, adopt resolutions approving conflict of interest code amendments for the SCAPOSD, Bodega Bay Public Utility District, Cazadero Community Services District, Northern Sonoma County Air Pollution Control District, Sonoma County Employee Retirement Association, Sonoma County Fire District, Valley of the Moon Water District, Sonoma County Library Commission, Sonoma County Tourism Bureau, Sonoma County Transportation Authority, Fort Ross School District, Gravenstein School District, Mark West Union School District, Oak Grove Union School District, Old Adobe Union School District, Santa Rosa City School District, Sonoma Valley Unified School District, West Side Union School District, West Sonoma County Union High School District and Wright Elementary School District.

Acting as the Board of Supervisors in its role as the code reviewing body, adopt resolutions approving conflict of interest codes for the newly created RED Housing Fund and Renewable Enterprise District.

Acting as the Board of Supervisors in its role as the code reviewing body, adopt resolutions dissolving conflict of interest codes for the Bodega Bay Fire Protection District, Forestville Fire Protection District, Palm Drive Health Care District, Sotoyome Resource Conservation District, and Southern Sonoma County Resource Conservation District.

Department or Agency Name(s): County Counsel

Attachments:	Summary Report.pdf
	Resolution of Bodega Bay Fire Protection District dissolving its Conflict of Interest
	Code.pdf
	Resolution of Cazadero Community Services District Approving its Conflict of
	Interest Code.pdf
	Resolution of Northern Sonoma County Air Pollution Control Approving its Conflict
	of Interest Code.pdf
	Resolution of SCERA Approving its Conflict of Interest Code.pdf
	Resolution of SCFD Approving its Conflict of Interest Code.pdf
	Resolution of the Valley of the Moon Water District Approving its Conflict of Interest
	<u>Code.pdf</u>
	Resolution of Sonoma County Library Commission Approving its Conflict of Interest
	<u>Code.pdf</u>
	Resolution of Sonoma County Tourism Bureau Approving its Conflict of Interest
	<u>Code.pdf</u>
	Resolution of SCTA Approving its Conflict of Interest Code.pdf
	Resolution of the Fort Ross Elementary School District Approving its Conflict of
	Interest Code.pdf
	Resolution of the Gravenstein Union School District Approving its Conflict of Interest
	<u>Code.pdf</u>
	Resolution of the Mark West Union School District Approving its Conflict of Interest
	<u>Code.pdf</u>
	Resolution of the Oak Grove Union School District Approving its Conflict of Interest
	<u>Code.pdf</u> Recolution of the Old Adobe Union School District Approving its Conflict of Interact
	Resolution of the Old Adobe Union School District Approving its Conflict of Interest Code.pdf
	Resolution of the Santa Rosa City School District Approving its Conflict of Interest
	Code.pdf
	Resolution of the Sonoma Valley Unified School District Approving its Conflict of
	Interest Code.pdf
	Resolution of the West Side Union School District Approving its Conflict of
	Resolution Code.pdf
	Resolution of WSCUHSD Approving its Conflict of Interest Code.pdf
	Resolution of the Wright Elementary School District Approving its Conflict of
	Resolution Code.pdf
	Resolution of Renewable Enterprise District adopting its Conflict of Interest
	Code.pdf
	Resolution of Forestville Fire Protection District dissolving its Conflict of Interest
	Code.pdf
	Resolution of Palm Drive Health Care District dissolving its Conflict of Interest
	<u>Code.pdf</u>
	Resolution of Sotoyome Resource Conservation District dissolving its Conflict of
	Interest Code.pdf
	Resolution of Southern Sonoma County Resource Conservation District dissolving its
	Conflict of Interest Code.pdf
	Resolution of Southern Sonoma County Resource Conservation District dissolving its
	Conflict of Interest Code.pdf
	Resolution Amending SCAPOSD Conflict of Interest Code 2023.pdf

Resolution of RED Housing Fund adopting its Conflict of Interest Code.pdf

Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Gore; Approved as recommended by Resolutions 23-0021, 23-0022, 23-0023, 23-0024, 23-0025, 23-0026, 23-0027, 23-0027, 23-0028, 23-0030, 23-0031, 23-0032, 23-0033, 23-0034, 23-0035, 23-0036, 23-0037, 23-0038, 23-0039, 23-0040, 23-0041, 23-0042, 23-0043, 23-0044, 23-0045, 23-0046, and 23-0047.

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

9. County of Sonoma Conflict of Interest Code Update

Adopt the resolution revising the conflict of interest code for the County of Sonoma.

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

Attachments: Summary Report.pdf Resolution.pdf Appendix A.pdf Appendix B.pdf

Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Gore; Approved as recommended by Resolution 23-0048.

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

10. District Attorney 2022-23 Automobile Insurance Fraud Investigation Program

<u>2022-1324</u>

Adopt a resolution authorizing the District Attorney to execute a grant agreement with the California Department of Insurance to participate in the Automobile Insurance Fraud Investigation Program and accept \$163,073 in grant funding for the term July 1, 2022, through June 30, 2023, and execute any future amendments or extensions to the Grant Award Agreement including rollover funding from prior year or increased funding allocation. The objective of this grant is to protect public safety resulting from criminal enterprises staging traffic collisions and vendors providing faulty vehicle repairs and placing dangerous and unsafe vehicles back on the road.

Department or Agency Name(s): District Attorney

Attachments: Summary Report Program Resolution Grant Award Agreement

Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Gore; Approved as recommended by Resolution 23-0049.

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

2022-1326

11. District Attorney 2022-23 Workers' Compensation Insurance Fraud Investigation Program

Adopt a resolution authorizing the District Attorney to execute a grant agreement with the California Department of Insurance to participate in the Workers' Compensation Insurance Fraud Investigation Program and accept \$319,691 in grant funding for the term July 1, 2022, through June 30, 2023, and execute any future amendments or extensions to the Grant Award Agreement including rollover funding from prior year or increased funding allocation. The objective of this grant is to uncover fraud within the community that harms workers and businesses, and prosecute those who perpetrate such crimes.

Department or Agency Name(s): District Attorney

Attachments: Summary Report Program Resolution Grant Award Agreement

Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Gore; Approved as recommended by Resolution 23-0050.

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

- 12.Funding for Housing Support for Transitional Age Foster Youth and for the Alternative2022-1362Payment Child Care Program
 - A) Adopt a resolution authorizing the Director of the Human Services Department to apply for and accept \$162,208 in new funding from the California Department of Housing and Community Development for the Housing Navigation and Maintenance Program for Transitional Age Foster Youth, and authorizing the Director of the Human Services Department to apply for and accept \$614,387 in new funding from the California Department of Housing and Community Development for the Transitional Housing Program for Transitional Age Foster Youth.
 - B) Adopt a resolution authorizing the Director of the Human Services Department to accept funding and execute contracts and subsequent amendments for the Alternative Payment Child Care Program.

Department or Agency Name(s): Human Services

 Attachments:
 Summary Report

 Attachment 1 Resolution for Alternative Payment Child Care Program

 Attachment 2 - THP and HNMP Joint Resolution

Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Gore; Approved as recommended by Resolutions 23-0051 and 23-0052.

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

2022-1428

13. Proposition 64 Public Health and Safety Grant Program Application

Approve a resolution authorizing Permit Sonoma to submit a grant application for, and receipt of, a Board of State and Community Corrections Grant Cohort 3 to support the enforcement of the existing cannabis ordinance.

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

Attachments: Summary Report Att A Resolution.pdf Att B Proposed Template Grant Agreement.pdf

Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Gore; Approved as recommended by Resolution 23-0053.

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

14.Denial of a Use Permit to allow Evergreen Acres commercial cannabis cultivation2023-0015operation at 6699 Palmer Creek Road in Healdsburg. Permit Sonoma File No.UPC18-0046.

Exercise Original Jurisdiction over the project and adopt a Resolution to deny (with prejudice) a commercial cannabis operation located at 6699 Palmer Creek Road, Healdsburg; APN 069-040-026; Permit Sonoma File No. UPC18-0046; Supervisorial District 4.

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

Attachments: Summary Report Att 1 UPC18-0046 Resolution.pdf Att 2 UPC18-0046 December 6, 2022 Final and Signed Board Summary.pdf

Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Gore; Approved as recommended by Resolution 23-0054.

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

15. Establish a Midblock Crosswalk on Santa Rosa Avenue and Accept the Improvements <u>2022-1409</u> into the County's Road Maintenance Inventory.

Adopt a Resolution establishing a midblock crosswalk on Santa Rosa Avenue (Road #7802) at its junction with Butterfly Lane (non-County), Post Mile 11.71, and accepting the crossing improvements into the County's road maintenance inventory. (Third District)

Department or Agency Name(s): Public Infrastructure

Attachments: Summary Report Resolution

Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Gore; Approved as recommended by Resolution 23-0055.

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

16. Updated Agreement for Clipper Fare Payment System on Sonoma County Transit

Authorize the Transit Systems Manager to execute the amended and restated Memorandum of Understanding with the Metropolitan Transportation Commission to participate in the Clipper fare payment system.

Department or Agency Name(s): Public Infrastructure

<u>Attachments:</u> <u>Summary Report</u> New Amended Restated MOU 220825 final clean.pdf

Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Gore; Approved as recommended.

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

17. Parks for All Measure M Annual Report, 2021-2022

Receive the findings and conclusions from the Citizens Oversight Committee on "Parks for All" Measure M Annual Report 2021-2022.

Department or Agency Name(s): Regional Parks

 Attachments:
 Summary Report

 Parks For All Measure M Annual Report 2021-2022, English Version

 Parks For All Measure M Annual Report 2021-2022, Spanish Version

 Findings and Conclusions from the Parks Measure M Citizens Oversight Committee,

 November 15, 2022.

Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Gore; Approved as recommended.

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

18. Computerized Maintenance Management System

Authorize Sonoma County Water Agency's General Manager to execute an agreement with NEXGEN Asset Management, Inc., in a form approved by County Counsel, for computerized maintenance management system implementation and related services through December 31, 2024, in the not-to-exceed amount of \$940,280.

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

Attachments: Summary Report

Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Gore; Approved as recommended.

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

2022-1412

2022-1456

19.	Emergency Work on Santa Rosa Plain Water Supply Resiliency Project in Response to Drought Conditions	<u>2022-1461</u>
	Receive Report and Make Findings that there is an ongoing need to Continue Emergency W Without Competitive Bidding to Protect Health, Property and Essential Public Services in res drought conditions. (4/5th Vote Required)	
	Department or Agency Name(s): Sonoma County Water Agency	
	Attachments: Summary Report	
	Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Gore; Approved as recommended.	
	Aye: Gorin, Rabbitt, Gore, Hopkins, and Coursey	
	APPOINTMENTS/REAPPOINTMENTS	
20.	Approve the Appointment of Nazar Eljumaily to the Sonoma County Regional Parks Foundation Board, representing the First District for a two-year term beginning January 24, 2023 and ending January 24, 2025. (First District)	<u>2023-0060</u>
	Department or Agency Name(s): Board of Supervisors	
	Attachments: Summary Report	
	Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Hopkins; Approved as recommended. Aye: Gorin, Rabbitt, Gore, Hopkins, and Coursey	
21.	Approve the Appointment of Trayce Beards to the Advisory Council to the Area Agency on Aging serving a two-year term beginning January 24, 2023 and ending on January 24, 2025. (Third District)	<u>2023-0045</u>
	Department or Agency Name(s): Board of Supervisors	
	Attachments: Summary Report	
	Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Hopkins; Approved as recommended. Aye: Gorin, Rabbitt, Gore, Hopkins, and Coursey	
22.	Approve the Appointments of Tim Cahn and Kari Morrissey to the Monte Rio Fire Protection District Board of Directors for four-year terms beginning on December 4, 2022 and ending on December 6, 2026. (Fifth District)	<u>2023-0014</u>
	Department or Agency Name(s): Board of Supervisors	
	Attachments: Summary Report	
	Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Hopkins; Approved as recommended.	
	Aye: Gorin, Rabbitt, Gore, Hopkins, and Coursey	

PRESENTATIONS/GOLD RESOLUTIONS

<u>PRESENTATIONS AT THE BOARD MEETING</u> (Gold resolutions are presented at 11:30 A.M.)

23. Adopt a Gold Resolution of the Board of Supervisors of the County of Sonoma, State <u>2023-0016</u> of California, honoring and commending Sheryl Bratton for many years of distinguished public service.

Department or Agency Name(s): County Administrator

Attachments: Summary Gold Reso 1-24-23.pdf PDF Att1 Gold Resolution Sheryl 1-24-23.pdf

Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Hopkins; Approved as recommended by Resolution 23-0056.

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

PRESENTATIONS AT A DIFFERENT DATE

24. Approve a Gold Resolution Honoring and Acknowledging Rohnert Park City Manager 2022-1469 Darrin Jenkins for Nineteen Years of Exemplary Public Service to the People of Rohnert Park. (Second and Third Districts)

Department or Agency Name(s): Board of Supervisors

Attachments: Summary Report Gold Resolution

Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Coursey; Approved as recommended by Resolution 23-0057.

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

10:19 A.M. Public Comment on Consent Calendar Opened

Speakers:

None

10:19 A.M. Public Comment on Consent Calendar Closed

VI.

REGULAR CALENDAR

25. Mental Health Services Act Program and Expenditure Plan Update for FY 2022-2023 <u>2022-0321</u> with FY 2020-2021 Annual Report

Adopt the Mental Health Services Act 2022-2023 Program Plan Update & Expenditure Plan and the Annual Program Report for 2020-2021.

Department or Agency Name(s): Health Services

Attachments:Summary Report
Attachment 1 - MHSA Program and Expenditure Plan Update for FY 2022-2023 with
FY 2020-2021 Annual Report
Presentation - MHSA FY 22-23 Annual Plan Update

10:26 A.M.

Presenters:

Tina Rivera, Director, Department of Health Services Roy Dajalos, Assistant Director, Department of Health Services Jan Cobaleda-Kegler, Behavioral Health Division Director, Department of Health Services Melissa Ladrech, Behavioral Health Patient Care Analyst, Department of Health Services

11:33 A.M. Public Comment Opened

Speakers:

Duane DeWitt Jerry No Name

11:40 A.M. Public Comment Closed

Board Action: Moved by Supervisor Rabbitt Seconded by Supervisor Gore Approved as recommended.

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

VIII. <u>11:00 A.M. - PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA BUT WITHIN THE</u> 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.)

12:49 P.M. Public Comment Opened

Speakers:

Dwayne DeWitt Janet Blunt Sherry Bradford Julia Rapkin Amos Eaton Travis Balzarini Rob McGilly Rosanne Rich Hannon Heather Daobest Mary Morrison John Jenkel Karen Gunter

1:17 P.M. Public Comment Closed

VII.

IX.

11:30 A.M. - PRESENTATIONS/GOLD RESOLUTIONS

1:17 A.M.

REPORT ON CLOSED SESSION JANUARY 17, 2023

1:40 P.M. County Counsel, Robert Pittman, reported out on the Tuesday, January 17, 2023, Closed Session.

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REPORT ON CLOSED SESSION JANUARY 24, 2023

1:41 P.M. County Counsel Robert Pittman reported on Closed Session Items.

XI. <u>BOARD MEMBER REPORTS ON ASSIGNED BOARDS, COUNCILS, COMMISSIONS OR OTHER ATTENDED</u> <u>MEETINGS</u>

1:43 P.M. The Board reported on assigned Boards, Councils, Commissions and other attended meetings.

XII.

ADJOURNMENT

1:52 P.M. The Board adjourned the meeting in the memory of Morry Strauss, Peggy Ann Albano, and Jay Levine-Goldberg.

The meeting was adjourned to January 31, 2023 at 8:30 A.M.

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