

# SONOMA COUNTY BOARD OF SUPERVISORS MEETING MINUTES

575 ADMINISTRATION DRIVE, ROOM 102A SANTA ROSA, CA 95403

Susan Gorin, First District David Rabbitt, Second District Chris Coursey, Third District James Gore, Fourth District Lynda Hopkins, Fifth District Christina Rivera, County Administrator Robert Pittman, County Counsel

Tuesday, March 7, 2023

8:30 AM

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

### 8:30 A.M. CALL TO ORDER

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

### I. ROLL CALL / BOARD MEMBER TELECONFERENCE DISCLOSURE OR VOTE, IF APPLICABLE

8:34 A.M. Supervisor Hopkins entered the meeting.

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

Staff Present: M. Christina Rivera, County Administrator and Robert Pittman, County Counsel

### II. <u>CLOSED SESSION CALENDAR</u>

### III. PUBLIC COMMENT ON CLOSED SESSION ITEMS

8:34 A.M. Public Comment on Closed Session Items Opened

Speakers:

Duane DeWitt Adina Flores Shelby Dodson

8:43 A.M. Public Comment on Closed Session Items Closed

8:44 A.M. The Board recessed 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.)

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

2023-0243

Board of Supervisors	Meeting Minutes	March 7, 202

2. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - Carolyn Teel, Plaintiff v. State Of California, Ca Department Of Transportation County Of Sonoma, Sonoma County Animal Control, City Of Santa Rosa; And Does 1-20, Inclusive, Defendants; SCV 267033 (Government Code Section 54956.9(d)(1).)

2023-0211

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

3. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - Ronald Cupp v. Andrew Smith-United States District Court-Northern District Case No. 4:20-cv-03456 PJH (Government Code Section 54956.9(d)(1).)

**2023-0210** 

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

4. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Significant Exposure to Litigation - 1 case. Gov't Code § 54956.9(d)(2).

2023-0296

By a vote of 5 to 0, the Board approved a request by the law firm of Polsinelli, LLP for a conflict waiver and authorized County Counsel to execute all documents necessary to effect said waiver.

5. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - County of Sonoma v. Diaz, SCV 265769 (Government Code Section 54956.9(d)(1).)

2023-0298

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

IV. 9:30 A.M. RECONVENE FROM CLOSED SESSION

9:41 A.M. The Board reconvened from Closed Session.

### PLEDGE OF ALLEGIANCE

### V. APPROVAL OF THE AGENDA

(Items may be added or withdrawn from the agenda consistent with State law) 9:41 A.M.

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

### VI.

### 9:30 A.M. CONSENT CALENDAR

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

6. Approve the Minutes of the meetings July 12, 19 and August 9, 29, 30 and September 13, 27, 2022. Approve the Minutes of the Sonoma Valley County Sanitation District meetings July 12, 19 and August 9, 29, 30 and September 13, 27, 2022

2023-0219

Approve the Minutes of the meetings July 12, 19 and August 9, 29, 30 and September 13, 27, 2022. Approve the Minutes of the Sonoma Valley County Sanitation District meetings July 12, 19 and August 9, 29, 30 and September 13, 27, 2022

**<u>Department or Agency Name(s)</u>**: Board of Supervisors, Agricultural Preservation And Open Space

District, Community Development Commission , Sonoma County Water Agency, Sonoma Valley County Sanitation District (Directors:

Gorin, Coursey and Lowe)

**Attachments:** Summary Report

07.12.22 Sonoma County Board of Supervisors Meeting Minutes.pdf 07.19.22 Sonoma County Board of Supervisors Meeting Minutes.pdf 08.09.22 Sonoma County Board of Supervisors Meeting Minutes.pdf

08.29.22 Sonoma County Board of Supervisors Special Closed Session Meeting

Minutes.pdf

08.30.22 Sonoma County Board of Supervisors Meeting Minutes.pdf 09.13.22 Sonoma County Board of Supervisors Meeting Minutes.pdf 09.27.22 Sonoma County Board of Supervisors Meeting Minutes.pdf

Board Action: Approved as recommended. Sonoma Valley County Sanitation District

Ayes: Gorin, Coursey Absent: Mayor Lowe

7. Approve the Minutes of the Meeting July 15, 2022

2023-0221

Approve the Minutes of the Meeting July 15, 2022

Department or Agency Name(s): Board of Supervisors

**Attachments:** Summary Report

07.15.22 Sonoma County Board of Supervisors Special Closed Session Meeting

Minutes.pdf

9:49 A.M.

Presenters:

Tennis Wick, Permit Sonoma, Director Scott Orr, Permit Sonoma, Deputy Director Nathan Quarles, Permit Sonoma, Deputy Director Engineering Yvonne Shu, County Administrator's Office, Administrator Analyst

11:06 A.M. Public Comment Opened

Speakers:

**Duane DeWitt** 

Mousaf

**Brent Beazor** 

**Aaron Smith** 

**Bob Harder** 

Beth Buzzone

Hal

Calum Weeks

Richard Brand

11:29 A.M. Public Comment Closed

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

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

Abstain: Gorin

8. Approve the Minutes of Meeting August 2, 2022

2023-0222

Approve the Minutes of Meeting August 2, 2022

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

**<u>Attachments</u>**: <u>Summary Report</u>

08.02.22 Sonoma County Board of Supervisors Meeting Minutes.pdf

Board Action: Approved as recommended.

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

Abstain: Rabbitt

9. Approve the Minutes of Meeting September 16, 2022

2023-0223

Approve the Minutes of Meeting September 16, 2022

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

**<u>Attachments</u>**: <u>Summary Report</u>

09.16.22 Sonoma County Board of Supervisors Special Closed Session Meeting

Minutes.pdf

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

recommended.

**Aye:** Rabbitt, Hopkins, and Coursey

**Abstain:** Gorin, and Gore

10. Approve the Minutes of Meeting September 20, 2022

**2023-0225** 

Approve the Minutes of Meeting September 20, 2022

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

Attachments: Summary Report

09.20.22 Sonoma County Board of Supervisors Meeting Minutes.pdf

Board Action: Moved by Supervisor Gorin, Seconded by Supervisor Rabbitt; Approved as

recommended.

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

Abstain: Gore

### 11. California Public Utilities Commission Grant for Broadband

2023-0186

- A) Authorize the Economic Development Board department Director, or designee, as the fiscal agent to the North Bay North Coast Broadband Consortium (NBNCBC), to execute the Regional Broadband Consortia Program grant agreement for up to \$600,000 with the California Public Utilities Commission.
- B) Adopt a Resolution adjusting the FY 2022-2023 Economic Development Board department Budget, increasing appropriations for accepted grant funds by \$100,000 for the first year of the three-year grant. (4/5ths vote)

(4/5th Vote Required)

Department or Agency Name(s): Economic Development Board

**Attachments:** Summary Report

Consent Form Resolution T-17778

Resolution adjusting the 2022-2023 Adopted Budget

North Bay North Coast Broadband Consortium Memorandum of Understanding

Board Action: Approved as recommended by Resolution 23-0107.

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

12. Modify Passenger Loading and No Parking Zone Restrictions on Bower Street (#79027) at Oak Grove Elementary School - Adopt

Adopt an Ordinance Amending Ordinance No. 2300 to Modify Existing Passenger Loading and No Parking Zone Restrictions on Bower Street (#79027) at Oak Grove Elementary School. (Fifth District)

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

**Attachments:** Summary Report

Ordinance

Location Map #1.pdf Location Map #2.pdf

Board Action: Approved as recommended by Ordinance 6402.

13. Lease extension for West County Community Services, 16390 Main Street, Suite A, Guerneville

2023-0100

- A) Authorize the Public Infrastructure Director to execute an amendment to the lease with West County Community Services, to extend the lease term to December 31, 2023, with two, 1-year options to further extend the term through December 31, 2025; for West County Community Services use of office space located at 16390 Main Street, Suite A, in Guerneville, CA; and
- B) Make findings as required by Section 26227 of the Government Code that the proposed extended lease is necessary to meet the social needs of the population of the County and that the subject premises is not and will not be needed for county purposes during the term of the extended lease time period.

(Fifth District)

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

**Attachments:** Summary Report.pdf

1-Floor Plan.pdf

2-Proposed Lease Amendment.pdf

Board Action: Approved as recommended.

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

14. New Lease for Office of Equity, 111 Santa Rosa Avenue, Suite 202, Santa Rosa

2023-0101

Authorize the Public Infrastructure Director to execute the proposed lease with Landlord 111 Santa Rosa, LLC, for office space at 111 Santa Rosa Avenue, Suite 202, in downtown Santa Rosa, for the Office of Equity.

**Department or Agency Name(s):** Public Infrastructure and Office of Equity

<u>Attachments</u>: <u>Summary Report.pdf</u>

1-Floor & Site Plans.pdf 2-Proposed Lease.pdf

Board Action: Approved as recommended.

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

15. Agreement for Criminal Justice Recruitment Marketing Services

2023-0161

Authorize the Sheriff to execute an Agreement for Criminal Justice Recruitment Marketing Services with Epic Recruiting, from March 14, 2023, through December 31, 2026, for a total cost not to exceed \$722,250.

**Department or Agency Name(s):** Sheriff's Office

**Attachments:** Summary Report

Agreement with Epic Recruiting

Board Action: Approved as recommended.

### APPOINTMENTS/REAPPOINTMENTS

16. Approve the Re-Appointment of Caroline Shaw to the Sonoma County Tourism Board for a one-year term beginning March 7, 2023 and ending December 31, 2023. (Fourth

District)

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

**<u>Attachments</u>**: <u>Summary Report</u>

Board Action: Approved as recommended.

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

17. Approve the Appointment of Drew McCalley (Sea Ranch/Annapolis) to the Sonoma <u>2023-0175</u>

Coast Municipal Advisory Council (SC MAC) for a term beginning on January 1, 2023

and ending December 31, 2024. (Fifth District)

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

**Attachments:** Summary Report

Board Action: Approved as recommended.

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

18. Approve the Appointment of Michael Reynolds to the Mental Health Board for a <u>2023-0204</u>

three-year term from March 7, 2023 to March 7, 2026. (Fifth District)

Department or Agency Name(s): Board of Supervisors

**Attachments:** Summary Report

Board Action: Approved as recommended.

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

### PRESENTATIONS/GOLD RESOLUTIONS

PRESENTATIONS AT THE BOARD MEETING

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

19. Adopt a Gold Resolution Proclaiming the Month of March, 2023 as Sonoma County 2023-0064

Civil Grand Jury Appreciation Month. (Countywide)

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

**Attachments:** Summary Report

**Gold Resolution** 

Board Action: Approved as recommended by Resolution 23-0108.

9:43 A.M. Public Comment on Consent Calendar Opened

Speakers:

**Duane DeWitt** 

9:45 A.M. Public Comment on Consent Calendar Closed

VII.

### **REGULAR CALENDAR**

### 20. Permit Sonoma Management Review Implementation Schedule

2023-0091

- A) Receive and comment on Implementation Schedule from Permit Sonoma
- B) Consider directing Permit Sonoma to update the Implementation Schedule based on comments received at today's meeting for final Board approval on consent
- C) Authorize Permit Sonoma to work with Human Resources on the development of a new job classification of Assistant Director of Permit Sonoma
- D) Direct Permit Sonoma to return with any related budgetary and staffing changes, based on comments received at today's meeting, as appropriate

**<u>Department or Agency Name(s)</u>**: Permit and Resource Management

**Attachments:** Summary Report

Attach 1 - BerryDunn Management Review Final Report

Attach 2 - Implementation Schedule

Attach 4 - Presentation

9:49 A.M.

Presenters:

Tennis Wick, Permit Sonoma, Director Scott Orr, Permit Sonoma, Deputy Director Planning Yvonne Shu, County Administrator's Office, Administrative Analyst III Nathan Quarles, Permit Sonoma, Deputy Director Engineering Construction

11:06 A.M. Public Comment Opened

Speakers:

**Duane Dewitt** 

Mousaf

**Brent Beazor** 

Aaron Smith

**Bob Harder** 

Beth Buzzone

Hal

Calum Weeks

Richard Brand

11:29 A.M. Public Comment Closed

This Regular Calendar Item was Information only.

21. Approval of Pre-Development Agreements for the Conversion of George's Hideaway to Permanent Supportive Housing

2023-0115

### **Board of Commissioners:**

- A) Authorize the Executive Director or Interim Executive Director of the Sonoma County Community Development Commission, or designee, to execute a Professional Services Agreement with Burbank Housing Development Corporation to provide pre-development and project management services for the renovation and development of George's Hideaway into a 21-unit permanent supportive housing project for an amount not to exceed \$1,265,700.
- B) Authorize the Sonoma County Community Development Commission to enter an Exclusive Right to Negotiate a Property Transfer Agreement with West County Community Services for the George's Hideaway property.
- C) Adopt a Resolution authorizing the Executive Director of the Sonoma County Community Development Commission, Interim Executive Director of the Sonoma County Community Development Commission, or designee, to execute all Project Homekey documents for the George's Hideaway project, Standard Agreement on behalf of the County of Sonoma for participation in the Project Homekey Program, and take any other actions necessary to effectuate the terms and conditions of the Standard Agreement and Homekey Program.
- D) Make findings that the Professional Services Agreement and Exclusive Right to Negotiate Agreement are exempt under Section 15262 of the CEQA Guidelines (feasibility and planning studies).
- E) Adopt resolution adjusting the Community Development Commission's FY 2022-23 budget by \$1,465,700 to program \$1,095,700 of Round #2 Project Homekey Award and \$370,000 of Measure O funding for pre-development and capital cost of George's Hideaway. (4/5th Vote Required)

(4/5th Vote Required)

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

**Attachments:** Summary Report

Attachment 1 - Award Letter

Attachment 2 - Standard Agreement

Attachment 3 - Developer RFQ For Project Homekey Sites

Attachment 4 - Conceptual Site Plan Attachment 5 - Draft PSA and ERNA

Attachment 6 - Resolution

Attachment 7 - Project Homekey Budget Resolution

**Presentation** 

12:16 P.M.

Presenters:

Rhonda Coffman, Community Development Commission, Interim Director Marc Chandler, Community Development Commission, Community Development Manager Ray Tovar, Community Development Commission, Senior Community Development Specialist 12:37 P.M. Public Comment Opened

Speakers:

Marina

12:39 P.M. Public Comment Closed

12:40 P.M. The Board recessed to lunch.

Board Action: Moved by Supervisor Hopkins, Seconded by Supervisor Gore; Approved as recommended by Resolutions 23-0109 and 23-0110.

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

# VIII. 11:00 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.)

11:50 A.M. Public Comment on Matters Not Listed On The Agenda Opened

Speakers:

**Sherry Smith** 

**Duane DeWitt** 

Beth Buzzone

Marina

John Loe

Rosanne Snyder

Daniel

No Name

Mary

John Jenkel

12:14 P.M. Public Comment on Matters Not Listed On The Agenda Closed

### IX. <u>1:30 P.M. - PRESENTATIONS/GOLD RESOLUTIONS</u>

1:31 P.M. The Board reconvened from lunch.

1:33 P.M. Supervisor Rabbitt presented Gold Resolution to Honorable Shelly Averill: Presiding Judge.

### Others present:

Robert Oliver, Court Executive Officer
Julie Wilcox, Assistant to the Presiding Judge
Neal Baker, Civil Grand Jury Member
Sharon DeBenedetti, Civil Grand Jury Member
Ron Chestnut, Civil Grand Jury Member
Gale Corson, Civil Grand Jury Member
Kristen Decker, Civil Grand Jury Member
Nancy Dougherty, Civil Grand Jury Member
Carole Galeazzi, Civil Grand Jury Member
Heather McLintock, Civil Grand Jury Member
Peter Maschwitz, Civil Grand Jury Member
Tom Rose, Civil Grand Jury Member
Dee Schweitzer, Civil Grand Jury Member
Debbie Wallman, Civil Grand Jury Member

X.

### **REGULAR AFTERNOON CALENDAR**

22. **1:45 P.M.** File No. ORD19-0011, Appeal of Planning Commission's denial of Appeal to uphold a Legal Non-Conforming Use Determination of the subject property's historic use as a public trail extending over the parcel.

2023-0172

Hold a public hearing and adopt a Resolution denying the appeal and uphold the Planning Commission's decision denying the appeal and upholding staff's determination that a legal non-conforming use exists on the subject parcel. (Fifth District)

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

**Attachments:** Summary Report

Att 1 ORD19-0011 Board of Supervisors Resolution.pdf

Att 2 ORD19-0011 Ordinance Determination Issued December 1, 2021.pdf

Att 3 ORD19-0011 Appeal letter dated December 12, 2022, including subsequent

Amendments and Documentation.pdf

Att 4 ORD19-0011 Planning Commission Staff Report Packet December 1, 2022.pdf

Att 5 ORD19-0011 Aerial Map.pdf

Att 6 ORD19-0011 Application Submittals.pdf

Att 7 ORD19-0011 Affidavits.pdf

Att 8 ORD19-0011 Public Comments Through March 3, 2023

Att 9 ORD19-0011 Article 94 Legal Non-Conforming Code Section.pdf

Att 10 ORD19-0011 Staff Presentation.pdf

Att 11 ORD19-0011 Applicant Presentation.pdf

REVISED Att 12 ORD19-0011 Appellant Presentation.pdf

Att 12 ORD19-0011 Appellant Presentation.pdf

1:48 P.M.

### Presenters:

Tennis Wick, Permit Sonoma, Director
Scott Orr, Permit Sonoma, Deputy Director - Planning
Marina Herrera, Permit Sonoma, Planner III
Crystal Acker, Permit Sonoma, Supervising Planner
Patrick Dirden, Permit Sonoma, Senior Office Assistant
Ivan Jimenez, County Counsel, Deputy County Counsel II
Jennifer Klein, County Counsel, Chief Deputy County Counsel

Appellant: Rita O'Flynn

Applicant: Nathan Young, Russian River Recreation and Parks Department

1:57 P.M. Public Hearing Opened

2:16 P.M Public Comment Opened

Speakers:

B Julia Lavroushim Maria Christopher Kari

Laura

Greg

Natalie

John

**Spartacus** 

Benjie

Jessica

2:35 P.M. Public Comment Closed

2:43 P.M. Public Hearing Closed

Board Action: Moved by Supervisor Hopkins, Seconded by Supervisor Gorin; Approved as recommended by Resolution 23-0111.

23. **2:15 P.M.** - Ordinance to Amend Sonoma County Code Chapter 26 (Sonoma County Zoning Regulations) and the Official Zoning Database.

2023-0205

Hold a public hearing. After the public hearing is closed, find that the proposal is exempt from CEQA and adopt an ordinance amending the text of Chapter 26 of the Sonoma County Code, and the Official Zoning Database.

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

**Attachments:** Summary Report

Att 1 Planning Commission Staff Report
Att 2 Planning Commission Resolution 23-05

Att 3 Board of Supervisors Ordinance

Att 4 Exhibits A - GG, Zoning Code Text Amendments

Staff PowerPoint

2:46 P.M.

Presenters:

Tennis Wick, Permit Sonoma, Director
Scott Orr, Permit Sonoma, Deputy Director - Planning
Eric Gage, Permit Sonoma, Planner III
Cecily Condon, Permit Sonoma, Project Review Manager
Ross Markey, Permit Sonoma, Supervising Planner
Melody Richitelli, Permit Sonoma, Administrative Aide
Jennifer Klein, County Counsel, Chief Deputy County Counsel

2:50 P.M. Public Hearing Opened

2:50 P.M. Public Comment Opened

Speakers:

None

2:53 P.M. Public Comment Closed

2:53 P.M. Public Hearing Closed

Board Action: Moved by Supervisor Rabbitt, Seconded by Supervisor Hopkins; Approved as recommended by Ordinance 6403.

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

XI. REPORT ON CLOSED SESSION

2:53 P.M. County Counsel Robert Pittman reported on Closed Session Items.

# XII. BOARD MEMBER REPORTS ON ASSIGNED BOARDS, COUNCILS, COMMISSIONS OR OTHER ATTENDED MEETINGS

2:55 P.M. The Board reported on assigned Boards, Councils, Commissions and other attended meetings.

XIII. ADJOURNMENT

3:00 P.M. The Board adjourned the meeting in the memory of Dave Dippé and Angelo Clement Sangiacomo.

The meeting was adjourned to March 14, 2023 at 8:30 A.M.

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