



# SONOMA COUNTY BOARD OF SUPERVISORS MEETING MINUTES

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

Susan Gorin, First District  
David Rabbitt, Second District  
Shirlee Zane, Third District  
James Gore, Fourth District  
Lynda Hopkins, Fifth District

Sheryl Bratton, County Administrator  
Bruce Goldstein, County Counsel

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**Tuesday, April 9, 2019**

**8:30 AM**

**Board of Supervisors Chambers  
575 Administration Drive 102A**

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This is a simultaneous meeting of the Board of Supervisors of Sonoma County, the Board of Directors of the Sonoma County Water Agency, the Board of Commissioners of the Community Development Commission, the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District, the Sonoma County Public Finance Authority, and as the governing board of all special districts having business on the agenda to be heard this date. The five District Supervisors also serve as the Board of Directors of the Sonoma County Water Agency, the Sonoma County Agricultural Preservation and Open Space District, the Sonoma County Public Finance Authority, and as the Board of Commissioners of the Community Development Commission. Each of the foregoing entities is a separate and distinct legal entity. The Board welcomes you to attend its meetings which are regularly scheduled each Tuesday at 8:30 a.m. Your interest is encouraged and appreciated.

**AGENDAS AND MATERIALS:** Agendas and most supporting materials are available on the Board's website at <https://www.sonoma-county.legistar.com/>. Due to legal, copyright, privacy or policy considerations, not all materials are posted online. Materials that are not posted are available for public inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, at 575 Administration Drive, Room 100A, Santa Rosa, CA.

**SUPPLEMENTAL MATERIALS:** Materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the Board of Supervisors office at 575 Administration Drive, Room 100A, Santa Rosa, CA, during normal business hours.

**DISABLED ACCOMMODATION:** If you have a disability which requires an accommodation, an alternative format, or requires another person to assist you while attending this meeting, please contact the Clerk of the Board at (707) 565-2241 or [bos@sonoma-county.org](mailto:bos@sonoma-county.org) as soon as possible to ensure arrangements for accommodation.

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**APPROVAL OF THE CONSENT CALENDAR:** The Consent Calendar includes routine financial and administrative actions that are usually approved by a single majority vote. There will be no discussion on these items prior to voting on the motion unless Board Members request specific items be discussed and/or removed from the Consent Calendar. There will be an opportunity for the public to comment on the consent calendar prior to it being voted upon.

**PUBLIC COMMENT:** Any member of the public may address the Board on a matter listed on the agenda. Commenters are requested to fill out a Speaker Card and to come forward to the podium when recognized by the Board Chair. Please state your name and limit your comments to the agenda item under discussion. Available time for comments is determined by the Board Chair based on agenda scheduling demands and total number of speakers.

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**BUDGET WORKSHOPS - NOTE: The department budget workshops have been posted for April 9, 2019 and April 10, 2019. At the discretion of the Chair, department presentations listed for the next day may be moved up, if time allows. Public comment on items not on the agenda will be held at 8:45 a.m. on April 9, 2019.**

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

### **PLEDGE OF ALLEGIANCE**

#### **I. APPROVAL OF THE AGENDA**

(Items may be added or withdrawn from the agenda consistent with State law)

Supervisors Present: Gorin, Rabbitt, Zane, Gore, Hopkins

Staff Present: Sheryl Bratton, County Administrator and Bruce Goldstein, County Counsel

Board Action: The agenda was approved.

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

#### **II. CONSENT CALENDAR**

8:49 A.M. Public Comment Opened

Speakers:

Will Abrams

Peter Tschernoff

8:49 A.M. Public Comment Closed

The consent calendar was approved.

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

#### **1. 2018-19 Property Tax Administration Charge**

[2019-0341](#)

Approve Resolution Authorizing Property Tax Administration Charge to local taxing agencies to reimburse the County for costs incurred to process property taxes for Fiscal Year 2018-19.

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

Board Action: Approved as recommended by Resolution 19-0147.

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

2. Waiver of Penalty and Interest Provisions for Transient Occupancy Tax, Business Improvement Area, and Commercial Cannabis Cultivation and Supply Chain Operators Suffering Structure Damage or Loss as a result of the 2019 Flood (Flood). [2019-0392](#)

- A) Approval of the Sonoma County Board of Supervisors to temporarily waive Transient Occupancy Tax and Business Improvement Area delinquent penalties and interest for first quarter of calendar year 2019 for operators suffering structure damage or loss as a result of the Flood, and delegating authority to the ACTTC to extend this waiver under extraordinary circumstances.
- B) Approval of the Sonoma County Board of Supervisors to temporarily waive Cannabis Business Tax delinquent penalties and interest for the third quarter of fiscal year 2018-2019, for commercial cannabis cultivation and supply chain operators suffering structure damage or loss as a result of the Flood, and delegating authority to the ACTTC to extend this waiver under extraordinary circumstances.

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

Board Action: Approved as recommended by Resolutions 19-0151 and 19-0152.

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

3. Disbursement of Fiscal Year 2018-2019 First District Community Investment Fund Grant Awards [2019-0361](#)

Approve Community Investment Fund grant awards and Authorize the County Administrator, or designee, to execute an agreement with the following non-profit entities for advertising and economic development efforts for FY 2018-2019: Valley of the Moon Vintage Festival for 2018 Vintage Festival, \$2,000; Sonoma Valley Chorale - 2018/2019 Concert Season, \$1,500; Southeast Greenway Campaign DBA Sonoma Land Trust, \$500. (Majority Vote Required)(First District)

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

Board Action: Approved as recommended.

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

4. Recovery Update [2019-0406](#)

Receive an update on the status of recovery operations, planning and seeking of funding opportunities following the October 2017 Sonoma Complex Fires and the 2019 Winter Storm Events.

**Department or Agency Name(s):** County Administrator

Board Action: Approved as recommended.

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

5. Fiscal Year 2018-2019 Tourism Impact Fund Grant Awards [2019-0375](#)
- A) Authorize the County Administrator, or designee, to execute agreements for a total of \$34,972 with non-profit grantees to mitigate the impacts of tourism: Glen Ellen Kiosk Project, \$9,972; Bicycle Safety Campaign, \$5,000; and Sonoma County COPE, \$20,000;
  - B) Authorize the County Administrator, or designee, to amend these agreements to lengthen the time schedules and make minor modifications to the allowed uses that do not increase the amount awarded under the agreement; and
  - C) Approve the allocation of \$4,000 from the Tourism Impact Fund for the support of Municipal Advisory Councils. (Majority) (Countywide)
- Department or Agency Name(s):** County Administrator  
Board Action: Approved as recommended.
- Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins
6. Indigent Defense Services Agreement [2019-0371](#)
- Authorize the Chair to execute a three-year agreement with Kristine Burk to provide for indigent defense services for July 1, 2019, through June 30, 2022, at a cost of \$2,418,629 for FY 19-20, increasing by 2% per year through the term of the contract. (4/5th Vote Required)
- Department or Agency Name(s):** County Administrator and County Counsel  
Board Action: Approved as recommended.
- Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins
7. Adult Detention Behavioral Health Housing Unit Project Ground Lease Authorization [2019-0197](#)
- Authorize the delegation of authority to the Director of General Services to execute and amend as necessary a Ground Lease with the State of California Department of Finance, consistent with the 30 year term of the SB863 grant financing for the Adult Detention Behavioral Health Housing Unit.
- Department or Agency Name(s):** General Services and Sheriff's Office  
Board Action: Approved as recommended.
- Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins
8. Appointing a Hearing Officer in the Matter of an Appeal of Disciplinary Action. [2019-0475](#)
- Adopt a Resolution delegating authority for the Human Resources Director or designee to appoint a hearing officer in the matter of appeal of disciplinary action.
- Department or Agency Name(s):** Human Resources and Sonoma County Water Agency  
Board Action: Approved as recommended by Resolution 19-0148.
- Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins

9. Receive Report on Emergency Work to Stabilize Dangerous Conditions Resulting From the 2019 Winter Storms and Flooding and Make Findings to Extend Suspension of Competitive Bidding. [2019-0431](#)

Board of Directors:

- A) Receive report on emergency work to stabilize dangerous conditions resulting from the 2019 Winter Storms and Flooding; and
- B) Make findings that there is an ongoing emergency need to stabilize dangerous conditions resulting from the 2019 Winter Storms and Flooding; and
- C) Continue to suspend competitive bidding requirements for emergency flooding repairs.  
(4/5th Vote Required)

**Department or Agency Name(s):** Sonoma County Water Agency, Russian River County Sanitation District, Occidental County Sanitation District, Sonoma Valley Sanitation District (Directors: Gorin, Rabbitt, Harrington) and South Park County Sanitation District

Sonoma County Valley Sanitation District  
Board Action: Approved as recommended

**Aye:** Gorin and Rabbitt

**Absent:** Mayor Amy Harrington  
Board Action: Approved as recommended.

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

10. Delegation of Authority for Administrative Airline Lease and/or Agreement Changes [2019-0330](#)

Authorize delegation of authority to the Airport Manager to execute amendments for Airport and Airline related administrative lease and/or agreement changes for all current commercial airline agreements with Alaska Airlines, Inc. American Airlines, Inc., MN Airlines, LLC, and United Airlines.  
(4/5th Vote Required)

**Department or Agency Name(s):** Transportation and Public Works

Board Action: Approved as recommended.

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

11. Conveyance of a Portion of San Antonio Road, Sonoma County, CA, to the State of California for Highway Purposes Pursuant to Streets & Highways Code section 83. [2019-0365](#)

Approve Resolution authorizing the transfer of a portion of San Antonio Road right-of-way to the State of California for use in the State's Highway 101 Freeway project and directing the Chair to execute a Right of Way Contract- State Highway and associated Quitclaim Deed conveying said right-of-way.

**Department or Agency Name(s):** Transportation and Public Works

Board Action: Approved as recommended by Resolution 19-0149.

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

12. Community of Occidental American with Disabilities Act Improvements Project - Phase 3, C18001, Approval of Change Orders No. 2, 3, and 4 [2019-0405](#)
- Approve and authorize the Chair to sign Change Orders No. 2, 3, and 4 to the construction agreement with Piazza Construction in the amount of \$114,370.28, \$133,795.00, and \$123,228.00 for a revised contract total amount of \$1,942,963.93 to add and complete work for unforeseen project conditions at various locations in the Community of Occidental.
- Department or Agency Name(s):** Transportation and Public Works
- Board Action: Approved as recommended.
- Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins
13. Receive Report on Required Emergency Work and Make Findings to Extend Emergency Contracting Actions And Waive Competitive Bidding Requirements Pursuant To Public Contract Code Section 22050 Due To The 2019 Winter Storms And Flooding [2019-0492](#)
- That the Board of Supervisors:
- A) Receive report on required emergency work resulting from the 2019 Winter Storms and Flooding; and
- B) Make findings that there is an ongoing need to continue emergency actions and for further emergency work resulting from the 2019 Winter Storms and Flooding; and
- C) Continue to suspend competitive bidding requirements for emergency flooding repairs. (4/5th Vote Required)(Fourth and Fifth Districts)
- Department or Agency Name(s):** Transportation and Public Works
- Board Action: Approved as recommended.
- Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins
- APPOINTMENTS/REAPPOINTMENTS**
14. Approve the reappointment of Paul Martin to the Sonoma County Agriculture Preservation Open Space District Advisory Committee for a two year term beginning on April 9, 2019 and ending April 10, 2021. (Second District) [2019-0368](#)
- Board Action: Approved as recommended.
- Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins
15. Approve the Reappointment of Stephen Meacham to the Sonoma County Parks Foundation Board to a 2-year term ending on October 6, 2020. (First District) [2019-0372](#)
- Board Action: Approved as recommended.
- Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins
16. Approve the Reappointment of Dmitra Smith to the Commission on Human Rights expiring on August 1, 2020 (First District). [2019-0400](#)
- Board Action: Approved as recommended.
- Aye:** Gorin, Rabbitt, Zane, Gore, and Hopkins

17. Approve the appointment of Brian Marvin to the Parks and Recreation Advisory Committee for a two year term beginning on April 9, 2019 and ending April 10, 2021. (Second District) [2019-0477](#)

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

Board Action: Approved as recommended.

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

18. Approve the appointment of Supervisor James Gore as the representative for the County of Sonoma to serve on the ABAG MTC Housing Legislative Working Group through December 2019. [2019-0465](#)

Board Action: Approved as recommended.

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

### **PRESENTATIONS/GOLD RESOLUTIONS (PRESENTED ON A DIFFERENT DATE)**

19. Adopt a Gold Resolution Recognizing Petaluma for their Designation as a "HeartSafe" Community. [2019-0369](#)

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

Board Action: Approved as recommended by Resolution 19-0150.

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

### **III. 8:45 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.)

8:53 A.M. Public Comment Opened

Speakers:

Michelle Miller

Mary Morrison

Roseanne Snyder

Vanessa

David

Rob

Rob II

Rachel Bell

James Savage

Maureen DeVoe

John Jenkel

9:35 A.M. Public Comment Closed

### **IV. REGULAR CALENDAR**

9:36 A.M. The meeting went into recess.

9:54 A.M. The meeting reconvened.

20. FY 2019-20 Budget Workshop

[2019-0345](#)

Receive FY 2019-20 budget functional area and department presentations.

**Department or Agency Name(s):** County Administrator, Agricultural Commissioner, Agricultural Preservation And Open Space District, Community Development Commission , Economic Development Board, Permit and Resource Management, Regional Parks , Sonoma County Water Agency, Transportation and Public Works and University Of California Cooperative Extension

9:56 A.M.

Introduction

Presenters:

Christina Rivera, Assistant County Administrator;  
Niki Berrocal, Deputy County Administrator;  
Terri Wright, Administrative Analyst, County Administrators Office

9:57 A.M.

Permit and Resource Management Department

Presenters:

Tennis Wick, Director, Permit and Resource Management Department

10:41 A.M.

Community Development Commission

Presenters:

Margaret Van Vleet, Executive Director, Community Development Commission  
Trish Blue, Controller, Community Development Commission  
Jeffery Ross, Assistant Executive Director, Community Development Commission

11:10 A.M.

Transportation and Public Works

Presenters:

Johannes Hoevertz, Director, Transportation and Public Works  
Michelle Arellano, Administrative Analyst, County Administrator's Office  
Monique Chapman, Administrative Services Officer, Transportation and Public Works

11:42 A.M.



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Economic Development Board

Presenters:

Ben Stone, Executive Director, Economic Development Board

Christian Madsen, Analyst, Economic Development Board

Albert Lerma, Assistant Executive Director, Economic Development Board

**V. PUBLIC COMMENT ON CLOSED SESSION ITEMS**

12:31 P.M. Public Comment opened

Public Speakers:

None

12:32 P.M. Public Comment Closed

**VI. CLOSED SESSION CALENDAR**

April 9, 2019, 1:10 P.M. Chairman Rabbitt deferred the Closed Session report out until April 10, 2019.

April 10, 2019, 5:54 P.M. County Counsel Bruce Goldstein reported on Closed Session Items 21 through 26.

21. The Board of Supervisors, the Board of Directors of the Water Agency, the Board of [2019-0391](#)  
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:  
Christina Cramer/Janie Carduff, County of Sonoma and Rick Bolanos, Liebert Cassidy &  
Whitmore. Employee Organizations: All. Unrepresented employees: All, including  
retired employees. (Government Code section 54957.6).

This item was withdrawn.

22. The Board of Directors of the Sonoma County Agricultural Preservation and Open [2019-0396](#)  
Space District will consider the following in closed session: Conference with Legal  
Counsel - Existing Litigation - *Alfred Bordessa and Joseph Bordessa, as  
Successor-Trustees of the Bruno Bordessa and Dorothy Bordessa Revocable Intervivos  
Trust (Created by Declaration of Trust Dated June 12, 2000) v. The Sonoma County  
Agricultural Preservation and Open Space District; and, Does 1 through 20, inclusive.*  
Sonoma County Superior Court Case No. SCV 256943 (Government Code Section  
54956.9(d)(1).)

No reportable action. Direction was given to counsel and staff.

23. The Board of Supervisors will consider the following in closed session: Conference with [2019-0471](#)  
Legal Counsel - Anticipated Litigation. Significant exposure to litigation pursuant to  
Government Code Section 54956.9(d)(2). 1 Case.

The Board approved the settlement of the January 11, 2019 claim filed by Jeanette and Ernie Romano referring to the death of their son in the amount of \$186,300.00 which was inclusive of attorney's fees and costs. The Board authorized the risk manager to proceed with payment and execute all necessary settlement documents.

**Ayes:** Gorin, Rabbitt, Zane, Gore, Hopkins

24. The Board of Supervisors will consider the following in closed session: Conference with [2019-0462](#)  
Legal Counsel - Existing Litigation - *Friends of Lafferty Park, et al v. Pikachu II, LLC, et al.*; Sonoma County Superior Court Case No. SCV-253148 (Government Code Section 54956.9(d)(1).)

No reportable action. Direction was given to counsel and staff.

25. The Board of Supervisors will consider the following in closed session: Conference with [2019-0456](#)  
Legal Counsel - Existing Litigation - *John Cox vs. Alex Padilla, et al.* - Sacramento County Superior Court Case No. 34-2019-80003090 (Government Code Section 54956.9(d)(1).)

No reportable action. Direction was given to counsel and staff.

26. The Board of Supervisors and the Board of Directors of the Agricultural Preservation and Open Space District will consider the following in closed session: Conference with [2019-0450](#)  
Legal Counsel Anticipated Litigation. Potential initiation of litigation pursuant to  
Government Code section 54956.9(d)(2), (d)(4) (1 matter: 3115 Porter Creek Road,  
Santa Rosa, California [Safari West], Owners Peter & Nancy Lang).

The Board of Directors of the Sonoma County Agricultural Preservation and Open Space District voted to settle the claims of Peter and Nancy Lang with the Langs agreeing to provide the District with fee title to 4.5 acres of property adjacent to the Mark West Creek Regional Park and Open Space Preserve in exchange for the release of a 3.1 acre commercial area for the existing Safari West conservation easement. The Board further authorized the General Manager to execute a formal settlement and release document subject to the approval of County Counsel and to confirm the exchange and resolve the outstanding violations at Safari West per the terms of the compliance agreement date December 13, 2016.

**Ayes:** Gorin, Rabbitt, Zane, Gore, Hopkins

**VII. REGULAR AFTERNOON CALENDAR****VIII. RECONVENE FROM CLOSED SESSION**

Supervisors Present: Susan Gorin, David Rabbitt, Shirlee Zane, James Gore, Lynda Hopkins

Staff Present: Sheryl Bratton, County Administrator and Bruce Goldstein, County Counsel

**IX. REPORT ON CLOSED SESSION**

April 9, 2019, 1:10 P.M. Chairman Rabbitt deferred the Closed Session report out until April 10, 2019.

April 10, 2019, 5:54 P.M. County Counsel Bruce Goldstein reported on Closed Session Items 21 through 26.

27. FY 2019-20 Budget Workshop [2019-0345](#)

Receive FY 2019-20 budget functional area and department presentations.

**Department or Agency Name(s):** County Administrator, Agricultural Commissioner, Agricultural Preservation And Open Space District, Community Development Commission , Economic Development Board, Permit and Resource Management, Regional Parks , Sonoma County Water Agency, Transportation and Public Works and University Of California Cooperative Extension

1:10 P.M.

Introduction

Functional Area - Natural Resources

1:37 P.M.

Agricultural Preserve and Open Space District

Presenters:

Bill Keene, General Manager, Agricultural Preserve and Open Space District

Katherine DiPasqua, Administrative Analyst, County Administrator's Office

Karen Gaffney, Program Manager, Agricultural Preserve and Open Space District

2:01 P.M.

Agricultural Commissioner Weights and Measures

Presenter:

Tony Linegar, Agricultural Commissioner-Sealer

2:32 P.M.

Regional Parks

Presenters:

Bert Whitaker, Director, Regional Parks

Melanie Parker, Deputy Director, Regional Parks

2:51 P.M.

Sonoma County Water Agency

Presenters:

Lynne Rosselli, Administrative and Financial Services, Sonoma County Water Agency  
Grant Davis, General Manager, Sonoma County Water Agency

3:20 P.M.

University of California Cooperative Extension

Presenters:

Stephanie Larson, Director, University of California Cooperative Extension

3:36 P.M. Multi Functional Area

Cannabis

Presenters:

Tim Ricard, Program Manager, Economic Development Board

3:52 P.M. Supervisor Gore Exited the meeting.

**X. BOARD MEMBER REPORTS ON ASSIGNED BOARDS, COUNCILS, COMMISSIONS OR OTHER ATTENDED MEETINGS**

There were no Board Member reports.

28. Permit and Resource Management Department: Review and possible action on the following: [2019-0389](#)

Acts and Determinations of Planning Commission/Board of Zoning Adjustments

Acts and Determinations of Project Review and Advisory Committee

Acts and Determinations of Design Review Committee

Acts and Determinations of Landmarks Commission

Administrative Determinations of the Director of Permit and Resource Management

(All materials related to these actions and determinations can be reviewed at:

[<http://www.sonoma-county.org/prmd/b-c/index.htm>](http://www.sonoma-county.org/prmd/b-c/index.htm))

There were no Acts and Determinations.

**XI. ADJOURNMENT**

4:33 P.M. The Board was recessed to Wednesday, April 10, 2019 at 8:30 A.M.

NOTE: The next board meeting will be a functional budget workshop on April 10, 2019.

The next regular meeting will be held on April 16, 2019

(All dates are tentative until each agenda is finalized)

**Present:** Susan Gorin, David Rabbitt, Shirlee Zane, James Gore, and Lynda Hopkins