



SONOMA COUNTY BOARD OF SUPERVISORS MEETING MINUTES - FINAL

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
Robert Pittman, County Counsel

Tuesday, November 5, 2019

8:30 AM

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

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.

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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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8:30 A.M. CALL TO ORDER

8:41 A.M. The Board Meeting was called to order.

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

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

PLEDGE OF ALLEGIANCE**I. APPROVAL OF THE AGENDA**

(Items may be added or withdrawn from the agenda consistent with State law)

8:41 A.M.

Item #4 was continued to a later date.

Item #19A was added to the agenda by emergency findings.

Item #19B was added to the agenda by emergency findings.

Board Action: Approved as amended.

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

II. CONSENT CALENDAR

This was Approved as recommended.

1. Award of Contract for Construction of Oken (0262) Riparian Fencing in the amount of [2019-1479](#) \$82,880 to the Lowest Responsible Bidder, CR Fence Company, Inc.
 - A) Approve the Oken Riparian Restoration Project and authorize the General Manager to record a Notice of Exemption Pursuant to the California Environmental Quality Act;
 - B) Approve the plans and specifications for the Oken Riparian Fencing Project on file with the Clerk;
 - C) Award the contract for construction of the Oken Riparian Fencing Project to the lowest responsible bidder, CR Fence Company, Inc. DBA Humboldt Fence Company in the amount of \$82,880.00 and authorize the President of the Board to execute the contract;
 - D) Authorize the General Manager to:
 - i) Approve and issue written change orders to the contract so long as (1) the change order does not affect that material character of the work and the need for the change order results from unforeseen matters which are discovered after the contract was awarded and such modifications are necessary or advisable to complete the project in a timely and efficient manner; and (2) the cumulative amount of all change orders does not exceed 10% of the original contract price;
 - ii) Authorize the General Manager to approve design changes to the Oken Riparian Fencing Project as may be necessary or appropriate in connection with change orders within the General Manager's authority pursuant to this action;
 - iii) Issue and record Notice of Completion pursuant to Civil Code section 9204.; and
 - iv) Execute an Agreement and Release of Claims, with County Counsel review, if any unresolved claims are listed by the Contractor.
- (Third District)

Department or Agency Name(s): Agricultural Preservation And Open Space District

Board Action: Approved as recommended.

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

2. Lease Amendment for Department of Health Services at 1450 Neotomas Avenue, Santa Rosa [2019-1582](#)

- A) Authorize the General Services Director to execute a Lease Amendment with Cornerstone Properties II S, LLC as Landlord, for a Premises in 1450 Neotomas Avenue, Santa Rosa, vacating 1,381 square feet of Rentable Area located in the basement ("Basement Space") and adding 2,080 square feet of Rentable Area on the first floor of the Building ("Suite 130 Space"); resulting in an increase in the existing monthly rent for the Premises of \$1,984.50 to reflect the 699 square foot increase in Premises area and the higher rent per square foot for Suite 130 Space versus the Basement Space. The goal of the proposed Lease Amendment is to increase operational efficiency at the Department of Health Services by providing its Logistics Group with office space better suited for its tasks and the opportunity for future expansion.
- B) Adopt a resolution adjusting the fiscal year 2019-2020 final budget, appropriating \$20,248 to facilitate \$14,248 in increased facility rental expenditures and \$6,000 in relocation costs within the Department of Health Services. (4/5th Vote Required)
- (Third District)

Department or Agency Name(s): General Services and Health Services

Board Action: Approved as recommended by resolution 19-0474.

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

3. Adopt a resolution ratifying the proclamation of local health emergency in the Sonoma County Operational area due to hazardous conditions resulting from the Kincade Fire. [2019-1667](#)

Adopt a resolution ratifying the Health Officer's proclamation of a local health emergency due to the Kincade Fire.

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

Board Action: Approved as recommended by resolution 19-0475.

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

4. Sonoma Mountain Road Right of Way Vacation RWV19-0001 [2019-1559](#)

Adopt a resolution (1) finding that the project is exempt from CEQA, and (2) ordering vacation of a portion of a right-of-way easement adjacent to Sonoma Mountain Road, over and across Pfendler's property, APN 136-220-018 and Tavernetti's property, APN 136-160-018 lands as shown on the 1866 County Road Survey at Book 1, Official Surveys, Pages 389 and 390, that portion lying within Lot 362 and Lot 352. (Second District)

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

Item #4 continued to a later date during the approval of the agenda.

5. West County Trail Forestville Phase 2 Bid Award [2019-1578](#)
Fifth District
- A) Approve specifications, plans, and forms for the construction of the West County Trail Forestville Phase 2 project.
 - B) Award the construction contract for the West County Trail Forestville Phase 2 project to Murray Building, Inc. (Contractor) in the amount of \$314,927 and authorize the Chair of the Board to execute the contract.
 - C) Authorize the Director of Regional Parks or his designee to approve contract changes up to \$50,000, and approve on behalf of the Board any changes to the design made pursuant to such contract changes as may be necessary or appropriate in connection with change orders within the Director's authority pursuant to Resolution Number 04-0547.
- (Fifth District)

Department or Agency Name(s): Regional Parks

Board Action: Approved as recommended.

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

6. Out-of-State Travel Request - Airport Manager [2019-1539](#)
- Approve Out-of-State Travel Request for the Airport Manager

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

Board Action: Approved as recommended.

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

7. 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 [2019-1624](#)

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, storm-related repairs and winterization activities.

(4/5 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

PRESENTATIONS/GOLD RESOLUTIONS

PRESENTATIONS AT THE BOARD MEETING

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

8. Adopt a Gold Resolution honoring November 2019 as Conservatorship Appreciation Month in Sonoma County. [2019-1584](#)

Department or Agency Name(s): Human Services

Board Action: Approved as recommended by resolution 19-0476.

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

PRESENTATIONS AT A DIFFERENT DATE

9. Adopt a Gold Resolution acknowledging and commending Northern California Public Media on the occasion of its 35th Anniversary of Non-Profit Community Service. (Countywide) [2019-1588](#)

Department or Agency Name(s): Board of Supervisors

Board Action: Approved as recommended by resolution 19-0477.

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

10. Adopt a Gold Resolution honoring Nancy Dobbs on the 35th Anniversary of the establishment of KRCB Public television. (Fifth District) [2019-1586](#)

Department or Agency Name(s): Board of Supervisors

Board Action: Approved as recommended by resolution 19-0478.

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

11. Adopt a Gold Resolution honoring November 11, 2019, as "Veterans Day" in Sonoma County. [2019-1585](#)

Department or Agency Name(s): Human Services

Board Action: Approved as recommended by resolution 19-0479.

Aye: Gorin, Rabbitt, Zane, Gore, Hopkins

8:54 A.M. Public Comment on Consent Calendar Opened

Public Speakers:

June Bashier

8:57 A.M. Public Comment on Consent Calendar Closed

III. REGULAR CALENDAR**12. Retiree Extra-Help Appointment for the Department of Health Services**[2019-1587](#)

Pursuant to Government Code Section 7522.56, approve the appointment of Mary Killian as a Behavioral Health Clinician Retiree Extra-Help in order to fill a critically needed position within 180 days of her retirement, with an appointment date as early as November 5, 2019.

Department or Agency Name(s): Health Services

8:58 A.M.

Presenters:

Bill Carter, Behavioral Health Division Director, Health Services

8:58 A.M. Public Comment Opened

Public Speakers:

None

8:58 A.M. Public Comment Close

Board Action: Approved as recommended.

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

13. **9:00 A.M.** - Sonoma County Wildfire Prevention, Emergency Alert and Response Sales Tax Measure [2019-1571](#)
- A) Receive report from staff on proposed March 2020 Sonoma County Wildfire Prevention, Emergency Alert and Response Sales Tax Ballot Measure.
 - B) Adopt a resolution introducing proposed ordinance imposing a 1/2 cent Transactions and Use Tax in Sonoma County for Sonoma County Wildfire Prevention, Emergency Alert and Response and increasing the County's Appropriations (Spending) Limit to allow expenditure of the proceeds of the proposed transactions and use tax and waiving further reading.
 - C) Conduct a Public Hearing to consider the adoption of an Ordinance to impose a countywide Special Transaction and Use tax (sales tax) to provide additional funding for Sonoma County Wildfire Prevention, Emergency Alert and Response and increase the County's Spending Limit by a commensurate amount. The Ordinance if adopted, will be placed on the Ballot at the March 3, 2020 election, and will become effective if it is approved by two-thirds (2/3) of the voters voting on the measure.
 - D) Direct staff to return during the 2nd Reading of the Ordinance to seek authorization to use General Fund Contingencies to finance the costs associated with placing the measure on the Ballot.

Department or Agency Name(s): County Administrator

9:00 A.M.

Presenters:

Terri Wright, Administrative Analyst III, County Administrator's Office
Robert Pittman, Assistant County Counsel
Sonoma County Fire District Chief, Mark Heine
Tim Aboudara, President International Association of Fire Fighters Local 1401

10:21 A.M. Public Comment Opened

Public Speakers:

Thomas Ells
Fred Peterson
Geoffrey Peters
Steve Hertzberg
John Jenkle

10:35 AM. Public Comment Closed

Board Action: Approved as amended by resolution 19-0480.

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

10:43 AM - The board went into recess

10:48 AM - The board reconvened from recess

14. **10:00 A.M. - Emergency and Pre-Hospital Medical Services System Ordinance**

[2019-1545](#)

Adopt a resolution introducing, reading the title of, and waiving further reading of a proposed ordinance amending Chapter 28 of the Sonoma County Code to align with current statewide emergency medical services system laws and regulations and to address local emergency medical services system characteristics.

Department or Agency Name(s): Health Services

10:54 A.M.

Presenters:

Barbie Robinson, Director, Health Services

James Salvante, Emergency Medical Services Coordinator, Health Services

Terri Wright, Administrative Analyst III, County Administrator's Office

11:04 A.M. Public Comment Opened

Public Speakers:

None

11:04 A.M. Public Comment Closed

Board Action: Approved as recommended by resolution 19-0481.

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

15. Amendment to Chapter 2, Section 2-172 of the County Code, to extend for a period not to exceed 5 years, re-authorizing delegation of authority to certain Department Heads to execute leases and licenses valued at less than \$10,000/month and for a term up to 10 years, including renewals. (First Read) [2019-1570](#)
- A) Adopt a resolution introducing, reading the title of, and waiving further reading of an Ordinance of the County of Sonoma amending Article XVII of Chapter 2, Section 2-172 "Excluded Leases or Licenses" which will re-authorize delegation of authority to Directors of General Services, Regional Parks, Transportation & Public Works and the Airport Manager to execute leases and licenses for county owned facilities valued at less than \$10,000/month and for a term up to ten (10) years, including renewals. This ordinance shall be effective for a period not to exceed five (5) years.
- B) Accept the reports required under existing Article XVII of Chapter 2, Section 2-172 to summarize all licenses and leases executed under this authority since October 28, 2014, attached hereto. Ready for Adoption.

Department or Agency Name(s): General Services

11:05 A.M.

Presenters:

Caroline Judy, Director, General Services Department

11:17 A.M. Public Comment Opened

Public Speakers:

None

11:17 A.M. Public Comment Closed

Board Action: Approved as recommended by resolution 19-0482.

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

16. Fee Waiver

[2019-1577](#)

Approve a fee waiver in the amount of \$120 by Sonoma County Area Agency on Aging for use of the Santa Rosa Veterans Memorial Building. (Third District)

Department or Agency Name(s): Board of Supervisors

This item was taken out of order.

8:59 A.M.

Presenters:

Supervisor Zane

8:59 A.M. Public Comment Opened

Public Speakers:

None

8:59 A.M. Public Comment Closed

Board Action: Approved as recommended.

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

IV. PUBLIC COMMENT ON CLOSED SESSION ITEMS

11:18 A.M. Public Comment Opened

Public Speakers:

None

11:18 A.M. Public Comment Closed

V. CLOSED SESSION CALENDAR

1:36 P.M. Chairman Rabbitt deferred the Closed Session Report until after Item IX.

1:59 P.M. County Counsel Bruce Goldstein reported on Closed Session Items 17 through 19.

17. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - California North Bay Fire Cases, San Francisco Superior Court, JCCP 4955 (Government Code Section 54956.9(d)(1).) [2019-1660](#)

The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation- In re PG&E Corporation and Pacific Gas and Electric Company, United States Bankruptcy Court, Northern District of California, San Francisco Division, Case No. 19-30088(DM) Chapter 11. (Government Code Section 54956.9(d)(1).)

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

18. The Board of Supervisors will consider the following in closed session: The County of Sonoma's response to confidential final draft audit report. (California Government Code Section 54956.75.) [2019-1661](#)

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

19. 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: Christina Cramer/Janie Carduff, County of Sonoma and Rick Bolanos, Liebert Cassidy & Whitmore. Employee Organizations: Western Council of Engineers and Sonoma County Public Defender Investigators' Association. Unrepresented employees: All, including retired employees. (Government Code section 54957.6).

[2019-1529](#)

This item was withdrawn.

VI. REGULAR AFTERNOON CALENDAR

VII. 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

VIII. REPORT ON CLOSED SESSION

1:36 P.M. Chairman Rabbitt deferred the Closed Session Report until after Item IX.

1:59 P.M. County Counsel Bruce Goldstein reported on Closed Session Items 17 through 19.

IX. 1:30 P.M. - PRESENTATIONS/GOLD RESOLUTIONS

1:36 P.M.

X. 1:45 P.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.)

2:00 P.M. Public Comment Opened

Public Speakers:

Peter Tscherneff

Michelle Miller

Mary Morrison

Rachel Bell

Roseanne Snyder

James Savage

Rob McGilly

Richard Hannon

John Jenkel

2:19 P.M. Public Comment Closed

ITEM #19A ADDED TO THE REGULAR AGENDA DUE TO AN EMERGENCY SITUATION AFTER THE PUBLISHING OF THE AGENDA.

- 19A. **2:15 P.M.** - Urgency Ordinance Adding Chapter 40A, Kincade Fire Disaster Recovery, to [2019-1671](#)
Sonoma County Code

Hold public hearing. After close of public hearing, find the proposed ordinance exempt from CEQA under Public Resource Code §§ 21080(b)(3)-(4) and CEQA Guidelines §§ 15269(a),(c), and approve the proposed ordinance. (4/5th Vote Required)

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

2:20 P.M.

Presenters:

Jane Riley, Planning Manager, Permit and Resource Management Department

Christa Shaw, Deputy County Counsel

Tennis Wick, Director, Permit and Resource Management Department

Michael Gossman, Deputy County Administrator

2:32 P.M. Public Comment Opened

Public Speakers:

None

2:32 P.M. Public Comment Closed

Board Action:

Approved as recommended by Ordinance 6290

Ayes: Gorin, Rabbitt, Zane, Gore, Hopkins

ITEM #19B ADDED TO THE REGULAR AGENDA DUE TO AN EMERGENCY SITUATION AFTER THE PUBLISHING OF THE AGENDA.

- 19B. Urgency Ordinance Establishing Requirements For The Removal Of Fire Damaged Debris From Private Property Following The Kincade Fire [2019-1670](#)

Waive further reading of the Kincade Fire Cleanup Emergency Ordinance and adopt the urgency ordinance.

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

2:33 P.M.

Presenters:

Verne Ball, Deputy County Counsel

2:52 P.M. Public Comment Opened

Public Speakers:

None

2:53 P.M. Public Comment Closed

Board Action:

Approved as recommended by Ordinance 6291

Ayes: Gorin, Rabbitt, Zane, Gore, Hopkins

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

2:53 P.M. The Board reported on assigned Boards, Councils, Commissions and other attended meetings.

20. Permit and Resource Management Department: Review and possible action on the following: [2019-1583](#)

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://sonomacounty.ca.gov/PRMD/Boards-Commissions-and-Committees/>)

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

2:56 P.M.

Board Action:

The Board accepted the Acts and Determinations.

AYES: Gorin, Rabbitt, Zane, Gore, Hopkins

XII.**ADJOURNMENT**

2:56 P.M. The Board adjourned the meeting in the memory of Maria Biasetto, Gregory Beedon, Michael Lewis, Evelyn Chetham, Verna L. Krout, Carol Lynn Sitts Young and Miriam Gaon.

The meeting was adjourned to November 12, 2017 at 8:30 A.M.

Respectfully submitted,

Kay Lowtrip,
Chief Deputy Clerk of the Board

NOTE: The next regular meeting will be held on November 12, 2019.

(All dates are tentative until each agenda is finalized)