

Special Meeting



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

Monday, January 6, 2020

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 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.

Special Meeting

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THE FOLLOWING AGENDA NOTE IS REVISED BY ADDENDUM

ORIGINALLY PUBLISHED NOTE:

CLOSED SESSION - NOTE: The closed session department head performance evaluations have been posted for January 6, 2020 and January 7, 2020. At the discretion of the Chair, department head performance evaluations listed for the next day may be moved up, if time allows.

REVISED AGENDA NOTE:

CLOSED SESSION - NOTE: The closed session department head performance evaluations have been posted for January 6, 2020, January 7, 2020 and January 13, 2020. At the discretion of the Chair, department head performance evaluations listed for the next day may be moved up, if time allows.

8:30 A.M. CALL TO ORDER

8:37 A.M. The Board Meeting was called to order.

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

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)

The agenda note was revised by addendum.

Board Action: Approved as amended.

The Board pulled Item 4 to the Regular Calendar.

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

II. NOMINATION AND ELECTION OF BOARD CHAIR, VICE-CHAIR AND CHAIR PRO-TEM

1. Selection of Officers 2020 2019-1937

- A) Adopt a Resolution appointing the Chair, Vice-Chair and Chair Pro-Tem for the year 2020 for the Board of Supervisors, Directors and Commissioners;
- B) Adopt a Resolution naming the officers of the County of Sonoma Public Financing Corporation;
- C) Adopt a Resolution naming the officers of the County of Sonoma Public Financing Authority; and
- D) Adopt a Resolution naming the officers of the Sonoma County Water and Wastewater Financing Authority.

Department or Agency Name(s): Board of Supervisors, Agricultural Preservation And Open Space District, In-Home Supportive Services (IHSS) Public Authority, Occidental County Sanitation District, Russian River County Sanitation District, Sonoma County Public Financing Authority, Sonoma County Water Agency, Sonoma County Water and Wastewater Financing Authority, South Park County Sanitation District , Sonoma Valley County Sanitation District (Directors: Gorin, Hopkins, Harvey) and Community Development Commission

8:38 A.M.

Presenters:

Supervisor David Rabbitt, Second District

Supervisor Susan Gorin, First District

Board Action:

Approved as recommended by Resolutions 20-0001, 20-0002, 20-0003, 20-0004.

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

Sonoma Valley County Sanitation District

AYES: Gorin, Hopkins

ABSENT: Mayor Harvey

III. RECESS TO RECEPTION IN THE FOYER

8:52 A.M. The Board went into recess.

IV. REMARKS OF THE INCOMING CHAIR

9:25 A.M. The Board reconvened.

Special Meeting

2. Board Assignments 2019-1945

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 2020.

Department or Agency Name(s): Board of Supervisors

9:30 A.M.

9:57 A.M. Public Comment Opened

Speakers:

None

9:57 A.M. Public Comment Closed

Board Action: Approved as recommended.

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

V. **CONSENT CALENDAR**

3. Consolidation of March 3, 2020, Presidential Primary Election 2019-1777

Adopt the resolution authorizing consolidation of the jurisdictions that have submitted a request for consolidation of elections with the March 3, 2020 Presidential Primary Election, as required by Elections Code §10402.

Department or Agency Name(s): Clerk-Recorder-Assessor

Board Action: Approved as recommended by Resolution 20-0005

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

Special Meeting

4. Climate Action Ad Hoc Committee Charter and Staffing Options 2019-1921

- A) Review and Approve the Climate Action Ad Hoc Committee Charter
- B) Consider staffing options to support Climate Action efforts and direct staff to return with staffing plan and budget adjustments.
- C) Approve use of up to \$160,000 in FY 2019-20 General Fund Contingencies to fund staffing and County Counsel support to lead County coordination of climate change and resiliency efforts

Department or Agency Name(s): County Administrator

9:58 A.M. This item was pulled to the Regular Calendar.

Speakers:

Michael Gossman, Deputy County Administrator, Sonoma County Administrator's Office

10:10 A.M. Public Comment Opened

Speaker:

Teri Shore

10:12 A.M. Public Comment Closed

Board Action: Approved as recommended. The Board chose "option #1" pertaining to recommended action "B" which would add a 1.0 FTE Administrative Analyst III position to the Office of Recovery and Resiliency, within the County Administrator's Office.

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

5. Engineering and Design Services for Headworks Rehabilitation Project 2019-1793

In an ongoing effort to replace aging infrastructure and ensure operational reliability:

- A) Authorize Sonoma County Water Agency's General Manager, acting on behalf of Sonoma Valley County Sanitation District, to execute an agreement with HDR Engineering, Inc. for engineering and design services through December 31, 2022 in the not-to-exceed amount of \$370,000.
- B) Authorize Sonoma County Water Agency's General Manager to amend the agreement provided amendments do not cumulatively increase the total cost to Sonoma Valley County Sanitation District by more than 10 percent, while retaining authorities under Resolution 04-0547, and do not substantially change the scope of work.

(2/3rd Vote Required)(First District)

Department or Agency Name(s): Sonoma Valley County Sanitation District (Directors: Gorin, Hopkins and Harvey)

Board Action: Approved as recommended.

Aye: Gorin, Hopkins

Absent: Mayor Harvey

Special Meeting

6. Release of Senior Engineer Position from Hiring Freeze **2019-1792**

Release hiring freeze for the Senior Engineer position within the Roads-Engineering Division of the Transportation and Public Works Department

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 Kincade Fire **2019-1797**

That the Board of Supervisors:

- A) Receive report on required emergency work resulting from the Kincade Fire; and
 - B) Make findings that there is an ongoing need to continue emergency actions and for further emergency work resulting from the Kincade Fire; and
 - C) Continue to suspend competitive bidding requirements for emergency work.
- (4/5th Vote Required)

Department or Agency Name(s): County Counsel, Transportation and Public Works and County Administrator

Board Action: Approved as recommended.

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

APPOINTMENTS/REAPPOINTMENTS

8. Approve the re-appointment of Robert Williamson as the Fifth Trustee on the Sonoma County Employees' Retirement Association Board for a term of three-years beginning December 31, 2019 and ending December 31, 2022. (Countywide) **2019-1918**

Department or Agency Name(s): Board of Supervisors

Board Action: Approved as recommended.

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

9. Appoint Robert Mullen as the Dry Creek Valley Association's representative to the Dry Creek Valley Citizens Advisory Council for a two year term beginning January 1, 2020 and ending December 31, 2021. (Fourth District) **2019-1798**

Department or Agency Name(s): Board of Supervisors

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.)

10. Adopt a Gold Resolution proclaiming January 2020 as Human Trafficking Awareness Month in Sonoma County. **2019-1842**

Department or Agency Name(s): District Attorney, Sheriff's Office, Probation, Human Resources, Health Services and Human Services

Board Action: Approved as recommended by Resolution 20-0006.

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

PRESENTATION ON A DIFFERENT DATE

11. Approve a Gold Resolution Congratulating the Museum of Sonoma County on their 35th Anniversary. (Countywide) **2019-1807**

Department or Agency Name(s): Board of Supervisors

Board Action: Approved as recommended by Resolution 20-0007.

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

VI. REGULAR CALENDAR

12. 10:00 A.M. - Industrial Hemp Ordinance

2019-1775

- A) Conduct a public hearing and adopt a Resolution introducing, reading the title of, and waiving future reading of a proposed Ordinance amending Chapter 1 (General Provisions), Chapter 26 (Zoning Code), and Chapter 37 (Industrial Hemp Ordinance) of the Sonoma County Code to regulate industrial hemp cultivation and make other minor amendments.
- B) Adopt a Resolution to set fees to recover the reasonable cost of providing services related to industrial hemp registrations.
- C) Adopt a resolution authorizing a budgetary adjustment programming of \$41,262 of General Fund contingencies to finance County Counsel costs related to the development of the Industrial Hemp ordinance and related activities. (4/5th Vote Required)

Department or Agency Name(s): Agricultural Commissioner

10:17 A.M.

Presenters:

Tony Linegar, Agricultural Commissioner/Sealer of Weights & Measures
Sue Ostrom, Assistant Agricultural Commissioner/Sealer of Weights & Measures
Andrew Smith, Deputy Agricultural Commissioner
Sita Kuteira, Deputy County Counsel

12:40 P.M. Public Comment Opened

Public Speakers:

China Dusk
Douglas Fisher
Jeffrey Winters
Tony Prussiameritt
Chris Stover
Marcy Meadows
Anna Ransome
Deborah Epstein
Laura Waldbaum
Steven R. Sommen
Bridget Beyton
Jane Eagle
Thomas Azwell
Carlo Berg
Miko Martini
Clayton Taylor
Herman Hernandez
Paul Castillo
Brantly Richardson
Jamie Ballachino
Aaron Kahlon

Special Meeting

Tawny Tesconi
Vince Scholten
Joan Conway
David Drips
Omar Figueroa
Joel Freston
Joe Rogoway
Bill Krawer

1:22 P.M. Public Comment Closed

Board Action: Approved as recommended by Resolutions 20-0008, 20-0009, 20-0010.

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

VII. PUBLIC COMMENT ON CLOSED SESSION ITEMS

2:41 P.M. Public Comment Opened

Public Speakers:
None

2:41 P.M. Public Comment Closed

VIII. CLOSED SESSION CALENDAR

4:37 P.M. January 7, 2020, County Counsel Bruce Goldstein reported on Closed Session Items 13 through 21.

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| 13. | The Board of Supervisors will consider the following in closed session: Public Employee Performance Evaluation -Chief Probation Officer. (Government Code Section 54957(b)(1)). | 2019-1938 |
| | No reportable action. Direction was given to staff. | |
| 14. | The Board of Supervisors will consider the following in closed session: Public Employee Performance Evaluation - Public Defender. (Government Code Section 54957(b)(1)). | 2019-1939 |
| | No reportable action. Direction was given to staff. | |
| 15. | The Board of Supervisors will consider the following in closed session: Public Employee Performance Evaluation - Director, Child Support Services. (Government Code Section 54957(b)(1)). | 2019-1941 |
| | No reportable action. Direction was given to staff. | |
| 16. | The Board of Supervisors will consider the following in closed session: Public Employee | 2019-1942 |

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Performance Evaluation - County Counsel. (Government Code Section 54957(b)(1)).

This item was continued to a future date.

17. The Board of Supervisors will consider the following in closed session: Public Employee Performance Evaluation -Director of the Independent Office of Law Enforcement Review and Outreach. (Government Code Section 54957(b)(1)). **2019-1944**

No reportable action. Direction was given to staff.

18. The Board of Directors of the Sonoma County Agricultural Preservation and Open 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).) **2019-1913**

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

19. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - *County of Sonoma v Amber Temple, SCV264190.* (Government Code Section 54956.9(d)(1).) **2019-1969**

The Board approved an agreement to accept as compromise all of the total penalties due in the amount of \$70,200.00, in order to effectuate the sale of the real property at 1062 B Street, Fulton to new buyers who have agreed to enter into an Abatement Security Agreement with the County to compel the buyers to bring the Property into compliance with Sonoma County Code Chapters 7 (Building) and Chapter 26 (Zoning), with other negotiated terms, was approved with direction given to County Counsel to effectuate the settlement.

AYES: Gorin, Rabbitt, Zane, Gore, Hopkins

20. The Board of Supervisors will consider the following in closed session: Conference with Legal Counsel - Existing Litigation - [In re National Prescription Opiate Litigation, Case No. 1:17-MD-2804]. (Government Code Section 54956.9(d)(1).) **2019-1943**

The Board of Supervisors of the County of Sonoma voted to approve the following action: Authorize the County Counsel to vote in favor of the Defendant Insys Therapeutics bankruptcy liquidation plan as presented on January 6, 2020.

AYES: Gorin, Rabbitt, Zane, Gore, Hopkins

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21. 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. Employee Organizations: Sonoma County Public Defenders Investigators' Association. Unrepresented employees: All, including retired employees. (Government Code section 54957.6). **2019-1864**

This item was not heard.

IX. REGULAR AFTERNOON CALENDAR

X. RECONVENE FROM CLOSED SESSION

The Board continued the January 6, 2020, meeting to 8:30 A.M. on January 7, 2020.

The Board reconvened on January 7, 2020, at 4:37 P.M.

Supervisors Present: Susan Gorin, David Rabbitt, James Gore

Supervisors Absent: Shirlee Zane, Lynda Hopkins

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

XI. REPORT ON CLOSED SESSION

4:37 P.M. January 7, 2020, County Counsel Bruce Goldstein reported on Closed Session Items 13 through 21.

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

2:17 P.M. This item was taken out of order.

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22. Permit and Resource Management Department: Review and possible action on the following: **2019-1786**

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

This item was taken out of order.

This item was heard on January 7, 2020, at 4:42 P.M.

Board Action:

The Board accepted the Acts and Determinations.

AYES: Gorin, Rabbitt, Gore

ABSENT: Zane, Hopkins

XIII.

ADJOURNMENT

The Board continued the January 6, 2020, meeting to 8:30 A.M. on January 7, 2020.

NOTE: The next regular meeting will be held on January 7, 2020.

(All dates are tentative until each agenda is finalized)