

**TUESDAY, JANUARY 26, 2010**

**BOARD OF SUPERVISORS  
Sonoma County  
Regular Meeting**

Special Districts  
Supervisors' Chambers  
Sonoma County Administration Building  
575 Administration Dr., Room 102a  
Santa Rosa, California 95403-2887  
Phone 707-565-2241  
Fax 707-565-3778  
Web Site: <http://www.sonoma-county.org/board/>

Valerie Brown  
Mike Kerns  
Shirlee Zane  
Paul L. Kelley  
Efren Carrillo  
Chris Thomas  
Steven Woodside

First District  
Second District  
Third District  
Fourth District  
Fifth District  
Acting CAO  
County Counsel

The Board of Supervisors 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 most supporting materials are available on the Board's website listed above.

Public Transit Access to the County Administration Center:  
Sonoma County Transit: Rt. 20, 30, 44, 48, 60, 62  
Santa Rosa CityBus: Rt. 14  
Golden Gate Transit: Rt. 80  
For transit information call (707) 576-RIDE or 1-800-345-RIDE.

The agenda is divided into two sections, plus an addendum if necessary:

**CONSENT CALENDAR:** These matters include routine financial and administrative actions, are usually approved by a single majority vote. Any Board Member may remove an item from the consent calendar and place it on the regular calendar for discussion.

**REGULAR CALENDAR:** These items include significant and administrative actions of special interest and are classified by program area. The regular calendar also includes "Set Matters," which are noticed hearings, work sessions and public hearings.

**ADDENDUM:** If urgent matters arise after the publication of the regular agenda, there will be an addendum. It will be posted at the above referenced website by Friday at 5:00 p.m. the week before the meeting.

**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.

**AGENDA SUPPORTING MATERIALS:** Most background materials, proposed Board actions and other information are available online, linked to the respective agenda item. However, due to legal, copyright, privacy or policy considerations, not all materials are posted. 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.

**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, as soon as possible to ensure arrangements for accommodation.

Any member of the audience desiring to address the board on a matter on the agenda: Please walk to the podium and after receiving recognition from the Chair, state your name and make your comments. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the subject under discussion. Each person is usually granted 3 minutes to speak; time limitations are at the discretion of the Chair.

**Tuesday, January 26, 2010 - 8:30 A.M.**

- I. Call to order and pledge of allegiance
  - II. Board member announcements and reports on meetings and other activities
  - III. Special Districts - Consent Calendar
    - A. Agricultural Preservation and Open Space District
    - B. Community Development Commission
    - C. Russian River County Sanitation District
    - D. Sonoma County Water Agency
  - IV. General County Government
    - A. Approval of Agenda
    - B. Consent items pulled
    - C. Items to be held
    - D. Off Agenda Items
    - E. Commendatory/memorial resolutions
  - V. Board of Supervisors - Consent Calendar
  - VI. Special Districts - Regular Calendar - None
- Note: Special Districts may also be included in agenda items that appear on the Board of Supervisors Consent, Regular or Closed Session calendars
- VII. Board of Supervisors - Regular Calendar
    - A. Development Services
    - B. General Administrative Services

**Closed Session:**

- 1. **The Board of Supervisors will consider the following in closed session:**  
Initiation of litigation pursuant to subdivision (c) of Section 54956.9. (Govt. Code Section 54956.9(c))

2. **The Board of Supervisors will consider the following in closed session:**  
Conference with Legal Counsel-Existing Litigation. Name of Case: V.L. by and through his guardian ad litem Nancy Lagahid; David Oster, et al., Plaintiffs and Appellees v. John A. Wagner, Director of the California Department of Social Services, et al. (Govt. Code Section 54956.9(a))
3. **The Board of Supervisors, the Board of Directors of the Sonoma County Water Agency and the Board of Commissioners of the Community Development Commission will consider the following in closed session:**  
Conference with Labor Negotiator, Agency Negotiator: Dan Fulks. Employee organization: All. Unrepresented employee: All, including retired employees. (Govt. Code Section 54957.6(b))
4. **The Board of Supervisors will consider the following in closed session:** Public Employee Evaluation. Title: County Counsel. (Govt. Code Section 54957)
5. **The Board of Supervisors will consider the following in closed session:** Matters of Security at Public Facilities. (Govt. Code Section 54957)

**Afternoon Session:**

1. 2:00 Report on Closed Session
2. 2:00 Public Comment on Issues Not on the Agenda. Please limit comments to 3 minutes each. The Board will hear public comments on non-agenda issues for up to 30 minutes. At that time, they will hear scheduled agenda items. Any additional public comments will be heard at the conclusion of the agenda items.
3. 2:00 Permit and Resource Management Department: Review and possible action on the following:
  - a. Acts and Determinations of Planning Commission/Board of Zoning Adjustments
  - b. Acts and Determinations of Project Review and Advisory Committee
  - c. Administrative Determinations of the Director of Permit and Resource Management

**Uncontested Public Hearings:**

1.      2:05    File No.:      PLP09-0073  
                 Env. Doc.:      Categorical Exemption  
                 Description:    To consider a Request to establish a new Type I  
                                 Agricultural Preserve Area totaling 95.94 acres; 2) a Zone Change on the  
                                 95.94 acres from the RRD (Resource and Rural Development), B6-100  
                                 acre density, Z (Second Unit Exclusion) districts to the RRDWA  
                                 (Resources and Rural Development/Agricultural Preserve), B6-100 acre  
                                 density, Z (Second Unit Exclusion) districts or other appropriate district;  
                                 and 3) allow for inclusion of the property into the Agricultural Preserve,  
                                 and authorization for the Chair of the Board of Supervisors to sign a new  
                                 Type I Williamson Act Contract  
                                 Location:      15460 Bodega Highway, Sebastopol  
                                 Sup. Dist.:      Dist. #5

**Regular Public Hearings:**    None

**Upcoming Hearings** (All dates tentative until each agenda is finalized )

1.      Feb. 2: TEFRA Hearing
2.      Feb. 2: ADR05-0113, 6702 (Previously 6700) Sonoma Mountain Road, Glen Ellen
3.      Feb. 9: PLP09-0039 Zone Change to allow legalization of existing and re-build  
                 affordable units, 17475 Hwy 12, Sonoma
4.      Mar. 2: General Plan Amendments - First Round
5.      Mar. 16: ZCE09-0029 Amend Zoning Ordinance
6.      Mar. 16: Dutra Asphalt (continued from 12/15/09 and 1/12/10)

**NOTE:            The next meeting will be held on February 2, 2010 at 8:30 a.m.**

**SPECIAL DISTRICTS**

**CONSENT CALENDAR**

**JANUARY 26, 2010**

**DEVELOPMENT SERVICES**

**AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT**

1. Conveyance of Farmers Lane Extension Right-of-Way
    - a. Resolution of the Board of Directors of the Sonoma County Agricultural Preservation and Open Space District ("District") conveying fee title and associated easements to the City of Santa Rosa, while reserving an access easement for access under the future Farmers Lane Extension project; accepting \$211,000 from the City of Santa Rosa for the conveyance; approving a revocable license agreement and an application for an encroachment permit with the City of Santa Rosa for the public's interim use of Taylor Mountain; and delegating authority for the President to execute an access easement in favor of the Sonoma County Water Agency
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**COMMUNITY DEVELOPMENT COMMISSION**

2. Russian River Redevelopment Project Area - Small Business Assistance Program Amendment
  - a. Resolution of the Sonoma County Community Development Commission (Commission), in its capacity as the governing body of the Sonoma County Community Redevelopment Agency, approving and authorizing the Commission's Executive Director to execute an Amendment to the Professional Services Agreement with the Sonoma County Junior College District on behalf of the Small Business Development Center (S.B.D.C.), authorizing a \$6,000 increase in funding for an amended total not to exceed eighteen thousand dollars (\$18,000) for the Small Business Assistance Program, and authorizing the Commission's Executive Director to make minor, non-substantive changes to the Agreement following review and approval of County Counsel as to form

**COMMUNITY DEVELOPMENT COMMISSION/COUNTY ADMINISTRATOR**

- 3. Amending Sonoma County Community Development Commission By-laws to Reinstate Authority of Commissioners to Appoint Executive Director
    - a. Resolution of the Sonoma County Community Development Commission Amending Commission By-laws to Reinstate the Authority of the Commissioners to Appoint the Commission's Executive Director
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(Note: The Commission is also included in Item #23 on the Board of Supervisors calendar.)

**RUSSIAN RIVER COUNTY SANITATION DISTRICT**

- 4. Russian River County Sanitation District Treatment Plant Grit Chamber Project - Resolution Ratifying Execution of the Contract
    - a. Resolution approving and ratifying execution of the Contract for the Russian River County Sanitation District Treatment Plant Grit Chamber and Influent Channel Recoating Project, by the General Manager/Chief Engineer of the Sonoma County Water Agency, on behalf of the Russian River County Sanitation District. (Contractor - Miksis Services, Inc., \$31,680)
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**SONOMA COUNTY WATER AGENCY**

- 5. Sea Ranch Sanitation Zone High-Efficiency Direct Installation Program
  - a. Resolution authorizing budgetary adjustments to the Fiscal Year 2009/2010 final budget for the Sonoma County Water Agency General Fund in the amount of \$40,000 (R1) (4/5ths vote required)
  - b. Resolution authorizing budgetary adjustments to the Fiscal Year 2009/2010 final budget for the Sea Ranch Sanitation Zone Operations Fund in the amount of \$40,000 (R2)

6. 1315 Airport Boulevard Tenant Improvements and Fleet Center Relocation Projects - Appropriations Transfer
  - a. Resolution authorizing an appropriation of 2.9 million dollars from the Agency's Facilities Fund for the 1315 Airport Boulevard Tenant Improvements and Fleet Center Relocation Projects
  
7. Grant of Easement to Ryder Companies
  - a. Resolution determining that the granting of easement will not adversely affect the Agency in any respect and will not have a significant adverse effect on the environment; authorizing the Chair to execute an Easement Agreement conveying property rights to SWSR Associates LLC for sewerage and storm drain easement; and authorizing the General Manager/Chief Engineer to file a Notice of Determination in accordance with the California Environmental Quality Act (4/5ths vote required)
  
8. Santa Rosa Water Conservation Program 2008-09
  - a. Authorize Chair to execute the First Amended Agreement for Administration of the City of Santa Rosa Water Conservation Program Funded in Fiscal Year 2008-09 between the Sonoma County Water Agency and City of Santa Rosa (\$50,000)

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(Note: The Agency is also included in Item #23 on the Board of Supervisors calendar.)

**BOARD OF SUPERVISORS**

**CONSENT CALENDAR**

**JANUARY 26, 2010**

**HEALTH AND HUMAN SERVICES**

**HEALTH SERVICES**

9. Medi-Cal Administrative Activities (MAA) Host Entity Agreement
  - a. Authorize the Director of Health Services to execute a contract with Marin County as MAA Host Entity for Fiscal Year 2009-10 and Fiscal Year 2010-11, and any future amendments that do not significantly change the scope of work (\$60,000)
  
10. Health Care and Other Facilities Award
  - a. Authorize the Director of Health Services to accept a Health Care and Other Facilities Award from the Department of Health and Human Services in the amount of \$377,190 on behalf of Southwest Community Health Center and Sonoma Valley Community Health Center
  
  - b. Resolution authorizing budgetary adjustments to the Fiscal Year 2009-10 Final Budget within the Special Revenue Fund - Department of Health Services in the amount of \$377,190 (4/5ths vote required)
  
  - c. Authorize the Director of Health Services to execute contracts with Southwest Community Health Center (\$222,000) and Sonoma Valley Community Health Center (\$155,190) for January 12, 2010 through August 31, 2011, subject to County Counsel review, and any future amendments that do not significantly change the scope of work

**FISCAL SERVICES**

**AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR**

11. Amendment to Existing Agreement for Title Check Services for the Sonoma County Energy Independence Program (SCEIP)
  - a. Authorize Auditor-Controller-Treasurer-Tax Collector, acting as Program Administrator, to execute a second amendment to existing agreement for title check services with TSS (Tax Sale Services of California), to add the provision of title check services for contractual assessments under Streets & Highways code section 5898.10 et seq

## **DEVELOPMENT SERVICES**

### **PERMIT AND RESOURCE MANAGEMENT DEPARTMENT**

12. Ordinance No. 3836R Permit and Permit Extensions
  - a. Resolution issuing an Ordinance No. 3836R permit and necessary permit extensions to Sonoma County Water Agency for routine maintenance work in various channels in the County (4/5ths vote required)
  
13. Green Building Ordinances
  - a. Ordinance adding Chapter 7D1, "Green Building Ordinance," of the Sonoma County Code to incorporate green building requirements (Ready for Adoption)
  
  - b. Ordinance adding Chapter 7D2, "Energy Efficiency Ordinance," of the Sonoma County Code for the purpose of adopting Local Energy Efficiency Standards (Ready for Adoption)
  
14. 2010 Affordable Housing In-Lieu Fee Update
  - a. Approve the Scope of Services for the 2010 Housing in-Lieu Fee Update
  
  - b. Resolution approving a budget transfer of \$35,862 from the County Fund for Housing to Permit and Resource Management Department (PRMD) for the 2010 Housing In-Lieu Fee Update (4/5ths vote required)
  
  - c. Authorize the Chair to execute a contract with Economic and Planning Systems in the amount of \$35,862, including \$29,885 for the 2010 Housing In-Lieu fee Update Work Plan with 20% contingency of \$5,977
  
  - d. Authorize the Director of PRMD to amend the contract to add up to \$25,000 for additional work that may be necessary to complete the fee update

### **REGIONAL PARKS**

15. Tolay Lake Regional Park - Grazing Agreement.
  - a. Authorize the Chair to sign a short-term (February 1, 2010 - June 30, 2010) grazing agreement with H and L Mohring for use of Tolay Lake Regional Park

**REGIONAL PARKS/SONOMA COUNTY WATER AGENCY**

- 16. Concession Operation at Spring Lake Regional Park
  - a. Approve and authorize the Chairperson to sign a one-year license agreement for the concession operation at Spring Lake Park
  - b. Authorize the Director of Regional Parks to administratively extend the term of the agreement up to two additional years

**TRANSPORTATION AND PUBLIC WORKS**

- 17. Countywide and Sonoma Valley Traffic Mitigation Program Revisions
  - a. Approve the revisions and additions to the transportation projects listed below into the Countywide and Sonoma Valley Traffic Mitigation funding programs
  - b. Resolution introducing, reading the title of, and waiving further reading of an ordinance amending Chapters 26 and 26C of the Sonoma County Code to update the roadway improvements funded by traffic mitigation fees for the Sonoma Valley and Countywide Areas

**CRIMINAL JUSTICE SYSTEM SERVICES**

**PROBATION**

- 18. Professional Services Agreement with Counseling and Psychotherapy Centers of California, Inc.
  - a. Authorize the Chief Probation Officer, on behalf of the County, to sign a contract in the amount of \$95,104 for a term to begin on January 26, 2010, to January 31, 2011, and any amendments or extensions which do not significantly change the program content and are within approved budget authority, with Counseling and Psychotherapy Centers of California, Inc. to provide juvenile sex offender treatment for designated Sonoma County youth

## **GENERAL ADMINISTRATIVE SERVICES**

### **COUNTY CLERK-RECORDER-ASSESSOR**

19. Clerk-Recorder-Assessor - Position Allocation Change in the County Clerk Division
  - a. Resolution approving the reclassification of a Legal Processor II to a Legal Staff Supervisor in the County Clerk Division and amend the position allocation list to reflect reclassification

### **GENERAL SERVICES**

20. Los Guilicos Photovoltaic System
  - a. Approve the concept and proposed financing plan of the Los Guilicos Photovoltaic System project and authorize staff to proceed with project development. Staff will return to the Board for the approvals and public hearing required by Government Code Section 4217 and for final approval of the project's financing package
21. INFORMATIONAL: Project Completion Report
  - a. Bi-Annual Board Report - Notice of Completion for Capital Projects
22. Adult Detention Consolidation and Expansion
  - a. Authorize the Chair to execute amendments to the contract with Hellmuth, Obata & Kassabaum, Inc. in the amount of \$88,000 and to the contract with Voorhis/Robertson Justice Services, Inc. in the amount of \$78,090 for the Adult Detention Consolidation & Expansion project

### **HUMAN RESOURCES**

23. Memorandum of Understanding (M.O.U.) between the County of Sonoma and the International Union of Operating Engineers, Stationary Engineers, Local No. 39
  - a. Concurrent resolution approving the M.O.U. between the County of Sonoma and Local 39 for the period of February 9, 2010-February 10, 2011 for the following: Sonoma County Water Agency, Community Development Commission, Northern Sonoma County Air Pollution Control District, and Board of Supervisors

24. Memorandum of Understanding between the County of Sonoma and the Engineers and Scientists of California (E. S. C.) Bargaining Unit 75
  - a. Resolution approving Memorandum of Understanding (M. O. U.) between the County of Sonoma and the E. S. C. for the period of January 26, 2010 through May 31, 2011

**COUNTY ADMINISTRATOR**

25. Federal Advocacy Issues
  - a. Approve federal healthcare priorities for the Department of Health Services and authorize Madison Government Affairs to pursue opportunities to secure appropriations and to represent the County's interests on key health care issues, including legislative and regulatory matters
  - b. Approve federal priorities for other County Departments as submitted and authorize Alcalde and Fay to pursue opportunities to secure federal appropriations and to represent the County's interests on these issues

**COUNTY ADMINISTRATOR/AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR**

26. American Recovery and Reinvestment Act (ARRA) Recovery Zone Designation
  - a. Resolution creating a Recovery Zone under the provisions of the ARRA for purposes of potentially issuing Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds
  - b. Direct staff to submit the required Plan of Issuance to the California Debt Allocation Committee and to execute and deliver any and all documents which may be deemed necessary or advisable in order to maintain County allocation and bring back to the Board proposals for potential use of Recovery Zone Bonds

**BOARD OF SUPERVISORS**

27. Commendation
  - a. Resolution commending the Santa Rosa Flyers for their championship in the Silver Sticks Regional Hockey Tournament
28. Recognition
  - a. Resolution recognizing March 13 through 20, 2010 as Mediation Week

29. Appointment
  - a.. Resolution appointing Kalia Mussetter to the Human Services Commission, representing the Fifth Supervisorial District
30. Reappointment
  - a. Resolution reappointing Stephen M. Beckwith to the Assessment Appeals Board
31. Reappointment
  - a. Resolution reappointing Tamara Davis to the Marin/Sonoma Mosquito and Vector Control District, representing Sonoma County
32. Reappointment
  - a. Resolution reappointing Ann McGee to the Human Services Commission, representing the Third Supervisorial District
33. Reappointment
  - a. Resolution reappointing Bill Carson to the Sonoma County Tourism Bureau Board, representing the Fourth Supervisorial District
34. Reappointment
  - a. Resolution reappointing Ramona Turner to the Sonoma County Regional Parks Foundation
35. Reappointment
  - a. Resolution reappointing Art Jewett to the Civil Service Commission, representing the Fourth Supervisorial District
36. Reappointment
  - a. Resolution reappointing Gail Pardini-Plass to the Advisory Council to the Area Agency on Aging, Sonoma County, representing the Fourth Supervisorial District
37. Minutes
  - a. Concurrent resolution approving the minutes for the meeting of November 10, 2009 for the following: Sonoma County Agricultural Preservation and Open Space District, Northern Sonoma County Air Pollution Control District, Community Development Commission, Sonoma County Water Agency, and Board of Supervisors
  - b. Resolution approving the minutes for the meeting of November 10, 2009 for Sonoma Valley County Sanitation District

38. Minutes

- a. Concurrent resolution approving the minutes for the meeting of November 17, 2009 for the following: Sonoma County Agricultural Preservation and Open Space District, Northern Sonoma County Air Pollution Control District, Sonoma County Water Agency, and Board of Supervisors
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**BOARD OF SUPERVISORS**

**REGULAR CALENDAR**

**JANUARY 26, 2010**

**DEVELOPMENT SERVICES**

**TRANSPORTATION AND PUBLIC WORKS**

39. Roads Needs Assessment
- a. Accept the California Statewide Local Streets and Roads Needs Assessment Final Report (Executive Summary)
  - b. Resolution supporting the findings of the California Statewide Local Streets and Roads Needs Assessment
  - c. Direct the Clerk of the Board to send resolution with an accompanying letter from the Chair to the Governor and legislators, expressing the need to protect existing local transportation funding and warning legislators of the consequences if additional dedicated transportation revenues are not developed for local streets and roads

CAO Recommends: Approval

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**GENERAL ADMINISTRATIVE SERVICES**

**COUNTY CLERK-RECORDER-ASSESSOR**

40. SB 676 Recording Program
- a. Resolution adopting a base fee for recording and indexing every instrument, paper, or notice required or permitted by law to be recorded at nine dollars (\$9) for the first page and three dollars (\$3) for each additional page, pursuant to SB 676, effective February 1, 2010
  - b. Resolution authorizing budgetary adjustments to the 2009-10 final budget for the special revenue fund, Recording Operations, in the amount of \$225,935, and committing any remaining fund balance to recording operations and reimbursement costs (4/5ths vote required)

- c. Direct the County Clerk/Recorder/Assessor, Auditor-Controller and the County Administrator, in conjunction with the proposed Fiscal Year 2010-11 budget, to reorganize the financial and accounting structure for the Recorder division, making all budgetary adjustments necessary to fully account for recording costs in the Recording Operations special revenue fund

CAO Recommends: Approval

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**BOARD OF SUPERVISORS**

- 41. Report on Supervisor Zane's Advisory Committee on the Santa Rosa Veterans Memorial Building
  - a. Direct staff from the County Administrator's office to come back to the Board in three months with recommendations to achieve full cost recovery for the Santa Rosa Veterans Memorial Building

CAO Recommends: For policy determination of the Board

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**COUNTY ADMINISTRATOR**

- 42. Fiscal Year 2010-11 Budget Policy Workshop
  - a. Provide policy direction on items detailed in report

CAO Recommends: Approval

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**BOARD OF SUPERVISORS**

- 43. Fee Waiver
  - a. Waive fees of \$1,340 for non-profit event benefiting Voice our Independent Choice for Emancipation Support (VOICES), a drop-in resource center for homeless, runaway and current and former foster youth aged 16 to 24 on June 26, 2010 from 10 a.m. to 4 p.m.

CAO Recommends: For policy determination of the Board

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44. Fee Waiver  
a. Waive fees in the amount of \$280 for the Classic Cloverdale 4-H Club's food booth during the Cloverdale Citrus Fair

CAO Recommends: For policy determination of the Board

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45. Fee Waiver  
a. Waive fees of \$1,075 (2/3 of requested amount) for the Russian River Rotary's annual Crab Feed to be held on February 20th at the Guerneville Veteran's Building

CAO Recommends: For policy determination of the Board

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