



**MINUTES OF MEETING**  
**Wednesday, May 4, 2005**

Board of Supervisors Meeting Room  
 575 Administration Drive, Room 102A  
 Santa Rosa, CA 95403

**COMMISSIONERS**

Present H. E. Boyett, Chair  
 Absent Paul Kelley  
 Present Mike Kerns  
 Absent Debora Fudge  
 Present Lisa Schaffner  
 Present Ray Brunton  
 Present Gary Helfrich

**ALTERNATE COMMISSIONERS**

Absent Valerie Brown  
 Present Jean A. Kapolchok  
 Present Pamela Torliatt

**STAFF**

Present Steven Sharpe, Executive Officer  
 Present Carole Cooper, Assistant Executive Officer  
 Absent David Hurst, Legal Counsel  
 Present Cynthia Olson, Clerk

1. **CALL TO ORDER:** Chairman Boyett called the meeting to order at 2:00 p.m.
2. **APPROVAL OF MINUTES OF APRIL 6, 2005, MEETING:** Chair Boyett noted, for the record, that Commissioner Torliatt's statement regarding Item 7 (Alternate Public Member Appointment/Reappointment) was made after the Commission acted. The minutes of the meeting were approved as amended.
3. **GENERAL ANNOUNCEMENTS:** Steve Sharpe informed the Commission that he and Carole Cooper had completed all annual visits to the cities. Carole Cooper noted that a packet of letters from the public regarding Item 7.2 had been provided to commissioners. She stated David Hurst was absent due to attendance at an out-of-town conference, and she requested that Item 6.1 be continued until the June 1 meeting due to the need to resolve some issues with the City of Petaluma.
4. **GENERAL PUBLIC COMMENT:** Chair Boyett opened the public comment period and, seeing no one rise to address the Commission, closed the comment period.
5. **CONSENT CALENDAR:**
  - 5.1 File No. 05-05: Petaluma Reorganization No. 2005-02 (Rivas) Involving Annexation to the City of Petaluma and Detachment from County Service Area No. 40 (Fire Services) and County Service Area No. 41 (Multi-Svcs.)  
**Applicant:** Augustine and Kathy Jean Rivas, SWI-CO  
**Env. Document:** Negative Declaration  
**Proposal:** Reorganization request for one parcel totaling 2.0+/- acres, involving annexation to the City of Petaluma and detachment from County Service Area No. 40 (Fire Services) and County Service Area No. 41 (Multi-Services)  
**Location:** Generally located at the northern terminus of Bantam Way, north of Bodega Avenue, east of Paula Lane, and south of West Street, in west Petaluma  
**Rezoning:** R1-20,000 (One-Family Residential) District

**Action:** Approved as recommended by staff

Kelley: abs      Kerns: aye      Schaffner: aye      Torliatt: abs      Brunton: aye      Helfrich: aye      Boyett: aye  
 Ayes: 5          Noes: 0          Absent/Abstain: 2

6. **REGULAR CALENDAR**

- 6.1 File No. 05-04: Petaluma Reorganization No.2005-01 (Cobblestone) Involving Annexation to the City of and Detachment from County Service Area No. 40 (Fire Services) and County Service Area No. 41 (Multi-Svcs)  
**Applicant:** Cobblestone Homes, Inc.  
**Env. Document:** Mitigated Negative Declaration

**Proposal:** Reorganization request for seven parcels totaling 24.05+/- acres, involving annexation to the City of Petaluma and detachment from County Service Area No. 40 (Fire Services) and County Service Area No. 41 (Multi-Services)  
**Location:** Generally located east of McNear Avenue and south of Petaluma Blvd, in southwest Petaluma  
**Prezoning:** PUD (Planned Unit Development) District

As requested by staff, Chair Boyett ordered this item continued to the June meeting. He requested staff and the City of Petaluma to consider adding parcels he identified as "1, 2, 3, and 4" on the proposal map to the annexation boundaries, noting that he believed the boundary is irregular so as to create islands.

**7. REGULAR CALENDAR PUBLIC HEARING**

- 7.1 File 05-06: Amendment No. 1 to the Sonoma Valley Health Care District Sphere of Influence and Detachment from Sonoma Valley Health Care District of All Territory Within the Boundaries of the Kenwood Fire Protection District

**Applicant:** Sonoma Valley Health Care District  
**Environmental Document:** General Exemption, pursuant to Section 15061(b)(3) of the CEQA Guidelines  
**Proposal:** Request for amendment to sphere of influence of Sonoma Valley Health Care District and detachment from the District of an inhabited 5,350 +/- acres of all territory within the boundaries of the Kenwood Fire Protection District  
**Location:** Generally located east and west of State Highway 12, north and west of Nuns Canyon Road, and south and east of Sonoma Creek, in and around Kenwood, in unincorporated Sonoma County

Carole Cooper reviewed the staff report and recommended that the Commission approve the sphere amendment and detachment as outlined in the report and set a protest hearing for July 6, 2005.

Chair Boyett questioned whether the territory to be annexed included all the Kenwood Fire Protection District as stated on the documents. Jim McSweeney, Chief Financial Officer of the Sonoma Valley Health Care District, clarified that it was the territory located in both the Kenwood Fire Protection District and the Sonoma Valley Health Care District. Staff agreed to revise the documents to reflect the accurate language.

Commissioner Kapolchok asked for clarification of the purpose of detachment. Mr. McSweeney stated it was a matter of equity to those property owners paying taxes for a service they are not utilizing; he noted that the detachment would also remove these property owners from participation in District elections.

Chair Boyett opened the public hearing and, seeing no one rise to address the Commission, closed the hearing. Commissioner Brunton moved to approve the proposal as recommended by staff; Commissioner Schaffner seconded the motion.

**Action:** Approved as recommended by staff  
Kelley: abs    Kerns: aye    Schaffner: aye    Torliatt: abs    Brunton: aye    Helfrich: aye    Boyett: aye  
Ayes: 5        Noes: 0        Absent/Abstain: 2

- 7.2 File 04-15: Southwest Santa Rosa Reorganization No. 1-02 (Gasparini) Involving Annexation to the City of Santa Rosa and Detachment from Roseland Fire Protection District and County Service Area No. 41 (Multi-Services)

**Applicant:** Michael Gasparini, Allan Henderson  
**Environmental Document:** Southwest Santa Rosa Area Plan Final Environmental Impact Report  
**Proposal:** Reorganization Request for 58 parcels, totaling 27+/- acres, involving annexation to the City of Santa Rosa and detachment from Roseland Fire Protection District, South Park County Sanitation District, and County Service Area No. 41 (Multi-Services)  
**Location:** Generally located north of Dutton Avenue and east of Hearn Avenue, in southwest Santa Rosa  
**Prezoning:** Single Family Residential; Small Lot, Single Family Residential; Multiple Family Residential; Public Building

Carole Cooper reviewed the staff report and recommended that the Commission consider two options: (1) approve the proposal as submitted, including making determinations, certifying review and consideration of the Southwest Santa Rosa Area Plan Final Environmental Impact Report prepared by the City of Santa Rosa, and directing staff

to notice a protest hearing; or (2) deny the proposal, without prejudice, and request that the City amend the proposal to include additional territory to eliminate unincorporated islands. Staff recommended the Commission take a straw vote, direct staff to develop a draft resolution in accordance with the Commission's determinations, and return this for final action at a subsequent Commission meeting.

Chair Boyett opened the public hearing.

John Lowry, Burbank Housing (790 Sonoma Ave), stated that his organization has been working to purchase property in the annexation area; they view this area as important to affordable housing in the county. He strongly encouraged the Commission to approve the proposal so that additional affordable housing can be developed in the city.

Susan Plichcik (1940 Dutton Ave) stated she believes the boundaries to be inappropriate, as proposed; the annexation would create islands, causing confusion for the residents and service providers; and sentiment surveys found very little support for annexation since most parcels are connected to city services. She urged the Commission to reject the proposal for the benefit of the owners and the community.

Chuck Regalia, City of Santa Rosa Department of Community Development, responded to Commissioners' questions. Chair Boyett questioned the validity and relevance of the environmental documents presented as support for this proposal. He stated that most of the information is outdated and does not address many of the critical issues related to annexation and development in the area. He noted that the mitigations outlined in the report are sometimes stated as "can be," indicating the mitigation may, or may not, occur if the development takes place. Mr. Regalia confirmed this to be true.

Commissioner Kerns asked Mr. Regalia to clarify the City's position on changing the proposed annexation boundaries to address LAFCO's concerns. Mr. Regalia stated that the city typically established annexation boundaries that they think will be successful. He said that the city is not interested in adding any properties to the annexation boundary or in being more proactive in southwest Santa Rosa and recommended that the Commission act on the proposal as submitted. Commissioner Kerns stated his opposition to the proposal.

In response to Commissioner Helfrich's question whether impacts of this annexation on public safety would be addressed by special funding from Measure O, Mr. Regalia stated that Measure O, together with impact fees, would fund a new fire station in Roseland that would serve the area and that the city is also considering special service districts to fund service demands in the future. Commissioner Helfrich stated his belief that this was a piecemeal approach to public safety.

Commissioner Kapolchok asked Mr. Regalia whether substantial areas in and around the annexation boundary currently have city services and signed annexation covenants. She felt that, by using these properties as leverage to increase the annexation area, developed parcels that would otherwise not be annexed could be brought into annexation. Mr. Regalia was not sure which, if any, properties have service. He reiterated that the city would not proactively pursue larger annexations in the southwest area.

Chair Boyett asked which surrounding areas receive city water. Mr. Regalia stated southwest Santa Rosa is serviced by the South Park County Sanitation District for sewer but he was not clear on water service. Steve Sharpe stated that the water service is sporadic in this area.

Commissioner Torliatt, who joined the meeting at 2:35 pm, asked if the Roseland Subcommittee and/or Supervisor Reilly had any discussions or input on the proposal. Steve Sharpe stated that the subcommittee, which had met earlier in the day, did not specifically discuss this proposal but did discuss the concept of annexing the whole Roseland area. City representatives stated that, due primarily to financial constraints, the city is not interested in pursuing annexation at this time. He noted that law enforcement representatives had raised the issue of jurisdictional problems.

Commissioner Kerns stated that Supervisor Reilly voiced his objection to the proposed annexation to Commissioner Kerns, urging the Commission to reject the annexation.

Greg Hurd, Carlenzoli & Associates and engineer for the applicant, stated that 40 of the 55 parcels in the annexation areas are currently connected to the City of Santa Rosa for water and South Park Sanitation District for sewer.

Chair Boyett, seeing no one else rise, closed the public hearing and returned the matter to the Commission for discussion. He stated his support of staff's recommendation to deny the application without prejudice.

Commissioner Kerns moved to deny the proposal. He acknowledged Mr. Lowry's position and stated his support for affordable housing but noted that he could not support the proposal, from both a planning and service delivery standpoint. Commissioner Schaffner seconded the motion.

Commissioner Torliatt asked staff for clarification of the meaning of "without prejudice" and, after discussion of the matter, the Commission decided to deny the proposal "without prejudice" to allow the applicant the opportunity to reapply.

Greg Hurd asked if LAFCO has the ability to change the boundaries without the applicant going through the entire process with the City. Steve Sharpe responded that LAFCO can amend the boundaries, but the proposal would go back to the city for pre-zoning and certification of the environmental documents.

Chair Boyett called for a roll call straw vote to accept staff's recommendation of denying the proposal "without prejudice."

**Action:** Denied as recommended by staff, via straw vote; resolution for final action to be brought before the Commission at the next meeting

Kelley: abs      Kerns: aye      Schaffner: aye      Torliatt: aye      Brunton: aye      Helfrich: aye      Boyett: aye  
Ayes: 6          Noes: 0          Absent/Abstain: 1

**8. INFORMATION/DISCUSSION/REPORT ITEMS**

**8.1** Budget Committee Report – Commissioner Schaffner reviewed the 3<sup>rd</sup> Quarter Expenditures / Revenue Report. Staff confirmed that actual expenditures and revenues will exceed budget and that all special districts have paid their fees.

**9. CONFIRM MEETING WEDNESDAY, June 1, 2005, 2:00 p.m.**

**10. ADJOURNED** at 3:05 p.m. in memory and honor of former Alternate Commissioner Robert Jabs